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As previously announced, assignments for the final exam have been taken from the Casebook (and Supplement), chs. 4, 6, 7, 11, 12, 13 and 14. Insofar as feasible, cases have been selected for each student from each of these chapters so that everyone will have some reference to the subject matter in every chapter in this list. There are some repetitions in the assigned cases, but each student is to do his own assigned cases individually (i. e., no group work as is permitted on some occasions).

There are seven cases assigned to each student, and for each case there are three steps to the assignment, as outlined below. Do the first two briefly and the third in more detail but still succinctly; cf. the example which is given.

1. a. Identify the specific clause or clauses in the text of the Constitution to which this case applies -- that is, not merely First Amendment (if that is involved) but (i) freedom of religion, (ii) establishment of religion, (iii) freedom of expression, (iv) freedom of assembly, (v) right of petition, (vi) "freedom of association," or (vii) right of privacy (as argued by Douglas).

b. If there are written concurrences or dissents, do the same for the argument in these. (i. e., occasionally the Justice will contend that the "necessary and proper" clause, for example, is the more appropriate constitutional clause than, say, the commerce clause.)
2. Since constitutional questions seldom are raised by counsel merely upon the constitutional clause, but in connection with a specific statutory provision, identify the provision or provisions in the U. S. Code involved in this case. Indicate how it is related to the constitutional argument. N. B.: Distinguish between procedural law cited from the Code, the statutory provision which is challenged, and any other statutory considerations involved in the case.

(Of course, if the case is on appeal from a state court, you will need to refer to the state statute as well as to any pertinent federal statutory matter which may be involved. In this case, also, indicate how the state statute is related to the constitutional argument.)
3. Make your own evaluation of how the opinion in the case affected the general body of interpretative case law on the constitutional clause or clauses, comparing the principal case with any which antedated it and any which followed (and perhaps even modified or overruled) the principal case.

Illustration:

New York v. United States, 326 U. S. 572 (1946) (Casebook, p. 634)

1. a. Majority opinion turns on Article I, § 8, clause 1.
b. Dissent argues the issue turns on Article I, § 9, clause 5.
2. Statutes: Sec. 615(a)(5), Act of June 6, 1932, 47 Stat. 169, 261; 26 U. S. C. (Int. Rev. Acts, 1940 ed.), p. 614; a federal tax laid upon sales of mineral waters sold by state.
3. Frankfurter, for Court: "Proprietary activities" of state governments held subject to federal taxation, even though state is within constitutional powers in disposing of its natural resources. Case illustrates trend of modern constitutional law away from theory that any federal taxes laid on state government agencies or activities are burdens. Modern rule emphasizes distinctions between state governmental activity which may properly be exempted, and activity of agents (e. g., state employees liable for federal income tax) which should be equally liable with similar activity or agents in non-governmental fields.

Concurring opinion by Stone, C. J.: Holding should place less stress on burden upon state and more upon injury to national interest if such a subject for taxation were withdrawn from federal tax power under Article I, § 8, clause 1.

Dissent by Douglas: U. S. required under Article I, § 9, clause 5 to meet state argument that in disposing of its natural resources state is engaged in revenue-raising (governmental) rather than profit-making (proprietary) activity and hence federal tax is in fact an unconstitutional burden on proper state governmental function.

The assignments which follow consist of the page in the casebook or the Supplement (S) followed by the name of the case. As nearly as feasible, the assignments for each person are distributed over the seven selected chapters, but in a few instances it has been necessary to add a case from another part of the book to make things come out even, and in some cases two cases have been assigned from one chapter.

Adams:

- p. 248 Ret. Bd. v. Alton R. Co.
565 S. C. Hwy. Dept. v. Barnwell
654 Scripto, Inc. v. Carson
837 Home B. & L. Assn. v. Blaisdell
S179 Peters v. Hobby
1152 Braunfeld v. Brown

Alcantara:

- p. 253 Schechter Poult. Corp. v. U. S.
570 So. Pac. R. Co. v. Arizona
S118 Nat. Bellas Hess v. Dept./Rev.
842 Worthen Co. v. Thomas
S180 Bond v. Floyd
1071 Service v. Dulles
1156 Scherbert v. Verner

Ancarrow:

- p. 258 Carter v. Carter Coal Co.
578 Bibb v. Navajo Frt. Lines
657 Norton Co. v. Dept./Rev.
842 Worthen Co. v. Kavanaugh
S181 Watts v. U. S.
1071 Vitarelli v. Seaton
1162 Brown v. Bd. of Ed.

