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It is readily conceded that we have officers with police powers in order that we may have better law enforcement. We depend on officers to maintain the peace, prevent crime, detect criminals, and generally to protect the person and property of those in their jurisdiction. Officers seldom are "on the scene" when a crime may be or has been committed, and they must rely heavily on information from regular informants, victims, or civic minded individuals.[1] Citizens have less privilege to arrest than officers have because officers are specially trained in the law of arrest.[2] A broad power of citizens to arrest is not consistent with our concept of law enforcement by governmental agency. But while policy discourages enforcement of law by citizen's arrest, it also stresses that citizens have a duty to aid in the enforcement of laws.[3]

Consistent with these statements of policy, the general rule is that "one who instigates or directs the unlawful arrest or detention of another,

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1. It is difficult to secure exact estimates of how heavily police officers rely on informants. All authors agree, however, that police do rely extensively on information conveyed to them by private persons. See, *e.g.*, McCann, The Police and the Confidential Informant, 1957 (unpublished thesis in Indiana University Library) and authorities cited therein. During one recent year, private persons gave information to F.B.I. agents which resulted in the arrest of 2001 persons and in the recovery of more than $1,500,000 in stolen goods. Hoover, *The Confidential Nature of F.B.I. Reports,* 8 SYRACUSE L. REV. 2, 6 (1956).

2. For a comparison between the privilege of the officer to arrest and that of the citizen, see Wilgus, *Arrest Without a Warrant,* 22 MICH. L. REV. 541, 673-709 (1924). Hale gave several reasons for the greater privilege of the police: "[T]hey are persons more eminently trusted by the law, as in many other acts incident to their office." "[T]hey are by law punishable, if they neglect their duty in it." "[T]heir actings . . . are not arbitrary but necessary duties." 2 HALE, PLEAS OF THE CROWN 85 (1736).

3. At common law all citizens had a duty to pursue felons and were punished for failure to do so. 1 CHITTY, CRIMINAL LAW 16 (2d ed. 1826). Most jurisdictions still recognize the citizen's duty to aid officers in arrests and to give other assistance as required. See, *e.g.*, Burns v. State, 192 Ind. 427, 136 N.E. 857 (1922); Kennedy v. State, 107 Ind. 144, 6 N.E. 305 (1885); Babington v. Yellow Taxi Corp., 250 N.Y. 14, 164 N.E. 726 (1928). In Wilson v. United States, 59 F.2d 390, 392 (3d Cir. 1932), Judge Dickinson said: "It is the right and duty of every citizen of the United States to communicate to the executive officers of the government charged with the duty of enforcing the law all the information which he has of the commission of an offense against the laws of the United States. . . ."

if it results in false imprisonment, is liable therefor."[4] But if the private person merely gives information to the police, he is not liable for a subsequent unlawful arrest.[5] Whether the citizen procured and directed the arrest or merely gave information to a police officer is a difficult question of fact, however.[6] When a private person is more than a passive informant and yet his conduct falls short of an actual command to arrest, responsibility for an illegal arrest is a difficult matter to determine. It is in this area that courts have been unable to establish legal criteria to guide in the determination of precisely when an informant becomes an instigator.

While these general rules seem sound, there is too often a wide variance between expounding the general rule and in following or applying it to various fact situations. In fact, the very generality and vagueness of the rule that a private person is responsible for arrests which he "procures" or "instigates" allows the courts much leeway and freedom to reach the results they desire to reach.

It is very difficult for courts to determine precisely what conduct constitutes an "instigation" or a "procurement" of an arrest by a private person. It is clear that a private person may inform the police of any criminal offenses within his knowledge. He has a duty to do so.[7] Subsequent errors or indiscretions of public officers in failing to procure a warrant, failing to arrest the correct person, or failing to accord fair treatment to the arrestee are not the responsibility of the informant.[8] If it subsequently appears that no crime has been committed, the good-faith informant will suffer no liability.[9]

At the other extreme, it is just as clear that when a private person

4. Fox v. McCurnin, 205 Iowa 752, 759, 218 N.W. 499, 502 (1928). See also Doering v. State, 49 Ind. 56 (1874); Ross v. Leggett, 61 Mich. 445, 28 N.W. 695 (1886); State *ex rel.* Fireman's Fund Ins. Co. v. Trimble, 294 Mo. 615, 242 S.W. 934 (1922).

