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Not guilty of murder—Trial for robbery—Collateral estoppel.—Jury's finding, after being given a charge on accessories, that petitioner was not guilty of the murder compels the conclusion that petitioner was not at the scene of the crime, which precludes a constitutionally valid conviction for the robbery. *Turner v. Arkansas*, p. 366.

II. Due Process.

1. *Conditional sales contracts—Defaults—Ex parte actions of replevin.*—Procedural due process in the context of these cases requires an opportunity for a hearing *before* the State authorizes its agents to seize property in the possession of a person upon the application of another. The minimal deterrent effect of the bond requirement against unfounded applications for a writ constitutes no substitute for a pre-seizure hearing, and it is immaterial that the deprivation may be temporary and nonfinal during the three-day post-seizure period. *Fuentes v. Shevin*, p. 67.

2. *Conditional sales contracts—Defaults—Ex parte actions of replevin.*—These replevin provisions are invalid under the Fourteenth Amendment since they work a deprivation of property without due process of law by denying the right to a prior opportunity to be heard before chattels are taken from the possessor. *Fuentes v. Shevin*, p. 67.

3. *Conditional sales contracts—Printed forms—Waiver of procedural due process rights.*—The contract provisions for repossession by the seller on the buyer's default do not amount to a waiver of the buyer's procedural due process rights, those provisions neither dispensing with a prior hearing nor indicating the procedure by which repossession was to be achieved. *Fuentes v. Shevin*, p. 67.

4. *Ex parte referral for psychiatric evaluation—Expiration of sentence—Confinement for indefinite term.*—It is a denial of due process to continue to hold petitioner, whose five-year sentence had expired, on the basis of an *ex parte* order committing him to observation without the procedural safeguards commensurate with a long-term commitment; without affording him those safeguards his further detention cannot be justified as analogous to confinement for civil

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contempt or for any other reason. *McNeil v. Director, Patuxent Institution*, p. 245.

5. *Handbill distribution in interior of privately owned shopping center—Other access to patrons available.*—It would be an unwarranted infringement of property rights to require shopping mall owner to yield to the exercise of First Amendment rights under circumstances where adequate alternative avenues of communication with patrons of the shopping center's premises exist. *Lloyd Corp. v. Tanner*, p. 551.

6. *Handbill distribution in shopping mall—Public invited to do business with commercial tenants.*—Privately owned and operated shopping center did not lose its private character and owner's right to protection under the Fourteenth Amendment merely because the public is generally invited to use it for the purpose of doing business with the individual stores. *Lloyd Corp. v. Tanner*, p. 551.

7. *Installment payments—Not items of "necessity."*—The possessory interest of the buyers, who made substantial installment payments, was sufficient for them to invoke procedural due process safeguards notwithstanding their lack of full title to the replevied goods. The ground that the household goods seized were not items of "necessity" (and therefore did not require due process protection) is irrelevant since the Fourteenth Amendment imposes no such limitation. *Fuentes v. Shevin*, p. 67.

8. *Speedy trial not wanted—Defendant not seriously prejudiced.*—The lack of any serious prejudice to petitioner and the fact, as disclosed by the record, that he did not want a speedy trial outweigh opposing considerations and compel the conclusion that petitioner was not deprived of his due process right to a speedy trial. *Barker v. Wingo*, p. 514.

9. *Trial of delinquent juvenile—Preponderance-of-evidence standard.*—*In re Winship*, 397 U. S. 358, which held that proof beyond a reasonable doubt is essential to due process at the adjudicatory stage when a juvenile is charged with an act that would constitute a crime if committed by an adult, must be given fully retroactive effect. *Ivan V. v. City of New York*, p. 203.

III. Equal Protection of the Laws.

1. *Creation of new school district during dismantling of dual school system.*—Whether action affecting dismantling of a dual school system is initiated by the legislature or the school board is immaterial; the criterion is whether the dismantling is furthered or hindered by carving a new school district from the larger district having the dual school system, and a proposal that would impede the dis-

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mantling process may be enjoined. *United States v. Scotland Neck Bd. of Educ.*, p. 484.

2. *Dismantling of city-county segregated school system not complete—City's proposal to create separate system.*—In determining whether realignment of school districts by officials comports with requirements of Fourteenth Amendment, courts will be guided, not by the motivation of the officials, but by the effect of their action. In the totality of the circumstances of this case, the District Court was justified in concluding that Emporia's establishment of a separate school system would impede the process of dismantling the segregated school system. *Wright v. Council of City of Emporia*, p. 451.

3. *Indigent defendant—Appointed counsel—Legal defense fees paid by State.*—Kansas recoupment statute enabling State to recover in subsequent civil proceedings legal defense fees for indigent defendants violates the Equal Protection Clause in that, by virtue of the statute, indigent defendants are deprived of the array of protective exemptions Kansas has erected for other civil judgment debtors. *James v. Strange*, p. 128.

4. *Regulatory scheme enforced by state liquor board—State insufficiently implicated in club's discriminatory guest practices.*—Operation of regulatory scheme enforced by state liquor board, with exception noted, does not sufficiently implicate the State in private club's discriminatory guest practices so as to make those practices "state action" within the purview of the Equal Protection Clause, and there is no suggestion in the record that the State's regulation of the sale of liquor is intended overtly or covertly to encourage discrimination. *Moose Lodge No. 107 v. Irvis*, p. 163.

5. *State sanctions—National fraternal organization.*—Liquor board's regulation requiring that "every club licensee shall adhere to all the provisions of its constitution and by-laws" in effect placed state sanctions behind the discriminatory guest practices that were enacted by the fraternal organization's supreme lodge after the District Court's decision, and enforcement of that regulation should be enjoined to the extent that it requires the lodge's branch to adhere to those practices. *Moose Lodge No. 107 v. Irvis*, p. 163.

6. *Systematic exclusion of Negroes from jury rolls—White defendant.*—The Court of Appeals' affirmance of the District Court's denial of relief on the ground that petitioner, not being a Negro, was not deprived of his rights to due process and equal protection and suffered no unconstitutional discrimination when Negroes were systematically excluded from the grand jury that indicted him and the petit jury that convicted him is reversed. *Peters v. Kiff*, p. 493.

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Assertedly involuntary statement—Confession to police officer posing as fellow prisoner.—Any possible error in the admission of the challenged confession was harmless beyond a reasonable doubt in light of three other unchallenged confessions and strong corroborative evidence of petitioner's guilt. *Milton v. Wainwright*, p. 371.

V. First Amendment.

1. *Disorderly conduct—Direction to leave the scene.*—The statute is not impermissibly vague or broad as "citizens who desire to obey it will have no difficulty in understanding it," and, as construed by the state court, individuals may not be convicted thereunder merely for expressing unpopular ideas. *Colten v. Kentucky*, p. 104.

2. *Disseminating and receiving information—Failure to move on—Roadside incident.*—State's disorderly conduct statute was not unconstitutionally applied, there being ample evidence that the action of a bystander, who had no constitutional right to observe the ticketing process or engage the issuing officer in conversation, was interfering with enforcement of traffic laws. *Colten v. Kentucky*, p. 104.

3. *Peaceable distribution of leaflets—Expulsion from and return to public street traversing military post.*—Application of 18 U. S. C. § 1382, proscribing re-entry onto a military post of a person who has been removed therefrom or ordered by an officer not to re-enter, is violative of First Amendment rights as applied to this civilian who had previously been barred from the post and who was arrested after re-entry while quietly distributing leaflets on a public street, extensively used by civilians as well as military personnel, that runs through Fort Sam Houston, an open military post. *Flower v. United States*, p. 197.