Basnight:

- p. 269 NLRB v. Jones & Laughlin Steel Corp.
582 Huron Portland Cement Co. v. Detroit
660 Gen. Motors Corp. v. Washington
842 Wood v. Lovett
S182 U. S. v. O'Brien
1071 Joint Anti-Fascist Refugee Comm. v. McGrath
1166 Bolling v. Sharpe

Bassuener:

- p. 278 U. S. v. Darby
S115 Firemen v. Chi., R. I. & P. R. Co.
668 N. W. States Portland Cement Co. v. Minnesota
842 El Paso v. Simmons
S183 Street v. New York
1071 Greene v. McElroy
1167 Mayor...of Baltimore v. Dawson

Bland:

- p. 268 Ky. Whip & Collar Co. v. Ill. Cent. R. Co.
583 Baldwin v. G. A. F. Seelig, Inc.
673 Gen. Motors Corp. v. Dist. of Columbia
848 Lichter v. U. S.
S185 Tinker v. Des Moines School Dist.
1071 Cafeteria Workers v. McElroy
1167 Holmes v. Atlanta

Bray:

- p. 268 Gooch v. U. S.
585 Dean Milk Co. v. Madison
454 Pennsylvania v. Bd. of Trusts
848 FHA v. Darlington
962 Craig v. Harney
1071 NAACP v. Alabama
1167 New Orleans City Park...Assn. v. Detiege

Brinker:

- p. 287 U. S. v. Sullivan
589 Milk Control Bd. v. Eisenberg Farm Products
454 Burton v. Wilmington Phg. Authority
849 Miller v. Schoene
965 Wood v. Georgia
S221 Elffbrandt v. Russell
1167 Turner v. Memphis

Cochrane:

- p. 289 El. Bond & Share v. SEC
590 H. P. Hood & Sons v. Dumond
458 Garner v. Louisiana
851 Pennsylvania Coal Co. v. Mahon
972 Roth v. U. S.
S224 Keyishian v. Bd./Regents
1167 Johnson v. Virginia

Corbett:

- p. 289 North American Co. v. SEC
597 Cities Service Co. v. Peerless Co.
458 Peterson v. South Carolina
855 U. S. v. Causby
981 Jacobellis v. Ohio
S228 Spevak v. Klein
S234 Lee v. Washington

Corbitt:

- p. 289 American P. & L. Co. v. SEC
601 Rice v. Santa Fe El. Lines
458 Gober v. Birmingham
857 U. S. v. Caltex
982 Kingsley Pictures Corp. v. Regents
S229 Garrity v. New Jersey
S235 U. S. v. Montgomery Co. Bd./Ed.

Crowgey:

- p. 290 U. S. v. 5 Gambling Devices
601 Hines v. Davidowitz
458 Avent v. North Carolina
857 U. S. v. Cent. Eureka Mining Co.
S186 Memoirs v. Massachusetts
S229 Gojack v. U. S.
1168 Anderson v. Martin

Deboer:

- p. 295 Wickard v. Filburn
602 Kelly v. Washington
458 Lombard v. Louisiana
857 Euclid v. Ambler Realty Co.
S190 Ginzburg v. U. S.
1075 Bates v. Little Rock
1168 Virginia Bd./Elect. v. Hamm

DeRoma:

- p. 300 U. S. v. Butler
603 Maurer v. Hamilton
458 Shuttlesworth v. Birmingham
S159 YMCA v. U. S.
S197 Mishkin v. New York
1076 Ry. Employees Depy. v. Hanson
1169 Brown v. Bd./Ed.

Evans:

- p. 301 Curran v. Smith
604 Castle v. Hayes Frt. Lines
459 Bell v. Maryland
853 Goldblatt v. Hempstead
S198 Redrup v. New York
1077 Int. Assn. of Machinists v. Street
1170 Cooper v. Aaron

Funk:

- p. 301 U. S. v. Rock Royal Coop.
S115 B. Br. Service v. Chicago
462 Hamm v. Rock Hill
860 U. S. ex rel. TVA v. Welch
S199 Ginsberg v. New York
1078 Lathrop v. Donohue
1170 Goss v. Bd./Ed.

Garnett:

- p. 301 Sunshine Coal Co. v. Adkins
605 Campbell v. Hussey
S47 Evans v. Newton
861 Berman v. Parker
S203 Stanley v. Georgia
1079 Shelton v. Tucker
1171 Watson v. Memphis

Girton:

- p. 301 FPC v. Natural Gas Pipeline
605 Florida Lime & Avocado Growers v. Paul
S52 Reitman v. Mulkey
862 U. S. v. Twin City Power Co.
983 Beauharnais v. Illinois
1003 Bro. R. Trainmen v. Virginia
1171 Griffin v. County Sch. Bd.

