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NATIONAL LABOR RELATIONS BOARD.

1. *Employee test results—Order directing disclosure to union—Abuse of discretion*—Board abuses its discretion in ordering employer to turn over to union, employees' test batteries and answer sheets which union asserted were necessary for arbitration of grievance resulting from employer's rejection of certain employees for job openings because of their low test scores under employer's psychological aptitude testing program, notwithstanding that Board's order barred union from acting so as to cause tests to fall into hands of employees who had taken or were likely to take tests; and employer's willingness to disclose test scores linked with employee names only upon receipt of consents from examinees satisfied employer's obligations under § 8 (a) (5) of National Labor Relations Act. *Detroit Edison Co. v. NLRB*, p. 301.

2. *Jurisdiction—Church-operated schools*.—Schools operated by a church to teach both religious and secular subjects are not within Board's jurisdiction granted by National Labor Relations Act, and thus Board is without authority to issue cease-and-desist orders to require recognition of unions certified as bargaining agents for lay teachers in such schools. *NLRB v. Catholic Bishop of Chicago*, p. 490.

NEGROES. See *Mootness*, 1.

NEVADA. See *Constitutional Law*, VIII; *Jurisdiction*, 4; *Public Officers and Employees*.

NEW JERSEY. See *Constitutional Law*, V.

NEW YORK. See *Certiorari*; *Federal-State Relations*, 1.

NEW YORK CITY. See *Civil Rights Act of 1964*; *Constitutional Law*, III, 1; *National Banks*.

NORTH CAROLINA. See *Bankruptcy Act*.

NOTICE OF RELIEF TO CLASS MEMBERS. See *Procedure*.

OKLAHOMA. See *Constitutional Law*, I; III, 7.

OPTOMETRISTS. See *Constitutional Law*, III, 3; IV.

ORIGINAL JURISDICTION OF SUPREME COURT. See *Jurisdiction*, 3.

PATENTS.

Rejection of application—Enforcement of prior royalty contract—State law.—Federal patent law does not pre-empt state contract law so as to preclude enforcement of contract whereby, in return for exclusive right to make and sell keyholder designed by petitioner for which patent application was pending, respondent agreed to pay 5% royalty and if patent

PATENTS—Continued.

was not allowed in five years, to pay reduced royalty of 2½%—the patent not having been allowed within five years and the patent application having been subsequently rejected. *Aronson v. Quick Point Pencil Co.*, p. 257.

PAYMENT OF UNEMPLOYMENT COMPENSATION TO STRIKERS.

See **Federal-State Relations**, 1.

PHARMACIES. See **Antitrust Acts**, 1.**POLITICAL PARTIES.** See **Constitutional Law**, III, 4, 5; **Mootness**, 2.**PRECEDENTIAL VALUE OF SUMMARY AFFIRMANCES.** See **Constitutional Law**, III, 4.**PRE-EMPTION OF STATE LAW.** See **Federal-State Relations**, 1, 3; **Patents**.**PRESCRIPTION DRUGS.** See **Antitrust Acts**, 1.**PRICE DISCRIMINATION.** See **Antitrust Acts**, 2.**PRIORITY OF LIENS.** See **Federal-State Relations**, 2.**PRIVACY.** See **Constitutional Law**, VIII; **Jurisdiction**, 1.**PRIVATE LIENS.** See **Federal-State Relations**, 2.**PRIVILEGE AGAINST SELF-INCRIMINATION.** See **Constitutional Law**, V.**PROCEDURE.** See also **Mandamus**.

States' immunity from suit—Eleventh Amendment—Wrongful denial of welfare benefits—Retroactive relief.—Although 42 U. S. C. § 1983 does not abrogate Eleventh Amendment immunity of States and thus a federal court, upon holding that state officials' denial of welfare benefits was wrongful, may not award retroactive benefits to plaintiff class payable from state treasury, nevertheless federal court may properly order state officials to send notice to class members informing them that there are state administrative procedures for determining eligibility for past benefits, that their federal suit is at an end, and that federal court can provide them with no further relief. *Quern v. Jordan*, p. 332.

PROHIBITION OF OPTOMETRISTS' USE OF TRADE NAMES. See **Constitutional Law**, IV.**PUBLIC ACCESS TO FISHING AND HUNTING AREAS.** See **Easements**.**PUBLIC CONTRACTORS.** See **Collateral Estoppel**.**PUBLIC LANDS.** See **Easements**.