VI. Fourth Amendment.

1. *Search and seizure—Admissibility of seized weapons and narcotics.*—Officer making a reasonable investigatory stop may conduct a limited protective search for concealed weapons when he has reason to believe that the suspect is armed and dangerous. Here the information from the informant had enough indicia of reliability to justify the officer's forcible stop and the protective seizure of the weapon, which afforded reasonable ground for the search incident to the arrest that ensued. *Adams v. Williams*, p. 143.

2. *Warrant issued by a clerk of the municipal court—"Magistrates" or "Judicial Officers."*—City charter provision authorizing

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municipal court clerks to issue arrest warrants for breach of municipal ordinances comports with requirements of Fourth Amendment that warrants be issued by a neutral and detached magistrate who must be capable of determining whether probable cause exists for issuance of the warrant. The clerks, though laymen, worked within the Judicial Branch under supervision of municipal court judges and were qualified to make the determination whether there is probable cause to believe that a municipal code violation has occurred. *Shadwick v. City of Tampa*, p. 345.

3. *Warrantless electronic surveillance—Domestic security—Individual privacy.*—The Fourth Amendment (which shields private speech from unreasonable surveillance) requires prior judicial approval for the type of domestic security surveillance involved in this case, and resort to appropriate warrant procedure would not frustrate the legitimate purposes of domestic security searches. *United States v. United States District Court*, p. 297.

4. *Warrantless electronic surveillance—Domestic security—Neutral magistrates.*—The Government's duty to safeguard domestic security must be weighed against the potential danger that unreasonable surveillances pose to individual privacy and free expression; the freedoms of the Fourth Amendment cannot properly be guaranteed if domestic security surveillances are conducted solely within the discretion of the Executive Branch without the detached judgment of a neutral magistrate. *United States v. United States District Court*, p. 297.

5. *Warrantless electronic surveillance—Presidential powers in national security area.*—The proviso in 18 U. S. C. § 2511 (3) that nothing in the Omnibus Crime Control and Safe Streets Act, which authorizes court-approved electronic surveillance for specified crimes, limits the President's constitutional power to protect against overthrow of the Government or against "any other clear and present danger to the structure or existence of the Government" is merely a disclaimer of congressional intent to define presidential powers in matters affecting national security, and is not a grant of authority to conduct warrantless national security surveillances. *United States v. United States District Court*, p. 297.

VII. Freedom of the Press.

Handbill distribution in interior of privately owned shopping center—No-handbilling policy.—Policy of prohibiting distribution of all handbills within the shopping center did not violate First

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Amendment rights unrelated to the center's operation as there was no dedication of the privately owned and operated shopping center to public use so as to entitle individuals to exercise First Amendment rights therein. *Lloyd Corp. v. Tanner*, p. 551.

VIII. Sixth Amendment.

1. *Double Jeopardy—Enhanced penalty on reconviction.*—The Double Jeopardy Clause does not prohibit an enhanced sentence on reconviction. *Colten v. Kentucky*, p. 104.

2. *Due process—Two-tier system—De novo trial after inferior court conviction.*—State's two-tier system does not violate the Due Process Clause, as it imposes no penalty on those who seek a trial *de novo* after having been convicted in the inferior court; the state procedure involves a completely fresh determination of guilt or innocence by the superior court which is not the court that acted on the case before and has no motive to deal more strictly with a *de novo* defendant than it would with any other. *Colten v. Kentucky*, p. 104.

3. *Right to counsel—No court-appointed counsel.*—The right of an indigent defendant in a criminal trial to the assistance of counsel is not governed by the classification of the offense or by whether a jury trial is required. No accused may be deprived of his liberty as a result of any criminal prosecution—felony or misdemeanor—in which he is denied the assistance of counsel. *Argersinger v. Hamlin*, p. 25.

4. *Speedy trial—Continuances pending conviction of accomplice.*—A defendant's constitutional right to a speedy trial cannot be established by any inflexible rule but can be determined only on an *ad hoc* balancing basis, in which the conduct of the prosecution and the defendant are weighed. The court should assess such factors as the length of and reason for the delay, the defendant's assertion of his right, and prejudice to the defendant. *Barker v. Wingo*, p. 514.

5. *Statement in absence of attorney—Confession to police officer posing as fellow prisoner.*—Any possible error in the admission of the challenged confession was harmless beyond a reasonable doubt in light of three other unchallenged confessions and strong corroborative evidence of petitioner's guilt. *Milton v. Wainwright*, p. 371.

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1. *First Amendment—Disorderly conduct—Direction to leave the scene.*—The statute is not impermissibly vague or broad as "citizens who desire to obey it will have no difficulty in understanding it," and, as construed by the state court, individuals may not be convicted thereunder merely for expressing unpopular ideas. *Colten v. Kentucky*, p. 104.

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3. *Informant's report of weapons and narcotics—Forcible stop and search—Arrest and search of vehicle.*—Officer making a reasonable investigatory stop may conduct a limited protective search for concealed weapons when he has reason to believe that the suspect is armed and dangerous. Here the information from the informant had enough indicia of reliability to justify the officer's forcible stop and the protective seizure of the weapon, which afforded reasonable ground for the search incident to the arrest that ensued. *Adams v. Williams*, p. 143.

4. *Misdemeanor punishable by up to six months' imprisonment—Trial to a judge—Unrepresented by counsel.*—The right of an indigent defendant in a criminal trial to the assistance of counsel is not governed by the classification of the offense or by whether a jury trial is required. No accused may be deprived of his liberty as a result of any criminal prosecution—felony or misdemeanor—in which he is denied the assistance of counsel. *Argersinger v. Hamlin*, p. 25.

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1. *Contributions by union—Political fund—Solicitation of union members.*—Section 610 of 18 U. S. C., as confirmed by the Federal Election Campaign Act, does not apply to contributions or expenditures from voluntarily financed union political funds. A legitimate political fund must be separate from the sponsoring union only in the sense that there must be a strict segregation of its monies from union dues and assessments, and solicitation by union officials, though permissible, must be conducted under circumstances plainly indicating that donations are for a political purpose and that those solicited may decline to contribute without reprisal. *Pipefitters v. United States*, p. 385.

2. *General union monies—Use for political funds.*—Section 610 of 18 U. S. C. may be interpreted to prohibit the use of general union monies for the establishment, administration, or solicitation of contributions for union political funds. By clearly permitting such use, the Federal Election Campaign Act may have impliedly repealed § 610; if there has been such an implied repeal, it does not require abatement of the prosecutions because of the federal saving statute. *Pipefitters v. United States*, p. 385.

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Purchase of money orders from Western Union—Unclaimed funds—Draft unpaid or refund unclaimed.—Any sum held by Western Union unclaimed for the time period prescribed by state statute may be escheated or taken into custody by the State in which the company's records placed the creditor's address, whether the creditor be the payee of an unpaid draft, the sender of a money order entitled to a refund, or an individual whose claim has been erroneously underpaid; and where the records show no address, or where the State in which the creditor's address falls has no applicable escheat law, the right to escheat or take custody shall be in the debtor's domiciliary State. *Pennsylvania v. New York*, p. 206.

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EXECUTIVE DISCRETION. See **Constitutional Law**, VI, 3-5.

EXEMPTIONS. See **Constitutional Law**, III, 3.

EXHIBITIONS. See **Antitrust Acts**.

EX PARTE APPLICATIONS. See **Constitutional Law**, II, 1-3, 7.

EX PARTE ORDERS. See **Constitutional Law**, II, 4.

EXPIRED SENTENCES. See **Constitutional Law**, II, 4.