Gold:

- p. 301 U. S. v. Wrightwood Dairy
606 Pennsylvania v. Nelson
S58 Hunter v. Erickson
862 U. S. v. Gen. Motors Corp.
986 New York Times Co. v. Sullivan
1084 Konigsberg v. State Bar
S235 Bradley v. School Board

Graves:

- p. 301 Mandeville Is. Farms v. Am. Crystal Sugar
606 Uphaus v. Wyman
S60 Jones v. Alf. Mayer Co.
862 U. S. v. Westinghouse
S206 Rosenblatt v. Baer
1084 Barsky v. Bd./Regents
S235 Rogers v. Paul

Harwood:

- p. 301 Kirschbaum v. Walling
609 Prudential Ins. Co. v. Benjamin
484 Breedlove v. Suttles
862 U. S. v. Commodities Trading Corp.
993 Garrison v. Louisiana
1085 Konigsberg v. State Bar
S236 Green v. County School Bd.

Hatchl:

- p. 300 Mulford v. Smith
S116 Seagram & Sons v. Hostetter
S74 South Carolina v. Katzenbach
870 Muller v. Oregon
995 NAACP v. Button
1093 Watkins v. U. S.
S236 Raney v. Bd./Ed.

Hicks:

- p. 302 Mitchell v. Zachry Co.
377 U. S. v. Appalachian Power Co.
619 Hooven & Allison Co. v. Private
873 Moorehead v. New York ex rel. Tidal
S206 Time, Inc. v. Hill
1095 Sweeney v. New Hampshire
1172 McLaughlin v. Florida

Hirsch:

- p. 536 Maryland v. Wirtz
377 U. S. v. California
621 Memphis Steam Laundry v. Stone
874 New State Ice Co. v. Liebmann
S207 Curtis Pub. Co. v. Butts
1097 Uphaus v. Wyman
1176 Korematsu v. U. S.

Johnson:

- p. 318 Heart of Atlanta Motel v. U. S.
377 U. S. v. Louisiana
622 McGoldrick v. Berwind-White Co.
874 Nebbia v. New York
S207 Associated Press v. Walker
1098 Barenblatt v. U. S.
S237 Loving v. Virginia

Jones:

- p. 323 Katzenbach v. McClung
377 U. S. v. Texas
S116 Dunbar-Stanley Studios v. Alabama
878 West Coast Hotel Co. v. Parrish
S208 Red Lion Broadcast Co. v. FCC
1103 Wilkinson v. U. S.
1184 Takahashi v. Fish & Game Comm.

Kris:

- p. S37 Daniel v. Paul
377 Alabama v. Texas
624 Nippert v. Richmond
878 Lincoln Fed. Labor Union v. N. W. I. & M. Co.
1003 Bro. R. Trainmen v. Virginia
1103 Braden v. U. S.
1187 Oyama v. California

LaRoche:

- p. 331 Mitchell v. U. S.
377 TVA v. Welch
624 West Point Grocery Co. v. Opelika
883 Day-Brite Ltg., Inc. v. Missouri
1004 Thornhill v. Alabama
1103 Deutsch v. U. S.
1188 Galvan v. Press

Lee:

- p. 331 Boynton v. Virginia
377 Berman v. Parker
625 Indep. Warehse. v. Scheele
885 Ry. Exp. Agency v. New York
5209 Mine Workers v. Illinois Bar Assn.
1104 Russell v. U. S.
1188 Wong Yang Sung v. McGrath

Lewis:

- p. 331 Steele v. L. & N. R. Co.
378 Barenblatt v. U. S.
625 Magnano Co. v. Hamilton
888 Goesaert v. Cleary
1008 Giboney v. Empire S. & I. Co.
S229 DeGregory v. N. H. Atty. Gen.
1188 Baker v. Carr

Lynch:

- p. 331 Syres v. Oil Workers
 378 Coleman v. Muller
 626 N., Co. & St. I. R. Co. v. Browning
 889 Daniel v. Family Sec. Life Ins. Co.
 1009 Teamsters Union v. Vogt, Inc.
 1105 Gibson v. Florida Leg. Inv. Comm.
 1188 Gray v. Sanders

Mayer:

- p. 333 Bailey v. Drexel Furn. Co.
 S41 O'Callahan v. Parker
 626 Minnesota v. Blasius
 890 Kotch v. Bd. of River Port Pilots
 1013 Burstyn v. Wilson
 1111 Near v. Minnesota
 1189 Wesberry v. Sanders

McPherson:

- p. 338 U. S. v. Constantine
 383 Missouri v. Holland
 S117 WHYY v. Glassboro
 890 Williamson v. Lee Optical Co.
 1019 Lovell v. Griffin
 S229 Gordon v. Broderick
 S238 Fortson v. Morris

Meyerer:

- p. 339 Sonzinsky v. U. S.
 389 Reid v. Covert
 628 Ott v. Mississippi Barge Line
 893 Morey v. Doud
 1021 Cantwell v. Connecticut
 1117 Grosjean v. Am. Press Co.
 S239 Kirkpatrick v. Preisler

Morrison:

- p. 339 U. S. v. Sanchez
 400 Kinsella v. U. S.
 628 Standard Oil Co. v. Peck
 S160 Levy v. Louisiana
 1025 Kunz v. New York
 1117 Associated Press v. NLRB
 S239 Wells v. Rockefeller

Nichols:

- p. 339 U. S. v. Kahrieger
 404 U. S. v. Oregon
 628 N. W. Air Lines v. Minnesota
 S163 Shapiro v. Thompson
 1027 Feiner v. New York
 S231 Mills v. Alabama
 1190 Reynolds v. Sims

Norman:

- p. S40 Marchetti v. U. S.
 406 Ex Parte Quirin
 629 Braniff Airways v. Nebraska Bd.
 901 U. S. v. Carolene Products
 1031 Marsh v. Alabama
 1118 Kingsley Books v. Brown
 S239 Burns v. Richardson

Norment:

- p. 357 Stewart Machine Co. v. Davis
 406 Duncan v. Kahanamoku
 630 Central R. Co. v. Pennsylvania
 903 Schenck v. U. S.
 1031 Thomas v. Collins
 1120 Winters v. New York
 S239 Swann v. Adams

Owens:

- p. 361 Carmichael v. So. Coal Co.
407 Grisham v. Hagan
630 Illinois Central R. Co. v. Minnesota
905 Abrams v. U. S.
1032 Jones v. Opelika
1120 Gelling v. Texas
S240 Moore v. Ogilvie

Phelps:

- p. 363 Helvering v. Davis
407 McElroy v. U. S.
630 Ry. Exp. Agency v. Virginia
907 Schaefer v. U. S.
1032 Murdock v. Pennsylvania
1120 Superior Films v. Dept./Ed.
S240 Avery v. Midland County

Poinsett:

- p. 367 Oklahoma v. Civ. Serv. Comm.
407 Toth v. Quarles
S117 N. & W. R. Co. v. Tax Comm.
907 Debs v. U. S.
1032 Prince v. Massachusetts
1120 Times Film Corp. v. Chicago
488 Harman v. Fortenssius

Reavelly:

- p. 367 United Pub. Workers v. Mitchell
408 Wilson v. Girard
631 Capitol Greyhound Lines v. Brice
907 Frohwerk v. U. S.
1032 Hague v. CIO
1121 Freedman v. Maryland
489 Lassiter v. Northampton Co. Bd./Ed.

Robeson:

- p. 369 Ashwander v. TVA
S41 Mora v. McNamara
636 Aero Mayflower Tr. Co. v. Georgia PSC
908 Goldman v. U. S.
1032 Cox v. New Hampshire
S231 Mills v. Alabama
S92 Katzenbach v. Morgan

Roylance:

- p. 369 Tennessee Elec. Power v. TVA
409 Flemming v. Nestor
637 Central Greyhound Lines v. Mealey
908 Pierce v. U. S.
1032 Beard v. Alexandria
1125 Smith v. California
S90 Williams v. Rhoades

Salle:

- p. 369 Alabama Power Co. v. TVA
S40 Zschernig v. Miller
638 Canton R. Co. v. Rogan
908 Gitlow v. New York
1034 Saia v. New York
1128 Marcus v. Search Warrants
497 Smith v. Allwright

Scheumann:

- p. 492 U. S. v. Classic
418 Perez v. Brownell
638 Western Maryland R. Co. v. Rogan
914 Whitney v. California
1035 Kovacs v. Cooper
1129 Quantity of Books v. Kansas
501 Screws v. U. S.

Shetler:

- p. 370 U. S. v. Appalachian El. Power Co.
428 Trop v. Dulles
638 Joseph v. Carter & Weeks Stevedoring Co.,
919 Miske v. Kansas
1038 Edwards v. South Carolina
1129 Bantam Books, Inc. v. Sullivan
510 Williams v. U. S.