PUBLIC OFFICERS AND EMPLOYEES. See also **Civil Rights Act of 1964**; **Constitutional Law**, I; III, 1, 2, 7; V; **Mootness**, 1.

Members and executive officer of Tahoe Regional Planning Agency—"Inverse condemnation" action—Immunity from federal damages liability.—In a federal-court "inverse condemnation" action against respondents Tahoe Regional Planning Agency and its members and executive officer by petitioner property owners who asserted that a land-use ordinance adopted by respondents destroyed value of petitioners' property in violation of Fifth and Fourteenth Amendments, individual respondents, as regional legislators, are entitled to absolute immunity from federal damages liability to extent that they were acting in a legislative capacity. *Lake Country Estates v. Tahoe Regional Planning Agency*, p. 391.

PUBLIC USE OF CABLE TELEVISION SYSTEMS. See **Federal Communications Commission**.

QUIET-TITLE ACTIONS. See **Jurisdiction**, 3.

RACIAL DISCRIMINATION. See **Civil Rights Act of 1964**; **Constitutional Law**, III, 1; **Mootness**, 1.

RAILROADS. See **Easements**.

REAPPORTIONMENT PLANS. See **Mandamus**.

REBUTTAL OF PRIMA FACIE CASE OF RACIAL DISCRIMINATION. See **Civil Rights Act of 1964**.

REGIONAL LEGISLATORS' IMMUNITY FROM LIABILITY. See **Public Officers and Employees**.

REGULATIONS OF FEDERAL COMMUNICATIONS COMMISSION. See **Federal Communications Commission**.

REGULATIONS OF INTERNAL REVENUE SERVICE. See **Evidence**.

REJECTION OF PATENT APPLICATION AS AFFECTING ROYALTY CONTRACT. See **Patents**.

RELATIVE OF CHILD AS FOSTER PARENT. See **Federal-State Relations**, 3.

RELIEF IN CLASS ACTIONS. See **Procedure**.

RELIGIOUS SCHOOLS. See **National Labor Relations Board**, 2.

REMAND. See **Abortions**.

REPAIRMEN'S LIENS. See **Federal-State Relations**, 2.

RETIREMENT OF FOREIGN SERVICE EMPLOYEES. See **Constitutional Law**, III, 2.

RIGHTS-OF-WAY. See **Easements**.

RIGHT TO COUNSEL. See **Constitutional Law**, VI.

- ROADS.** See Easements.
- ROBINSON-PATMAN ACT.** See Antitrust Acts, 2.
- ROYALTY CONTRACTS.** See Patents.
- RULEMAKING POWER.** See Federal Communications Commission.
- SCHOOLS.** See Constitutional Law, I; III, 7; National Labor Relations Board, 2.
- SEARCHES AND SEIZURES.** See Constitutional Law, VII; Jurisdiction, 1.
- SELF-INCRIMINATION.** See Constitutional Law, V; Stays, 1.
- SENTENCE OF IMPRISONMENT.** See Constitutional Law, VI.
- SETTLEMENT OF ACTIONS.** See Mootness, 2.
- SEX DISCRIMINATION.** See Constitutional Law, III, 6; Jurisdiction, 2.
- SHOPLIFTING.** See Constitutional Law, VI.
- SIXTH AMENDMENT.** See Constitutional Law, VI.
- SMALL BUSINESS ACT.** See Federal-State Relations, 2.
- SOCIAL SECURITY ACT.** See Federal-State Relations, 1, 3.
- SOUTH CAROLINA.** See Abortions.
- SOVEREIGN IMMUNITY.** See Jurisdiction, 3.
- SPOT CHECKS OF DRIVERS' LICENSES AND VEHICLE REGISTRATIONS.** See Constitutional Law, VII; Jurisdiction, 1.
- STATE-COURT ACTION AGAINST ANOTHER STATE.** See Constitutional Law, VIII, 1.
- STATE OPTOMETRY BOARD.** See Constitutional Law, III, 3.
- STATES' IMMUNITY FROM SUIT.** See Constitutional Law, VIII; Procedure.
- STATES' TORT LIABILITY.** See Constitutional Law, VIII, 1.
- STATISTICAL EVIDENCE OF RACIAL DISCRIMINATION.** See Civil Rights Act of 1964.
- STAY OF EXECUTION.** See Stays, 2.
- STAYS.**

1. *Contempt order.*—Application to stay Court of Appeals' order committing corporation's president for civil contempt for refusing to answer questions before a grand jury is denied. *Haner v. United States* (REHNQUIST, J., in chambers), p. 1308.