EXPRESS REPEALS. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

FEDERAL CRIMES. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

FEDERAL ELECTION CAMPAIGN ACT OF 1971. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

FEDERAL INTERVENTION. See **Federal-State Relations**; **Injunctions**, 2.

FEDERALLY SECURED RIGHTS. See **Constitutional Law**, III, 6; **Juries**; **Standing**.

FEDERAL SAVING STATUTE. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

FEDERAL-STATE RELATIONS. See also **Constitutional Law**, VIII, 3; **Criminal Law**, 4; **Injunctions**, 2; **Judicial Review**, 1.

Enjoining state prosecution—Federal anti-injunction statute—Exceptions.—Though principles of equity, comity, and federalism must restrain a federal court when asked to enjoin a state court proceeding, the District Court erred in holding that the federal anti-injunction statute, 28 U. S. C. § 2283, absolutely barred its enjoining a pending state court proceeding under any circumstances whatsoever, since 42 U. S. C. § 1983, which authorizes a suit in equity to redress the deprivation under color of state law “of any rights, privileges, or immunities secured by the Constitution . . .,” is within that exception of the anti-injunction statute that provides that a federal court may not enjoin state court proceedings “except as expressly authorized by Act of Congress.” *Mitchum v. Foster*, p. 225.

FEES. See **Constitutional Law**, III, 3.

FELLOW PRISONERS. See **Constitutional Law**, IV; VIII, 5; **Judicial Review**, 3; **Procedure**, 2.

FELONIES. See **Constitutional Law**, VIII, 3; **Criminal Law**, 4.

FIFTH AMENDMENT. See **Constitutional Law**, I; II, 4-6; IV; VII; VIII, 5; **Judicial Review**, 3; **Procedure**, 2.

FIRST AMENDMENT. See **Constitutional Law**, II, 5-6; V, 1-3; VII; VIII, 1-2; **Criminal Law**, 1-2; **Federal-State Relations**; **Injunctions**, 2; **Procedure**, 5; **Sentences**; **Trials**.

FLORIDA. See **Constitutional Law**, II, 1-3, 7; IV; VI, 2; VIII, 3, 5; **Criminal Law**, 4; **Escheat**; **Federal-State Relations**; **Injunctions**, 2; **Judicial Review**, 3; **Jurisdiction**, 1-2; **Procedure**, 2.

FORCIBLE STOPS. See **Constitutional Law**, VI, 1; **Criminal Law**, 3.

FOREIGN FORUMS. See **Admiralty**; **Contracts**; **Jurisdiction**, 2.

FORT SAM HOUSTON. See **Constitutional Law**, V, 3.

FORUM NON CONVENIENS DOCTRINE. See **Admiralty**; **Contracts**; **Jurisdiction**, 2.

FORUM-SELECTION CLAUSES. See **Admiralty**; **Contracts**; **Jurisdiction**, 2.

FOURTEENTH AMENDMENT. See **Constitutional Law**, I; II, 1-9; III, 1-6; V, 1-3; VI, 2; VII; VIII, 1-4; **Criminal Law**, 1-2, 4; **Federal-State Relations**; **Injunctions**, 1-2; **Judicial Review**, 2; **Juries**; **Juvenile Courts**; **Procedure**, 1, 4-5; **School Desegregation**, 1-2; **Sentences**; **Standing**; **Standing to Sue**; **Trials**.

- FOURTH AMENDMENT.** See Constitutional Law, VI, 1-5; Criminal Law, 3.
- FRATERNAL ORGANIZATIONS.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- FREE-AND-KNOWING CHOICE.** See Elections, 1-2; Procedure, 3; Unions, 1-2.
- FREEDOM OF CHOICE.** See Constitutional Law, III, 1-2; School Desegregation, 1-2.
- FREEDOM OF COMMUNICATION.** See Labor; National Labor Relations Act.
- FREEDOM OF EXPRESSION.** See Federal-State Relations; Injunctions, 2.
- FREEDOM OF SPEECH.** See Constitutional Law, V, 3.
- FREEDOM OF THE PRESS.** See Constitutional Law, II, 5-6; VII.
- FREE-STANDING STORES.** See Labor; National Labor Relations Act.
- FREE-TRANSFER PLANS.** See Constitutional Law, III, 2; School Desegregation, 1.
- FRISKING SUSPECTS.** See Constitutional Law, VI, 1; Criminal Law, 3.
- GAMBLING.** See Constitutional Law, I.
- GARNISHMENTS.** See Constitutional Law, II, 1-3, 7; III, 3.
- GENERAL UNION TREASURY.** See Elections, 1-2; Procedure, 3; Unions, 1-2.
- GEOGRAPHIC ASSIGNMENT PLANS.** See Constitutional Law, III, 2; School Desegregation, 1.
- GEORGIA.** See Constitutional Law, III, 6; Juries; Standing.
- GERRYMANDERING.** See Judicial Review, 2; Procedure, 4.
- GRAND JURIES.** See Constitutional Law, III, 6; Juries; Standing.
- GREENSVILLE COUNTY.** See Constitutional Law, III, 2; School Desegregation, 1.
- GUESTS.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- GUILTY VERDICTS.** See Constitutional Law, I.
- GULF OF MEXICO.** See Admiralty; Contracts; Jurisdiction, 2.

- GUNS.** See Constitutional Law, VI, 1; Criminal Law, 3.
- HABEAS CORPUS.** See Constitutional Law, III, 6; IV; VIII, 5; Judicial Review, 1, 3; Juries; Procedure, 2; Standing.
- HALIFAX COUNTY.** See Constitutional Law, III, 1; School Desegregation, 2.
- HANDBILLS.** See Constitutional Law, II, 5-6; VII.
- HANDGUNS.** See Constitutional Law, VI, 1; Criminal Law, 3.
- HARDWARE STORES.** See Labor; National Labor Relations Act.
- HARMLESS ERROR.** See Constitutional Law, III, 6; IV; VIII, 5; Judicial Review, 3; Juries; Procedure, 2; Standing.
- HARRISBURG.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- HEARINGS.** See Constitutional Law, II, 1-4, 7.
- HEARSAY RULE.** See Constitutional Law, VI, 1; Criminal Law, 3.
- HEROIN.** See Constitutional Law, VI, 1; Criminal Law, 3.
- HIGH COURT OF JUSTICE.** See Admiralty; Contracts; Jurisdiction, 2.
- HIGH-CRIME AREA.** See Constitutional Law, VI, 1; Criminal Law, 3.
- IDENTIFIABLE GROUPS.** See Constitutional Law, III, 6; Juries; Standing.
- IMPLIED REPEALS.** See Elections, 1-2; Procedure, 3; Unions, 1-2.
- IMPOUNDINGS.** See Constitutional Law, II, 1-3, 7.
- IMPRISONMENT.** See Constitutional Law, VIII, 3; Criminal Law, 4.
- IMPROVIDENTLY GRANTED WRITS.** See Judicial Review, 1.
- INACCESSIBILITY OF EMPLOYEES.** See Labor; National Labor Relations Act.
- IN CAMERA INSPECTIONS.** See Constitutional Law, VI, 3-5.
- INCRIMINATION.** See Constitutional Law, IV; VIII, 5; Judicial Review, 3; Procedure, 2.
- INDEFINITE COMMITMENTS.** See Constitutional Law, II, 4.
- INDIANA.** See Escheat; Jurisdiction, 1; Labor; National Labor Relations Act.

“INDICIA OF RELIABILITY.” See **Constitutional Law**, VI, 1; **Criminal Law**, 3.

INDICTMENTS. See **Constitutional Law**, I; III, 6; **Juries**; **Standing**.

INDIGENTS. See **Constitutional Law**, III, 3; VIII, 3; **Criminal Law**, 4.