Shreves:

- p. 370 Oklahoma v. Atkinson
429 Kennedy v. Mendoza-Martinez
639 Specter Motor Serv. v. O'Connor
920 DeJonge v. Oregon
1039 Cox v. Louisiana (I)
1130 Everson v. Bd./Ed.
511 U. S. v. Williams

Siders:

- p. 370 Woods v. Miller Co.
S43 Afroyim v. Rusk
640 Memphis Nat. Gas Co. v. Stone
922 Dennis v. U. S.
1045 Cox v. Louisiana (II)
S231 Walz v. Tax Comm.
S100 U. S. v. Price

Smith:

- p. 373 Bowles v. Willingham
431 U. S. v. Macintosh
640 Ry. Exp. Agency v. Virginia (I)
937 Yates v. U. S.
S210 Brown v. Louisiana
S233 Presby. Church v. Hull Mem. Church
S102 U. S. v. Guest

Stoner:

- p. 373 Yakus v. U. S.
431 Girouard v. U. S.
640 Ry. Exp. Agency v. Virginia (II)
939 Scales v. U. S.
S215 Adderley v. Florida
1136 Zorach v. Clauson
512 Collins v. Hardyman

Tarrant:

- p. 373 Licher v. U. S.
431 Baumgartner v. U. S.
641 Western Livestock v. Bur./Rev.
939 Noto v. U. S.
S218 Walker v. Birmingham
1141 Engel v. Vitale
514 Monroe v. Pape

Taylor:

- p. 373 Silesian-Am. Corp. v. Clark
431 Schneiderman v. U. S.
645 Adams Mfg. Co. v. Storen
940 U. S. v. Brown
S219 Shuttlesworth v. Birmingham
1145 Sch. Dist. Abingdon Tnsp. v. Schempp
S114 Pierson v. Roy

Titus:

- p. 374 Norman v. B. & O. R. Co.
431 Schneider v. Rusk
645 Gwin, White & Prince v. Henneford
940 Communist Party v. SACB
S219 Gregory v. Chicago
1148 McGowan v. Maryland

Taylor:

- p. 375 Hannegan v. Esquire
S45 Georgia v. Rachel
S46 McGoldrick v. Berwind-White Coal Mining Co.
S175 Brandenburg v. Ohio
1054 Wieman v. Updegraff
1148 Two Guys... etx. v. McGinley

Walker:

- p. 375 Lamont v. Postmaster-General
S45 Greenwood v. Peacock
650 McLeod v. Dilworth Co.
S179 Albertson v. SACB
1058 U. S. v. Lovett
S253 Epperson v. Arkansas

Webb:

- p. 376 Mercoid Corp. v. Mid-Continent Invest. Co.
447 Schneider v. Rusk
650 Michigan-Wisconsin Pipeline Co. v. Calvert
S179 Dennis v. U. S.
1059 Cramp v. Bd./Pub. Instr.
1149 Braunfeld v. Brown

White:

- p. 376 Spec. Equip. Co. v. Coe
448 Shelley v. Kraemer
650 Henneford v. Silas Mason Co.
949 Aptheker v. Secy. of State
1059 Baggett v. Bullitt
1149 Gallagher v. Crown Kosher Mkt.

Wilkins:

- p. 376 Hartford-Empire Co. v. U. S.
S46 Amalg. Food Employees v. Logan Valley Plaza
652 Halliburton Oil Well Cementing Co. v. Reilly
949 Kent v. Dulles
1059 Slochower v. Bd./Higher Ed.
1149 Cantwell v. Connecticut

Wood:

- p. 376 Watson v. Buck
453 Hurd v. Hodge
653 Nelson v. Sears, Roebuck
950 Communist Party v. Catherwood
1064 Lerner v. Casey
1150 Minersville Sch. Distr. v. Gobitis

Wright:

- p. 376 Sears, Roebuck v. Stiffel
453 Hurd v. Hodge
653 Gen. Trading Co. v. Tax Comm.
S179 DuBois Clubs v. Clark
1066 Beilan v. Bd./Pub. Ed.
1150 West Va. Bd./Ed. v. Barnette

Young:

- p. 376 Comco. Corp. v. Day-Brite Ltg. Co.
453 Barrows v. Jackson
653 Miller Bros. v Maryland
951 U. S. v. Brown
1070 Nelson v. County of Los Angeles
1151 U. S. v. Seeger