STAYS—Continued.

2. *Death penalty*.—Mother's application to stay condemned murderer son's execution, based on son's alleged incompetency, is granted. *Evans v. Bennett* (REHNQUIST, J., in chambers), p. 1301.

STOPPING VEHICLE FOR CHECK OF LICENSE AND REGISTRATION. See **Constitutional Law**, VII; **Jurisdiction**, 1.

STRIKES. See **Federal-State Relations**, 1.

SUIT BY RESIDENT OF FORUM STATE AGAINST ANOTHER STATE. See **Constitutional Law**, VIII, 1.

SUPPRESSION OF EVIDENCE. See **Evidence**.

SUPREMACY CLAUSE. See **Collateral Estoppel**.

SUPREME COURT. See also **Bankruptcy Act**; **Constitutional Law**, III, 4; **Jurisdiction**, 1-3.

1. Retirement of Henry Putzel, jr., as Reporter of Decisions, p. v.

2. Appointment of Henry C. Lind as Reporter of Decisions, p. 940.

SURVIVORS' BENEFITS. See **Longshoremen's and Harbor Workers' Compensation Act**.

TAHOE REGIONAL PLANNING AGENCY. See **Constitutional Law**, VIII, 2; **Jurisdiction**, 4; **Public Officers and Employees**.

TAKING OF PROPERTY FOR PUBLIC USE. See **Constitutional Law**, II.

TAPE RECORDINGS. See **Evidence**.

TAX AUDITS. See **Evidence**.

TAXES. See **Collateral Estoppel**; **Evidence**; **Internal Revenue Code**; **National Banks**.

TEACHERS. See **Constitutional Law**, I; III, 7; **National Labor Relations Board**, 2.

TELEVISION. See **Federal Communications Commission**.

TEXAS. See **Antitrust Acts**, 1; **Constitutional Law**, III, 3; IV; **Federal-State Relations**, 2.

TORT LIABILITY OF STATE. See **Constitutional Law**, VIII, 1.

TRADE NAMES. See **Constitutional Law**, IV.

TRADE ORGANIZATIONS. See **Internal Revenue Code**.

UNEMPLOYMENT COMPENSATION. See **Federal-State Relations**, 1.

UNFAIR LABOR PRACTICES. See **National Labor Relations Board**, 1.

UNIFORM COMMERCIAL CODE. See **Federal-State Relations**, 2.

UNION PACIFIC ACT OF 1862. See **Easements.**

UNITED STATES' IMMUNITY FROM SUIT. See **Jurisdiction, 3.**

UNLAWFUL INCLOSURES OF PUBLIC LANDS ACT OF 1885. See **Easements.**

UNLICENSED DRIVERS. See **Constitutional Law, VII; Jurisdiction, 1.**

UNREGISTERED VEHICLES. See **Constitutional Law, VII; Jurisdiction, 1.**

VIABILITY OF FETUS. See **Abortions.**

VOTING RIGHTS ACT OF 1965. See **Mandamus.**

WAIVER OF UNITED STATES' IMMUNITY FROM SUIT. See **Jurisdiction, 3.**

WELFARE LAWS. See **Federal-State Relations, 3; Procedure.**

WORDS AND PHRASES.

1. "*Business league.*" § 501 (c) (6), Internal Revenue Code of 1954, 26 U. S. C. § 501 (c) (6). *National Muffler Dealers Assn. v. United States*, p. 472.

2. "*Business of insurance.*" § 2 (b), McCarran-Ferguson Act, 15 U. S. C. § 1012 (b). *Group Life & Health Ins. Co. v. Royal Drug Co.*, p. 205.

3. "*Common carrier.*" § 3 (h), Communications Act of 1934, 47 U. S. C. § 153 (h). *FCC v. Midwest Video Corp.*, p. 689.