INFORMANTS. See **Constitutional Law**, IV; VI, 1; VIII, 5; **Criminal Law**, 3; **Judicial Review**, 3; **Procedure**, 2.

INFORMATIONS. See **Constitutional Law**, I.

INJUNCTIONS. See also **Constitutional Law**, III, 1-2; **Federal-State Relations**; **Standing to Sue**.

1. *District court decision—Private club offer to accept modified decree precluding discrimination toward particular guest.*—Negro plaintiff's opposition to amendment of the judgment does not constitute a disclaimer of injunctive relief directed at club's guest practices. *Moose Lodge No. 107 v. Irvis*, p. 163.

2. *Enjoining state prosecution—Federal anti-injunction statute—Exceptions.*—Though principles of equity, comity, and federalism must restrain a federal court when asked to enjoin a state court proceeding, the District Court erred in holding that the federal anti-injunction statute, 28 U. S. C. § 2283, absolutely barred its enjoining a pending state court proceeding under any circumstances whatsoever, since 42 U. S. C. § 1983, which authorizes a suit in equity to redress the deprivation under color of state law “of any rights, privileges, or immunities secured by the Constitution . . .,” is within that exception of the anti-injunction statute that provides that a federal court may not enjoin state court proceedings “except as expressly authorized by Act of Congress.” *Mitchum v. Foster*, p. 225.

IN REM ACTIONS. See **Admiralty**; **Contracts**; **Jurisdiction**, 2.

INSTALLMENT PAYMENTS. See **Constitutional Law**, II, 1-3, 7.

INSTRUCTIONS TO JURIES. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

INTANGIBLES. See **Escheat**; **Jurisdiction**, 1.

INTELLIGENCE INFORMATION. See **Constitutional Law**, VI, 3-5.

INTERCEPTED COMMUNICATIONS. See **Constitutional Law**, VI, 3-5.

INTEREST. See **Constitutional Law**, III, 3.

- INTERIM PLANS.** See **Constitutional Law**, III, 1; **School Desegregation**, 2.
- INTERIOR PROMENADES.** See **Constitutional Law**, II, 5-6; VII.
- INTERNATIONAL TRADE.** See **Admiralty**; **Contracts**; **Jurisdiction**, 2.
- INTERSTATE COMMERCE.** See **Antitrust Acts**.
- INVESTIGATIONS.** See **Constitutional Law**, VI, 1; **Criminal Law**, 3.
- INVIDIOUS DISCRIMINATION.** See **Constitutional Law**, III, 4-5; **Injunctions**, 1; **Standing to Sue**.
- INVITATION TO THE PUBLIC.** See **Constitutional Law**, II, 5-6; VII.
- ISSUANCE OF WARRANTS.** See **Constitutional Law**, VI, 2.
- JOINDER OF OFFENSES.** See **Constitutional Law**, I.
- JUDGES.** See **Constitutional Law**, VI, 2.
- JUDGE'S INSTRUCTIONS.** See **Constitutional Law**, I.
- JUDGMENTS.** See **Constitutional Law**, III, 3.
- JUDICIAL DISCRETION.** See **Constitutional Law**, VIII, 4.
- JUDICIAL OFFICERS.** See **Constitutional Law**, VI, 2.
- JUDICIAL REVIEW.** See also **Constitutional Law**, II, 8; IV; VIII, 4-5; **Labor**; **National Labor Relations Act**; **Procedure**, 2, 4.

1. *Commitments for indefinite terms—Sentences not expired—Commitment procedures undergoing substantial revision.*—Since one petitioner has been released and the others, being subject to unexpired sentences, would not be released from custody even if their claims were to prevail, and since the statutes governing commitment for compulsory psychiatric treatment are being substantially revised to provide greater substantive and procedural safeguards, it is a particularly inopportune time to consider a comprehensive challenge to the State's Defective Delinquency Law. The writ of certiorari is therefore dismissed as improvidently granted. *Murel v. Baltimore City Criminal Court*, p. 355.

2. *Legislative reapportionment—District Court approval after hearings—Summary reversal.*—Absent an explication of the reasons for its summary reversal of the District Court, the Court of Appeals' judgment must be vacated and the case remanded. *Taylor v. McKeithen*, p. 191.

JUDICIAL REVIEW—Continued.

3. *Sixth Amendment*—*Statement in absence of attorney*—*Confession to police officer posing as fellow prisoner*.—Any possible error in the admission of the challenged confession was harmless beyond a reasonable doubt in light of three other unchallenged confessions and strong corroborative evidence of petitioner's guilt. *Milton v. Wainwright*, p. 371.

JURIES. See also **Constitutional Law**, III, 6; **Standing**.

Equal protection of the laws—*Systematic exclusion of Negroes from jury rolls*—*White defendant*.—The Court of Appeals' affirmance of the District Court's denial of relief on the ground that petitioner, not being a Negro, was not deprived of his rights to due process and equal protection and suffered no unconstitutional discrimination when Negroes were systematically excluded from the grand jury that indicted him and the petit jury that convicted him is reversed. *Peters v. Kiff*, p. 493.

JURISDICTION. See also **Admiralty**; **Constitutional Law**, V, 1-3; VIII, 1-2; **Contracts**; **Criminal Law**, 1-2; **Escheat**; **Procedure**, 5; **Sentences**; **Trials**.

1. *Purchase of money orders from Western Union*—*Unclaimed funds*—*Draft unpaid or refund unclaimed*.—Any sum held by Western Union unclaimed for the time period prescribed by state statute may be escheated or taken into custody by the State in which the company's records placed the creditor's address, whether the creditor be the payee of an unpaid draft, the sender of a money order entitled to a refund, or an individual whose claim has been erroneously underpaid; and where the records show no address, or where the State in which the creditor's address falls has no applicable escheat law, the right to escheat or take custody shall be in the debtor's domiciliary State. *Pennsylvania v. New York*, p. 206.

2. *Tow in international waters*—*Disaster at sea*—*Refuge in Tampa*—*Suit by towee*.—Where vital part of towing contract was a forum-selection clause, that clause is binding on the parties unless the party invoking a different forum can meet the heavy burden of showing that its enforcement would be unreasonable, unfair, or unjust. *The Bremen v. Zapata Off-Shore Co.*, p. 1.

JURY VERDICTS. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

JUST COMPENSATION CLAUSE. See **Constitutional Law**, II, 5-6; VII.

JUVENILE COURTS. See also **Constitutional Law**, II, 9; **Procedure**, 1.

Due process—Trial of delinquent juvenile—Preponderance-of-evidence standard.—In re Winship, 397 U. S. 358, which held that proof beyond a reasonable doubt is essential to due process at the adjudicatory stage when a juvenile is charged with an act that would constitute a crime if committed by an adult, must be given fully retroactive effect. *Ivan V. v. City of New York*, p. 203.

KANSAS. See **Constitutional Law**, III, 3.

KENTUCKY. See **Constitutional Law**, II, 8; V, 1-2; VIII, 1-2, 5; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.

LABOR. See also **National Labor Relations Act**.

Union organizers using company parking lots to solicit members—Company's no-solicitation rule—Unfair labor practice charges.—National Labor Relations Board's ruling, upheld by Court of Appeals, that company's no-solicitation rule was overly broad and violated § 8 (a) (1) of the National Labor Relations Act, should be reconsidered to determine whether the employer's property rights must be "yielded" during organizational campaign on ground that "the inaccessibility of employees makes ineffective the reasonable attempts by nonemployees to communicate with them through the usual channels." *Central Hardware Co. v. NLRB*, p. 539.

LABOR ORGANIZATIONS. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

LABOR UNIONS. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

LACK OF PROSECUTION. See **Constitutional Law**, II, 8; VIII, 4.

