

TABLE OF CONTENTS

	Page
FOREWORD.....	xix
PREFACE TO THE FIRST EDITION.....	xxi
TABLE OF CASES.....	xxxix
TABLE OF STATUTES AND RULES.....	xliii
Introductory Note on Sources.....	1
Chapter	
I. "Judicial Power" Over "Cases and Controversies".....	3
Constitution—Excerpts.....	3
Hodgson v. Bowerbank.....	5
Sheldon v. Sill.....	6
Knee v. Chemical Leaman Tank Lines, Inc.....	9
Baker v. Carr.....	12
Simon v. Eastern Kentucky Welfare Rights Organization...	20
Craig v. Boren.....	26
Village of Arlington Heights v. Metropolitan Housing Development Corp.....	31
Valley Forge Christian College v. Americans United for Separation of Church and State, Inc.....	35
Federal Declaratory Judgment Act.....	55
Aetna Life Ins. Co. v. Haworth.....	55
Golden v. Zwickler.....	62
Palmore v. United States.....	65
II. Cases Arising Under the Constitution and Laws of the United States.....	78
Statute.....	78
Osborn v. Bank of the United States.....	79
Albright v. Teas.....	86
Feibelman v. Packard.....	89
Joy v. St. Louis.....	91
Louisville & Nashville R.R. v. Mottley.....	94
Gully v. First National Bank in Meridian.....	95
Thurston Motor Lines, Inc. v. Jordan K. Rand, Ltd.....	100
Merrell Dow Pharmaceuticals Inc. v. Thompson.....	102
Bell v. Hood.....	115
United Mine Workers of America v. Gibbs.....	119
Aldinger v. Howard.....	124
American Well Works Co. v. Layne & Bowler Co.....	136
E. Edelmänn & Co. v. Triple-A Specialty Co.....	137
Skelly Oil Co. v. Phillips Petroleum Co.....	140
Verlinden B.V. v. Central Bank of Nigeria.....	144

TABLE OF CONTENTS

Chapter	Page
III. Diversity of Citizenship	150
Statute	150
Strawbridge v. Curtiss	152
Seyler v. Steuben Motors, Inc.	153
Morris v. Gilmer	153
Mas v. Perry	156
United Steelworkers of America, AFL-CIO v. R.H. Bouligny, Inc.	160
Barrantes Cabalceta v. Standard Fruit Co.	164
Navarro Savings Association v. Lee	168
Pallazola v. Rucker	173
Dolch v. United California Bank	184
Lumbermen's Mutual Casualty Co. v. Elbert	187
IV. Jurisdictional Amount	192
Vance v. W.A. Vandercook Co.	192
Burns v. Anderson	194
McCarty v. Amoco Pipeline Co.	196
Barnes v. Parker	202
Horton v. Liberty Mutual Ins. Co.	205
Elgin v. Marshall	208
Aetna Casualty & Surety Co. v. Flowers	210
Beaman v. Pacific Mutual Life Ins. Co.	212
Pinel v. Pinel	215
Alco Financial Services, Inc. v. Treasure Island Motor Inn, Inc.	217
Brainin v. Melikian	219
V. Removal Jurisdiction and Procedure	222
Statutes	222
Metropolitan Life Ins. Co. v. Taylor	224
American Fire & Casualty Co. v. Finn	230
Climax Chemical Co. v. C.F. Braun & Co.	239
Dodd v. Fawcett Publications, Inc.	244
Gentle v. Lamb-Weston, Inc.	246
Statutes	252
Patterson v. Refinery Engineering Co.	255
Bloom v. Barry	259
VI. Venue	264
Statutes	264
Manchester Modes, Inc. v. Schuman	267
Denver and Rio Grande Western R. Co. v. Brotherhood of Railroad Trainmen	272
Leroy v. Great Western United Corp.	277
Van Dusen v. Barrack	283
VII. Jurisdiction to Determine Jurisdiction	291
United States v. United Mine Workers of America	291
Baldwin v. Iowa State Traveling Men's Ass'n	301