4. "*Exclusive original jurisdiction.*" 28 U. S. C. § 1346 (f). *California v. Arizona*, p. 59.

5. "*Foster family home.*" § 408, Social Security Act, 42 U. S. C. § 608. *Miller v. Youakim*, p. 125.

6. "*Judicial power of the United States.*" U. S. Const., Amdt. 11. *Lake Country Estates v. Tahoe Regional Planning Agency*, p. 391.

7. "*Prohibited by this section.*" § 2 (f), Clayton Act, 15 U. S. C. § 13 (f). *Great A&P Co. v. FTC*, p. 69.

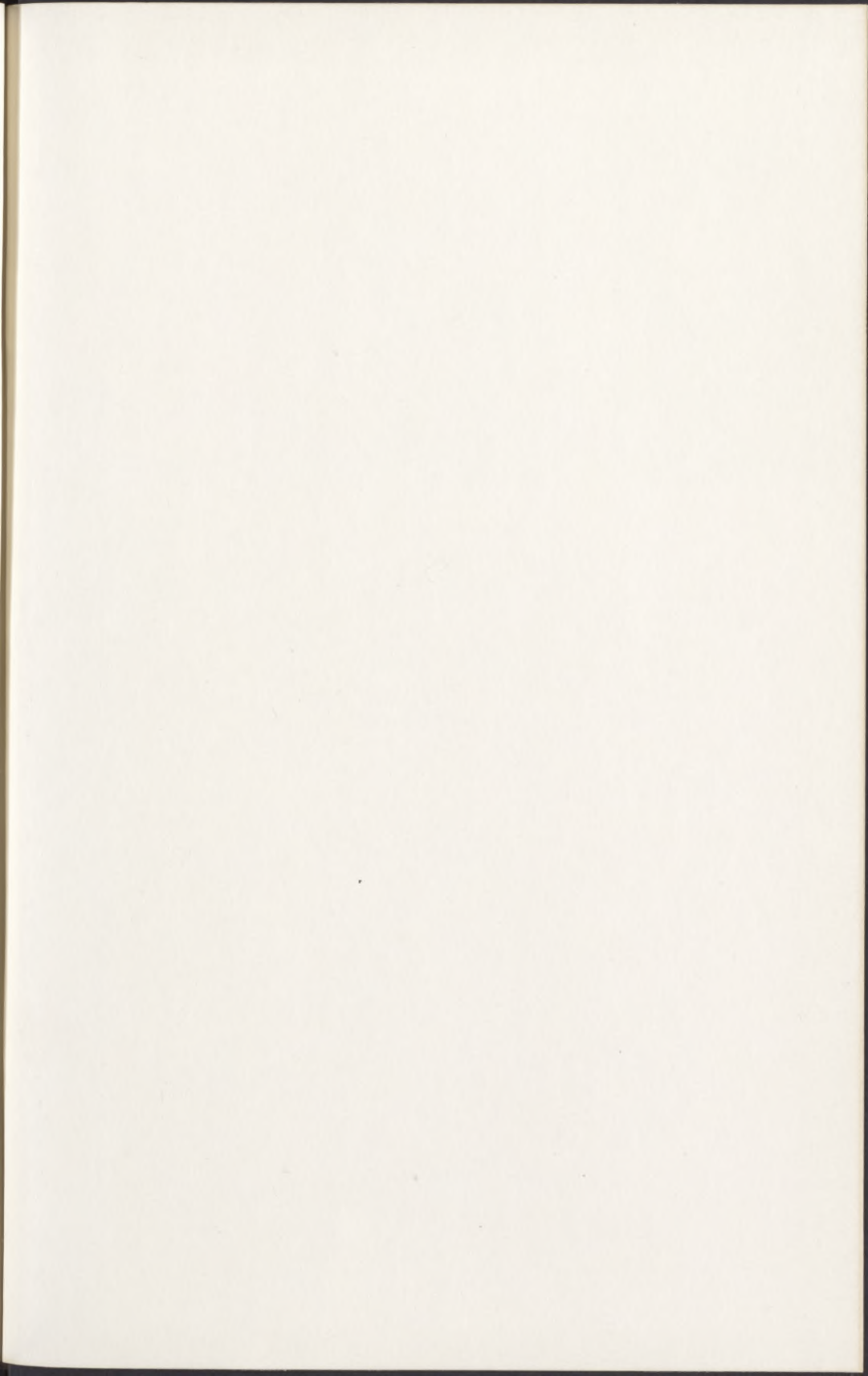
8. "*Tangible personal property.*" Pub. L. 91-156, note following 12 U. S. C. § 548. *Chase Manhattan Bank v. Finance Admin.*, p. 447.