LAST-KNOWN ADDRESSES. See **Escheat**; **Jurisdiction**, 1.

LAWYERS. See **Constitutional Law**, VIII, 3; **Criminal Law**, 4.

LAYMEN. See **Constitutional Law**, VI, 2.

LEAFLETS. See **Constitutional Law**, V, 3.

LEGAL DEFENSE FEES. See **Constitutional Law**, III, 3.

LEGAL TRAINING. See **Constitutional Law**, VI, 2.

LEGISLATIVE INACTION. See **Antitrust Acts**.

LEGISLATURES. See **Judicial Review**, 2; **Procedure**, 4.

LENGTH OF DELAY. See **Constitutional Law**, II, 8; VIII, 4.

LEXINGTON. See **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.

- LICENSE PLATES.** See Constitutional Law, V, 1-2; VIII, 1-2; Criminal Law, 1-2; Procedure, 5; Sentences; Trials.
- LICENSES.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- LIMITATION OF LIABILITY.** See Admiralty; Contracts; Jurisdiction, 2.
- LIMITED SEARCHES.** See Constitutional Law, VI, 4; Criminal Law, 3.
- LIQUOR LICENSES.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- LOGS OF SURVEILLANCES.** See Constitutional Law, VI, 3-5.
- LONDON COURT OF JUSTICE.** See Admiralty; Contracts; Jurisdiction, 2.
- LOUISIANA.** See Judicial Review, 2; Procedure, 4.
- LOWER COURTS.** See Constitutional Law, V, 1-2; VIII, 1-2; Criminal Law, 1-2; Procedure, 5; Sentences; Trials.
- MAGISTRATES.** See Constitutional Law, VI, 2-5.
- MALLS.** See Constitutional Law, II, 5-6; VII.
- MARGINAL INCOMES.** See Constitutional Law, III, 3.
- MARYLAND.** See Constitutional Law, II, 4; Judicial Review, 1.
- MEDICAL OBSERVATION.** See Constitutional Law, II, 4.
- MEMBERS OF CLUBS.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- MENTAL ILLNESS.** See Constitutional Law, II, 4.
- MICHIGAN.** See Constitutional Law, VI, 3-5.
- MILITARY JURISDICTION.** See Constitutional Law, V, 3.
- MINORITY GROUPS.** See Judicial Review, 2; Procedure, 4.
- MINOR OFFENSES.** See Constitutional Law, VIII, 3; Criminal Law, 4.
- MISDEMEANORS.** See Constitutional Law, V, 1-2; VIII, 1-3; Criminal Law, 1-2, 4; Procedure, 5; Sentences; Trials.
- MONEY ORDERS.** See Escheat; Jurisdiction, 1.
- MOTIVATION OF OFFICIALS.** See Constitutional Law, III, 2; School Desegregation, 1.
- MOTORISTS.** See Constitutional Law, V, 1-2; VIII, 1-2; Criminal Law, 1-2; Procedure, 5; Sentences; Trials.

- MUNICIPAL CODE VIOLATIONS.** See **Constitutional Law**, VI, 2.
- MUNICIPAL COURTS.** See **Constitutional Law**, VI, 2.
- NARCOTICS.** See **Constitutional Law**, VI, 1; **Criminal Law**, 3.
- NATIONAL LABOR RELATIONS ACT.** See also **Labor**.
*Union organizers using company parking lots to solicit members—Company's no-solicitation rule—Unfair labor practice charges.—*National Labor Relations Board's ruling, upheld by Court of Appeals, that company's no-solicitation rule was overly broad and violated § 8 (a)(1) of the National Labor Relations Act, should be reconsidered to determine whether the employer's property rights must be "yielded" during organizational campaign on ground that "the inaccessibility of employees makes ineffective the reasonable attempts by nonemployees to communicate with them through the usual channels." *Central Hardware Co. v. NLRB*, p. 539.
- NATIONAL SECURITY.** See **Constitutional Law**, VI, 3-5.
- NEGROES.** See **Constitutional Law**, III, 4-6; **Injunctions**, 1; **Juries**; **Standing**; **Standing to Sue**.
- NEGRO SCHOOLS.** See **Constitutional Law**, III, 1-2; **School Desegregation**, 1-2.
- NEUTRAL MAGISTRATES.** See **Constitutional Law**, VI, 3-5.
- NEW JERSEY.** See **Escheat**; **Jurisdiction**, 1.
- NEW ORLEANS.** See **Judicial Review**, 2; **Procedure**, 4.
- NEW SCHOOL DISTRICTS.** See **Constitutional Law**, III, 1-2; **School Desegregation**, 1-2.
- NEW YORK.** See **Constitutional Law**, II, 9; **Escheat**; **Jurisdiction**, 1; **Juvenile Courts**; **Procedure**, 1.
- NONEMPLOYEES.** See **Labor**; **National Labor Relations Act**.
- NORTH CAROLINA.** See **Constitutional Law**, III, 1; **School Desegregation**, 2.
- NO-SOLICITATION RULES.** See **Labor**; **National Labor Relations Act**.
- NOT-GUILTY VERDICTS.** See **Constitutional Law**, I.
- OBJECTIONS TO CONTINUANCES.** See **Constitutional Law**, II, 8; VIII, 4.
- OBSERVATION.** See **Constitutional Law**, II, 4.
- OFFENSES.** See **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.

- OMNIBUS CRIME CONTROL AND SAFE STREETS ACT.** See Constitutional Law, VI, 3-5.
- "ONE MAN, ONE VOTE."** See Judicial Review, 2; Procedure, 4.
- OPEN MILITARY POSTS.** See Constitutional Law, V, 3.
- OPEN TO THE PUBLIC.** See Constitutional Law, II, 5-6; III, 4-5; VII; Injunctions, 1; Labor; National Labor Relations Act; Standing to Sue.
- OREGON.** See Constitutional Law, II, 5-6; VII.
- ORGANIZATIONAL ACTIVITY.** See Labor; National Labor Relations Act.
- ORGANIZATIONAL RIGHTS.** See Labor; National Labor Relations Act.
- OVERBREADTH.** See Constitutional Law, V, 1-2; VIII, 1-2; Criminal Law, 1-2; Labor; National Labor Relations Act; Procedure, 5; Sentences; Trials.
- OVERCROWDED COURTS.** See Constitutional Law, II, 8; VIII, 4.
- OVERHEARD CONVERSATIONS.** See Constitutional Law, VI, 3-5.
- PAIRING PLAN.** See Constitutional Law, III, 2; School Desegregation, 1.
- PARKING LOTS.** See Labor; National Labor Relations Act.
- PATUXENT INSTITUTION.** See Constitutional Law, II, 4; Judicial Review, 1.
- PAUPERS.** See Constitutional Law, III, 3; VIII, 3; Criminal Law, 4.
- PAYEES.** See Escheat; Jurisdiction, 1.
- PENNSYLVANIA.** See Constitutional Law, II, 1-3, 7; Escheat; Injunctions, 1; Jurisdiction, 1; Standing to Sue.
- PERSONAL PROPERTY.** See Constitutional Law, III, 3; Escheat; Jurisdiction, 1.
- PETIT JURIES.** See Constitutional Law, III, 6; Juries; Standing.
- PETTY OFFENSES.** See Constitutional Law, VIII, 3; Criminal Law, 4.
- PICKETING.** See Labor; National Labor Relations Act.
- PLAYERS.** See Antitrust Acts.