TABLE OF CONTENTS

Chapter	Page
VII. Jurisdiction to Determine Jurisdiction—Continued	
Chicot Co. Drainage Dist. v. Baxter State Bank	303
Kalb v. Feuerstein	307
VIII. Conflicts Between State and National Judicial Systems	312
Section	
1. State Enforcement of Federal Law	312
Testa v. Katt	312
2. Federal Injunctions Against State Court Proceedings ..	317
Anti-Injunction Act	317
Vendo Co. v. Lektro-Vend Corp.	318
3. State Injunctions Against Federal Court Proceedings or Federal Officers	337
Donovan v. City of Dallas	337
Pennsylvania Turnpike Commission v. McGinnes	343
4. Federal Actions to Restrain State Officers	347
Ex Parte Young	347
Pennhurst State School & Hospital v. Halderman	358
Green v. Mansour	373
5. The Three-Judge Court Statute	380
Statutes	380
6. Statutory Restrictions on Enjoining State Officers	381
The Johnson Act of 1934	381
The Tax Injunction Act of 1937	382
7. The Abstention Doctrines	382
Railroad Commission of Texas v. Pullman Co.	382
Burford v. Sun Oil Co.	386
Reetz v. Bozanich	395
Moses H. Cone Memorial Hospital v. Mercury Construc- tion Corp.	399
Lehman Brothers v. Schein	409
8. "Our Federalism"	414
Younger v. Harris	414
Samuels v. Mackell	426
Steffel v. Thompson	429
Huffman v. Pursue, Ltd.	438
Wooley v. Maynard	446
Pennzoil Co. v. Texaco, Inc.	451
9. Habeas Corpus	462
Statutes	462
Wainwright v. Sykes	467
10. Effect of a Prior State Judgment	489
Allen v. McCurry	489
Parsons Steel, Inc. v. First Alabama Bank	500
IX. The Law Applied in the Federal Courts	506
Section	
1. The Erie Doctrine	506
Rules of Decision Act	506
Erie Railroad Co. v. Tompkins	506

TABLE OF CONTENTS

Chapter	Page
IX. The Law Applied in the Federal Courts—Continued	
Fidelity Union Trust Co. v. Field	516
Guaranty Trust Co. of New York v. York	520
Byrd v. Blue Ridge Electric Cooperative, Inc.	525
Hanna v. Plumer	529
Commissioner of Internal Revenue v. Estate of Bosch	538
Day and Zimmerman, Inc. v. Challoner	542
Walker v. Armco Steel Corp.	544
Section	
2. Federal Common Law and Implied Rights of Action ...	552
Clearfield Trust Co. v. United States	552
De Sylva v. Ballentine	557
Carlson v. Green	560
Thompson v. Thompson	567
X. Procedure in the District Court	579
Section	
1. Process	579
Omni Capital International v. Rudolf Wolff & Co., Ltd.	579
Green v. Humphrey Elevator and Truck Co.	586
2. Joinder of Parties and Claims	596
A. Compulsory Joinder	596
Whyman v. Piper Aircraft Corp.	596
B. Interpleader	602
State Farm Fire & Casualty Co. v. Tashire	602
C. Counterclaims and Cross-Claims	609
Moore v. New York Cotton Exchange	609
Scott v. Fancher	612
D. Intervention	615
Johnson v. San Francisco Unified School District ...	615
Wodecki v. Nationwide Ins. Co.	619
E. Class Actions	620
Eisen v. Carlisle & Jacquelin	620
Zahn v. International Paper Co.	632
F. Impleader	640
Owen Equipment and Erection Co. v. Kroger	640
Curtis v. Radiation Dynamics, Inc.	649
3. Trial	652
Dairy Queen, Inc. v. Wood	652
Ross v. Bernhard	657
Parklane Hosiery Co., Inc. v. Shore	666
Conway v. Chemical Leaman Tank Lines, Inc.	677
Federal Rules of Evidence, Rule 501	680
Wratchford v. S.J. Groves & Sons Co.	681
XI. Appellate Jurisdiction and Procedure	687
Section	
1. The Courts of Appeals	687
Statutes	687
Gulfstream Aerospace Corp. v. Mayacamas Corp.	689

TABLE OF CONTENTS

Chapter		Page
XI.	Appellate Jurisdiction and Procedure—Continued	
	Katz v. Carte Blanche Corp.....	699
	Gillespie v. United States Steel Corp.....	709
	Section	
2.	The Supreme Court.....	714
	Ex Parte McCardle	714
	Statutes	719
	Cox Broadcasting Corp. v. Cohn	722
	Flynt v. Ohio.....	736
	Zucht v. King.....	739
	Herndon v. Georgia	741
	Michigan v. Long.....	747
	Florida v. Meyers	758
	National Association for the Advancement of Colored People v. Alabama ex rel. Flowers	762
XII.	Original Jurisdiction of the Supreme Court.....	768
	Statutes	768
	United States v. Texas.....	768
	Western Union Telegraph Co. v. Pennsylvania	773
	Index.....	779

*