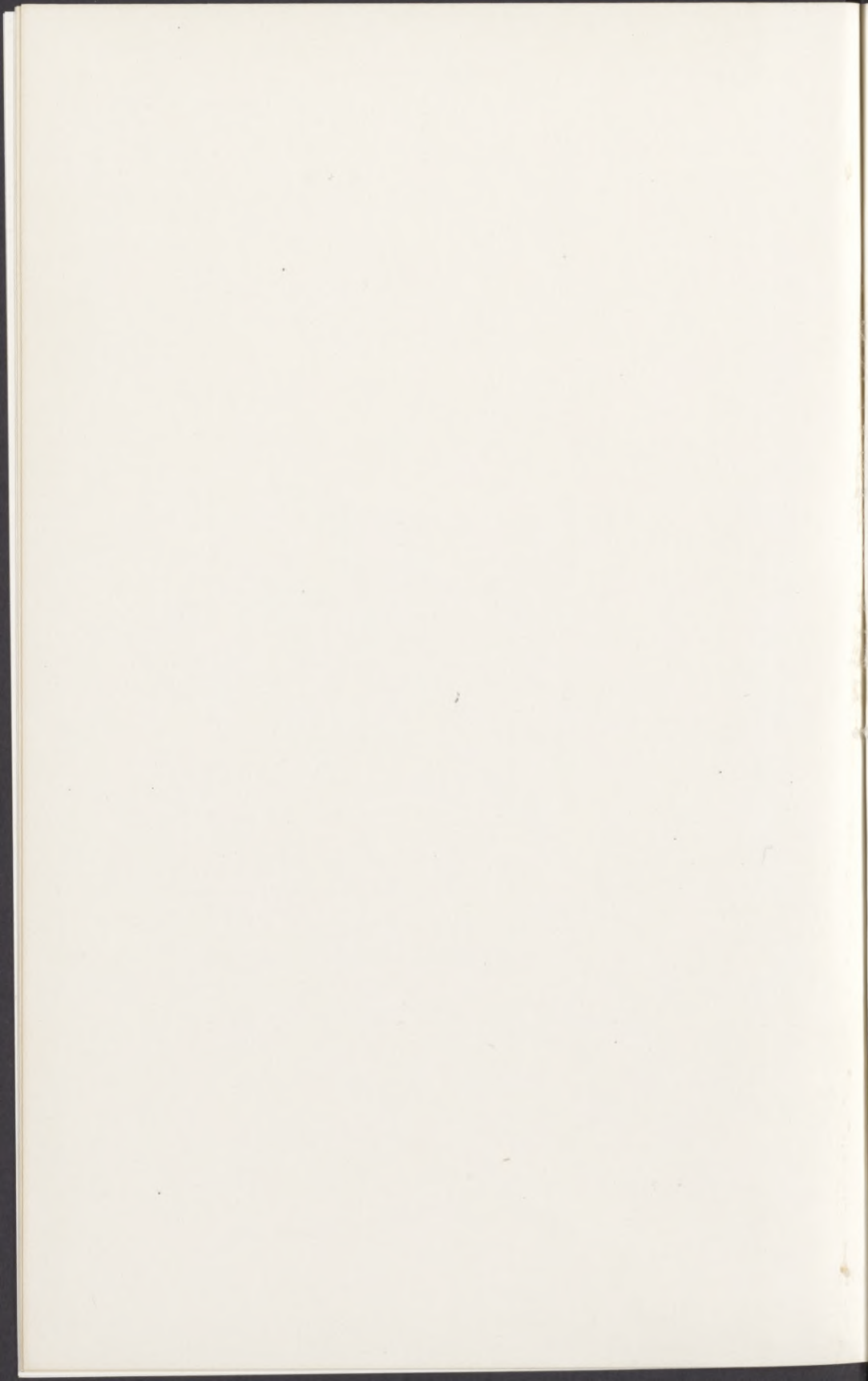
9. "*Under color of state law.*" 42 U. S. C. § 1983. *Lake Country Estates v. Tahoe Regional Planning Agency*, p. 391.