- POKER GAMES.** See Constitutional Law, I.
- POLICE.** See Constitutional Law, IV; VI, 1; VIII, 5; Criminal Law, 3; Judicial Review, 3; Procedure, 2.
- POLITICAL CONTRIBUTIONS.** See Elections, 1-2; Procedure, 3; Unions, 1-2.
- PORTLAND.** See Constitutional Law, II, 5-6; VII.
- POSSESSORY OFFENSES.** See Constitutional Law, VI, 1; Criminal Law, 3.
- POST-CONVICTION RELIEF.** See Constitutional Law, II, 4.
- PRECEDENTS.** See Antitrust Acts.
- PREJUDGMENT PROCESS.** See Constitutional Law, II, 1-3, 7.
- PREMISES OF EMPLOYER.** See Labor; National Labor Relations Act.
- PREPONDERANCE-OF-EVIDENCE STANDARD.** See Constitutional Law, II, 9; Juvenile Courts; Procedure, 1.
- "PRESENT AT THE SCENE."** See Constitutional Law, I.
- PRESIDENTIAL POWER.** See Constitutional Law, VI, 3-5.
- PRETRIAL CONFESSIONS.** See Constitutional Law, IV; VIII, 4; Judicial Review, 3; Procedure, 2.
- PRETRIAL DETENTION.** See Constitutional Law, II, 8; VIII, 4.
- PRINTED FORMS.** See Constitutional Law, II, 1-3, 7.
- PRIOR COURT ORDERS.** See Constitutional Law, VI, 3-5.
- PRISONERS.** See Constitutional Law, II, 4; IV; VIII, 5; Judicial Review, 3; Procedure, 2.
- PRIVACY.** See Constitutional Law, VI, 3-5.
- PRIVATE CLUBS.** See Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.
- PRIVATELY OWNED MALLS.** See Constitutional Law, II, 5-6; VII.
- PRIVATE SCHOOLS.** See Constitutional Law, III, 1; School Desegregation, 2.
- PRIVATE SPEECH.** See Constitutional Law, VI, 3-5.
- PROBABILITY OF UNFAIRNESS.** See Constitutional Law, III, 6; Juries; Standing.
- PROBABLE CAUSE.** See Constitutional Law, VI, 1-5; Criminal Law, 3.

PROCEDURAL DUE PROCESS. See **Constitutional Law**, II, 1-3, 7.

PROCEDURAL SAFEGUARDS. See **Constitutional Law**, II, 4.

PROCEDURE. See also **Admiralty**; **Constitutional Law**, I; II, 4, 8-9; III, 1-6; IV; V, 1-2; VI, 3-5; VIII, 1-2, 4-5; **Contracts**; **Criminal Law**, 1-2; **Elections**, 1-2; **Escheat**; **Federal-State Relations**; **Injunctions**, 1-2; **Judicial Review**, 1-3; **Juries**; **Jurisdiction**, 1-2; **Juvenile Courts**; **Labor**; **National Labor Relations Act**; **School Desegregation**, 1-2; **Sentences**; **Standing**; **Standing to Sue**; **Trials**; **Unions**, 1-2.

1. *Due process—Trial of delinquent juvenile—Preponderance-of-evidence standard.*—*In re Winship*, 397 U. S. 358, which held that proof beyond a reasonable doubt is essential to due process at the adjudicatory stage when a juvenile is charged with an act that would constitute a crime if committed by an adult, must be given fully retroactive effect. *Ivan V. v. City of New York*, p. 203.

2. *Fifth Amendment—Assertedly involuntary statement—Confession to police officer posing as fellow prisoner.*—Any possible error in the admission of the challenged confession was harmless beyond a reasonable doubt in light of three other unchallenged confessions and strong corroborative evidence of petitioner's guilt. *Milton v. Wainwright*, p. 371.

3. *Instructions to jury—Sufficiency of indictment.*—The instructions to the jury were clearly erroneous in that they permitted the jury to convict without finding that donations to the fund had been actual or effective dues or assessments; the sufficiency of the indictment is left open for determination on remand. *Pipefitters v. United States*, p. 385.

4. *Legislative reapportionment—District Court approval after hearings—Summary reversal.*—Absent an explication of the reasons for its summary reversal of the District Court, the Court of Appeals' judgment must be vacated and the case remanded. *Taylor v. McKeithen*, p. 191.

5. *Sixth Amendment—Due process—Two-tier system—De novo trial after inferior court conviction.*—State's two-tier system does not violate the Due Process Clause, as it imposes no penalty on those who seek a trial *de novo* after having been convicted in the inferior court. The state procedure involves a completely fresh determination of guilt or innocence by the superior court which is not the court that acted on the case before and has no motive to deal more strictly with a *de novo* defendant than it would with any other. *Colten v. Kentucky*, p. 104.

- PROFESSIONAL SPORTS.** See *Antitrust Acts*.
- PROOF BEYOND A REASONABLE DOUBT.** See *Constitutional Law*, II, 9; *Juvenile Courts*; *Procedure*, 1.
- PROPERTY RIGHTS.** See *Labor*; *National Labor Relations Act*.
- PROTECTIVE SEARCHES.** See *Constitutional Law*, VI, 1; *Criminal Law*, 3.
- PROTHONOTARIES.** See *Constitutional Law*, II, 1-3, 7.
- PSYCHIATRIC EXAMINATIONS.** See *Constitutional Law*, II, 4.
- PUBLIC ACCOMMODATIONS.** See *Constitutional Law*, III, 4-5; *Injunctions*, 1; *Standing to Sue*.
- PUBLIC NUISANCES.** See *Federal-State Relations*; *Injunctions*, 2.
- PUBLIC SCHOOLS.** See *Constitutional Law*, III, 1-2; *School Desegregation*, 1-2.
- PUNISHMENTS.** See *Constitutional Law*, V, 1-2; VIII, 1-3; *Criminal Law*, 1-2, 4; *Procedure*, 5; *Sentences*; *Trials*.
- PUPIL ASSIGNMENTS.** See *Constitutional Law*, III, 2; *School Desegregation*, 1.
- QUALITY EDUCATION.** See *Constitutional Law*, III, 2; *School Desegregation*, 1.
- QUIET AND ORDERLY HANDBILL DISTRIBUTION.** See *Constitutional Law*, II, 5-6; VII.
- RACIAL DISCRIMINATION.** See *Constitutional Law*, III, 1-2, 4-6; *Injunctions*, 1; *Judicial Review*, 2; *Juries*; *Procedure*, 4; *School Desegregation*, 1-2; *Standing*; *Standing to Sue*.
- RACIAL PERCENTAGES.** See *Constitutional Law*, III, 2; *School Desegregation*, 1.
- REAPPORTIONMENT.** See *Judicial Review*, 2; *Procedure*, 4.
- REASONABLE-DOUBT STANDARD.** See *Constitutional Law*, II, 9; *Juvenile Courts*; *Procedure*, 1.
- RECONVICTIONS.** See *Constitutional Law*, V, 1-2; VIII, 1-2; *Criminal Law*, 1-2; *Procedure*, 5; *Sentences*; *Trials*.
- RECOUPMENT.** See *Constitutional Law*, III, 3.
- REFUNDS.** See *Escheat*; *Jurisdiction*, 1.
- REGULATIONS.** See *Constitutional Law*, III, 4-5; *Injunctions*, 1; *Standing to Sue*.