WORKMEN'S COMPENSATION. See **Longshoremen's and Harbor Workers' Compensation Act.**

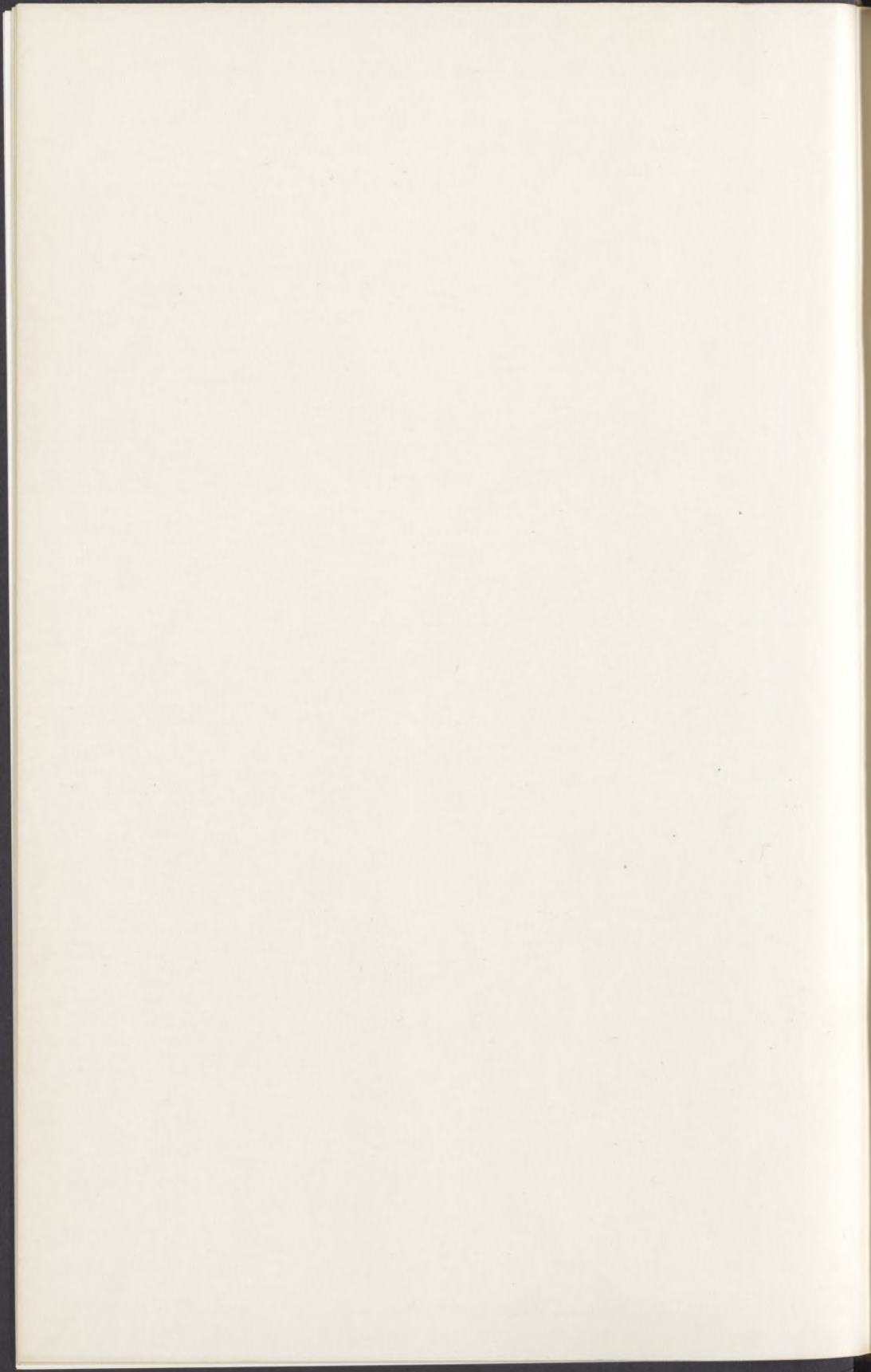
















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