- REHABILITATION.** See **Constitutional Law**, III, 3.
- RELIEF.** See **Constitutional Law**, II, 5-6; VII; **Federal-State Relations**; **Injunctions**, 2.
- REMEDIES.** See **Constitutional Law**, II, 1-3, 7.
- REPEALS.** See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.
- REPLEVIN.** See **Constitutional Law**, II, 1-3, 7.
- REPOSSESSIONS.** See **Constitutional Law**, II, 1-3, 7.
- RESERVE CLAUSES.** See **Antitrust Acts**.
- RES JUDICATA.** See **Constitutional Law**, 1.
- RETAIL CLERKS UNION.** See **Labor**; **National Labor Relations Act**.
- RETAIL ESTABLISHMENTS.** See **Labor**; **National Labor Relations Act**.
- RETROACTIVITY.** See **Constitutional Law**, II, 9; **Escheat**; **Jurisdiction**, 1; **Juvenile Courts**; **Procedure**, 1.
- REVOLVERS.** See **Constitutional Law**, VI, 1; **Criminal Law**, 3.
- RIGHT OF FREE SPEECH.** See **Constitutional Law**, II, 5-6; VII.
- RIGHT OF PRIVACY.** See **Constitutional Law**, VI, 3-5.
- RIGHT TO COUNSEL.** See **Constitutional Law**, III, 3; VIII, 3; **Criminal Law**, 4.
- RIGHT TO REMAIN SILENT.** See **Constitutional Law**, IV; VIII, 5; **Judicial Review**, 3; **Procedure**, 2.
- RURAL AREAS.** See **Constitutional Law**, III, 2; **School Desegregation**, 1.
- SALE OF LIQUOR.** See **Constitutional Law**, III, 4-5; **Injunctions**, 1; **Standing to Sue**.
- SALES.** See **Constitutional Law**, II, 1-3, 7.
- SCHOOL BOARDS.** See **Constitutional Law**, III, 1-2; **School Desegregation**, 1-2.
- SCHOOL DESEGREGATION.** See also **Constitutional Law**, III, 1-2.

1. *City withdrawal from existing school district—Desegregation not complete—New separate school system.*—In determining whether realignment of school districts by officials comports with requirements of Fourteenth Amendment, courts will be guided, not by the motivation of the officials, but by the effect of their action.

SCHOOL DESEGREGATION—Continued.

In the totality of the circumstances of this case, the District Court was justified in concluding that Emporia's establishment of a separate school system would impede the process of dismantling the segregated school system. *Wright v. Council of City of Emporia*, p. 451.

2. *Creation of new city school district from existing entire county district—Desegregation not complete.*—Whether action affecting dismantling of a dual school system is initiated by the legislature or the school board is immaterial; the criterion is whether the dismantling is furthered or hindered by carving a new school district from the larger district having the dual school system, and a proposal that would impede the dismantling process may be enjoined. *United States v. Scotland Neck Bd. of Educ.*, p. 484.

SCHOOL DISTRICTS. See **Constitutional Law**, III, 1; **School Desegregation**, 2.

SCOPE OF REVIEW. See **Constitutional Law**, IV; VIII, 5; **Judicial Review**, 3; **Procedure**, 2.

SCOTLAND NECK. See **Constitutional Law**, III, 1; **School Desegregation**, 2.

SEALED EXHIBITS. See **Constitutional Law**, VI, 3-5.

SEARCH AND SEIZURE. See **Constitutional Law**, VI, 1, 3-5; **Criminal Law**, 3.

SECURITY. See **Constitutional Law**, VI, 3-5.

SECURITY GUARDS. See **Constitutional Law**, II, 5-6; VII.

SEGREGATION. See **Constitutional Law**, III, 1-2; **School Desegregation**, 1-2.

SEIZURES OF GOODS. See **Constitutional Law**, II, 1-3, 7.

SELECTION OF JURORS. See **Constitutional Law**, III, 6; **Juries**; **Standing**.

SELLERS. See **Constitutional Law**, II, 1-3, 7.

SENTENCES. See also **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Trials**.

Sixth Amendment—Double jeopardy—Enhanced penalty on reconviction.—The Double Jeopardy Clause does not prohibit an enhanced sentence on reconviction. *Colten v. Kentucky*, p. 104.

SERVICE OF GUESTS. See **Constitutional Law**, III, 4-5; **Injunctions**, 1; **Standing to Sue**.

- SHERMAN ACT.** See **Antitrust Acts.**
- SHOPPING CENTERS.** See **Constitutional Law, II, 5-6; VII.**
- SIXTH AMENDMENT.** See **Constitutional Law, II, 8; IV; V, 1-2; VIII, 1-5; Criminal Law, 1-2, 4; Judicial Review, 3; Procedure, 2, 5; Sentences; Trials.**
- SMALL CLAIMS COURTS.** See **Constitutional Law, II, 1-3, 7.**
- SOCIAL CLUBS.** See **Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.**
- SOLICITATION OF EMPLOYEES.** See **Labor; National Labor Relations Act.**
- SOLICITATION OF POLITICAL CONTRIBUTIONS.** See **Elections, 1-2; Procedure, 3; Unions, 1-2.**
- SPECIAL MASTERS.** See **Escheat; Jurisdiction, 1.**
- SPEEDY DISPOSITIONS.** See **Constitutional Law, VIII, 3; Criminal Law, 4.**
- SPEEDY TRIAL.** See **Constitutional Law, II, 8; VIII, 4.**
- SPLINTER SCHOOL DISTRICTS.** See **Constitutional Law, III, 2; School Desegregation, 1.**
- SPORTS.** See **Antitrust Acts.**
- STANDARDS.** See **Constitutional Law, II, 9; Juvenile Courts; Procedure, 1.**
- STANDING.** See also **Constitutional Law, III, 6; Juries.**
*Equal protection of the laws—Systematic exclusion of Negroes from jury rolls—White defendant.—*The Court of Appeals' affirmation of the District Court's denial of relief on the ground that petitioner, not being a Negro, was not deprived of his rights to due process and equal protection and suffered no unconstitutional discrimination when Negroes were systematically excluded from the grand jury that indicted him and the petit jury that convicted him is reversed. *Peters v. Kiff*, p. 493.
- STANDING TO SUE.** See also **Constitutional Law, III, 4-5; Injunctions, 1.**
*Guest at private club—Discriminatory membership and guest policies.—*Negro guest of club member, who had not applied for or been denied club membership, had no standing to contest club's membership practices, but did have standing to litigate the constitutional validity of the private club's discriminatory policies toward members' guests. *Moose Lodge No. 107 v. Irvis*, p. 163.

- STARE DECISIS.** See **Antitrust Acts.**
- STATE ACTION.** See **Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.**
- STATE ANTITRUST REGULATION.** See **Antitrust Acts.**
- STATE COURT PROCEEDINGS.** See **Federal-State Relations; Injunctions, 2.**
- STATE-ENFORCED SEGREGATION.** See **Constitutional Law, III, 2; School Desegregation, 1.**
- STATE LEGISLATURE.** See **Constitutional Law, III, 1; School Desegregation, 2.**
- STATE OFFICIALS.** See **Constitutional Law, III, 2; School Desegregation, 1.**
- STATE POLICE.** See **Constitutional Law, V, 1-2; VIII, 1-2; Criminal Law, 1-2; Procedure, 5; Sentences; Trials.**
- STATE SANCTIONS.** See **Constitutional Law, III, 4-5; Injunctions, 1; Standing to Sue.**
- STOP AND FRISK.** See **Constitutional Law, VI, 1; Criminal Law, 3.**
- STREET CRIMES.** See **Constitutional Law, VI, 1; Criminal Law, 3.**
- STREETS.** See **Constitutional Law, V, 3.**
- STRICT SEGREGATION OF MONIES.** See **Elections, 1-2; Procedure, 3; Unions, 1-2.**
- STUDENTS.** See **Constitutional Law, III, 1; School Desegregation, 2.**
- SUBVERSION.** See **Constitutional Law, VI, 3-5.**
- SUMMARY PROCESS.** See **Constitutional Law, II, 1-3, 7.**
- SURVEILLANCES.** See **Constitutional Law, VI, 3-5.**
- SUSPICIOUS INDIVIDUALS.** See **Constitutional Law, VI, 1; Criminal Law, 3.**
- SYSTEMATIC EXCLUSION FROM JURIES.** See **Constitutional Law, III, 6; Juries; Standing.**
- TAMPA.** See **Admiralty; Constitutional Law, VI, 2; Contracts; Jurisdiction, 2.**
- TEACHERS.** See **Constitutional Law, III, 2; School Desegregation, 1.**
- TELEGRAPH MONEY ORDERS.** See **Escheat; Jurisdiction, 1.**

- TESTIMONY.** See **Constitutional Law**, II, 8; VIII, 4.
- TEXAS.** See **Constitutional Law**, V, 3.
- THOROUGHFARES.** See **Constitutional Law**, V, 3.
- THREE-JUDGE COURTS.** See **Constitutional Law**, III, 4-5; **Federal-State Relations**; **Injunctions**, 1-2; **Standing to Sue**.
- TOWING.** See **Admiralty**; **Contracts**; **Jurisdiction**, 2.
- TRAFFIC OFFENSES.** See **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.
- TRANSFER ARRANGEMENTS.** See **Constitutional Law**, III, 2; **School Desegregation**, 1.
- TRESPASSES.** See **Constitutional Law**, II, 5-6; VII.
- TRIAL DELAYS.** See **Constitutional Law**, II, 8; VIII, 4.
- TRIALS.** See also **Constitutional Law**, I; II, 8-9; III, 6; IV; V, 1-2; VI, 3-5; VIII, 1-5; **Criminal Law**, 1-4; **Elections**, 1-2; **Judicial Review**, 3; **Juries**; **Juvenile Courts**; **Procedure**, 1-3, 5; **Sentences**; **Standing**; **Unions**, 1-2.
- Sixth Amendment—Due process—Two-tier system—De novo trial after inferior court conviction.*—State's two-tier system does not violate the Due Process Clause, as it imposes no penalty on those who seek a trial *de novo* after having been convicted in the inferior court. The state procedure involves a completely fresh determination of guilt or innocence by the superior court which is not the court that acted on the case before and has no motive to deal more strictly with a *de novo* defendant than it would with any other. *Colten v. Kentucky*, p. 104.
- TRUTH-FINDING FUNCTIONS.** See **Constitutional Law**, II, 9; **Juvenile Courts**; **Procedure**, 1.
- TWO-TIER SYSTEMS.** See **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.
- UNAUTHORIZED LEAFLETS.** See **Constitutional Law**, V, 3.
- UNCLAIMED FUNDS.** See **Escheat**; **Jurisdiction**, 1.
- UNFAIR LABOR PRACTICES.** See **Labor**; **National Labor Relations Act**.
- UNIFORM DISPOSITION OF UNCLAIMED PROPERTY ACT.** See **Escheat**; **Jurisdiction**, 1.
- UNIONS.** See also **Elections**, 1-2; **Procedure**, 3.
1. *Contributions by union—Political fund—Solicitation of union members.*—Section 610 of 18 U. S. C., as confirmed by the Federal

UNIONS—Continued.

Election Campaign Act, does not apply to contributions or expenditures from voluntarily financed union political funds. A legitimate political fund must be separate from the sponsoring union only in the sense that there must be a strict segregation of its monies from union dues and assessments, and solicitation by union officials, though permissible, must be conducted under circumstances plainly indicating that donations are for a political purpose and that those solicited may decline to contribute without reprisal. *Pipefitters v. United States*, p. 385.

2. *General union monies—Use for political funds.*—Section 610 of 18 U. S. C. may be interpreted to prohibit the use of general union monies for the establishment, administration, or solicitation of contributions for union political funds. By clearly permitting such use, the Federal Election Campaign Act may have impliedly repealed § 610; if there has been such an implied repeal, it does not require abatement of the prosecutions because of the federal saving statute. *Pipefitters v. United States*, p. 385.

UNITARY SCHOOL SYSTEMS. See **Constitutional Law**, III, 1-2; **School Desegregation**, 1-2.

UNKNOWN ADDRESSES. See **Escheat**; **Jurisdiction**, 1.

UNLAWFUL SEARCHES. See **Constitutional Law**, VI, 1; **Criminal Law**, 3.

UNLAWFUL SUBVERSION. See **Constitutional Law**, VI, 3-5.

UNPAID DRAFTS. See **Escheat**; **Jurisdiction**, 1.

UNPOPULAR IDEAS. See **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.

UNREASONABLE SURVEILLANCES. See **Constitutional Law**, VI, 3-5.

UNTERWESER REEDEREI. See **Admiralty**; **Contracts**; **Jurisdiction**, 2.

USE OF SHOPPING CENTER. See **Constitutional Law**, II, 5-6; VII.

VAGUENESS. See **Constitutional Law**, V, 1-2; VIII, 1-2; **Criminal Law**, 1-2; **Procedure**, 5; **Sentences**; **Trials**.

VIRGINIA. See **Constitutional Law**, III, 2; **School Desegregation**, 1.

VOLUNTARY CONTRIBUTIONS. See **Elections**, 1-2; **Procedure**, 3; **Unions**, 1-2.

VOTING. See **Judicial Review**, 2; **Procedure**, 4.

- WAGES.** See **Constitutional Law**, III, 3.
- WAIVER OF RIGHT TO SPEEDY TRIAL.** See **Constitutional Law**, II, 8; VIII, 4.
- WAIVERS.** See **Constitutional Law**, III, 4-5; **Injunctions**, 1; **Standing to Sue**.
- WAIVERS OF COUNSEL.** See **Constitutional Law**, VIII, 3; **Criminal Law**, 4.
- WARRANTLESS SURVEILLANCES.** See **Constitutional Law**, VI, 3-5.
- WARRANTS.** See **Constitutional Law**, VI, 2.
- WEAPONS.** See **Constitutional Law**, VI, 1; **Criminal Law**, 3.
- WESTERN UNION.** See **Escheat; Jurisdiction**, 1.
- WHITE DEFENDANTS.** See **Constitutional Law**, III, 6; **Juries; Standing**.
- WHITE SCHOOLS.** See **Constitutional Law**, III, 1-2; **School Desegregation**, 1-2.
- WINDFALLS.** See **Escheat; Jurisdiction**, 1.
- WIRETAPS.** See **Constitutional Law**, VI, 3-5.
- WITNESSES.** See **Constitutional Law**, II, 8; VIII, 4.
- WORDS.**
1. "*Contribution or expenditure.*" 18 U. S. C. § 610. *Pipefitters v. United States*, p. 385.
 2. "*Dues, fees, or other monies.*" 18 U. S. C. § 610, as amended by § 205 of the Federal Election Campaign Act of 1971. *Pipefitters v. United States*, p. 385.
 3. "*Expressly authorized.*" 28 U. S. C. § 2283. *Mitchum v. Foster*, p. 225.
 4. "*Right to self-organization, to form, join, or assist labor organizations.*" § 7, National Labor Relations Act; 29 U. S. C. § 157. *Central Hardware Co. v. NLRB*, p. 539.
 5. "*Separate segregated fund.*" 18 U. S. C. § 610, as amended by § 205 of the Federal Election Campaign Act of 1971. *Pipefitters v. United States*, p. 385.
 6. "*Threat.*" 18 U. S. C. § 610, as amended by § 205 of the Federal Election Campaign Act of 1971. *Pipefitters v. United States*, p. 385.
- “YIELDING” OF PROPERTY RIGHTS.** See **Labor; National Labor Relations Act**.

