5. Veneman v. Jones, 118 Ind. 41, 20 N.E. 644 (1889); Linnen v. Banfield, 114 Mich. 93, 72 N.W. 1 (1897); Taaffe v. Slevin, 11 Mo. App. 507 (1882); Brown v. Chadsey, 39 Barb. 253 (N.Y. 1863); Burns v. Erben, 1 Robt. 555 (N.Y. Super. Ct. 1863). The same principle has been consistently applied by English courts. Thus it was said in Samuel v. Payne, 1 Doug. 359, 360, 99 Eng. Rep. 230, 231 (K.B. 1780), that: "He that makes the charge should alone be answerable." See also Hopkins v. Crowe, 7 Car. & P. 373, 173 Eng. Rep. 166 (K.B. 1835); Hobbs v. Branscomb, 3 Camp. 420, 170 Eng. Rep. 1431 (K.B. 1813).

6. Black v. Marsh, 31 Ind. App. 53, 67 N.E. 201 (1903); Carson v. Dessau, 142 N.Y. 445, 37 N.E. 493 (1894); Cunningham v. Seattle Electric Ry. & Power Co., 3 Wash. 471, 28 Pac. 745 (1892).

7. See authorities cited note 3 *supra.*

8. "Having signed the complaint he could rightfully assume that the officers would proceed in the performance of their duty in a lawful way." Burlington Transportation Co. v. Josephson, 153 F.2d 372, 376 (1946). See also Walton v. Will, 66 Cal. App. 2d 509, 152 P.2d 639 (1944) (failure to arrest correct person); Lemon v. King, 95 Kan. 524, 148 Pac. 750 (1915) (failure to procure a warrant).

9. Buchholz v. Glass, 180 Wis. 527, 193 N.W. 392 (1923).

commands a police officer to make an arrest and the police officer has no information which demonstrates the command to be unreasonable the officer has a duty to make the arrest.[10] The arrest is that of the instigator—the officer is but a conduit through which the arrest was effected.[11]

Appellate courts often place emphasis on certain facts in attempting to determine whether a person was an informant or an instigator. For example, if after giving information to a police officer, the private person further encourages the officer to arrest, and an arrest would not have occurred but for this encouragement, the private person is liable as the instigator.[12] Of if after an informal conference with the officer the private person informs the arrestee that "we" have decided to arrest, the admission is sufficient to sustain the conclusion that the private person instigated the arrest.[13] There is also a tendency to hold the private person more readily accountable for a false arrest if he gives information to further his own private advantage. Thus in one case the court emphasized that giving information on the violation of a city ordinance would entitle the informant to more liberal treatment than if the information were given to protect one's person or property.[14]

If in addition to giving information, the private person requests the officer to perform his duties as an officer, or to enforce the law, the request does not render the informant an instigator.[15] This is particularly true where the arrestee was committing an offense in the presence of the

10. 1 ALEXANDER, THE LAW OF ARREST 361-64 (1949). When a policeman does not act on reliable information, he is derelict in his duty. Draper v. United States, 358 U.S. 307 (1959). If the identity and reliability of the informant are unknown, the officer does not have probable cause to arrest. See, *e.g.*, Contee v. United States, 215 F.2d 324 (D.C. Cir. 1954).

11. Doering v. State, 49 Ind. 56 (1874), citing Hobbs v. Branscomb, 3 Camp. 420, 170 Eng. Rep. 1431 (K.B. 1813).

12. Grago v. Vassello, 19 N.Y.S.2d 34, 38, 173 Misc. 736, 739 (1940) ("Without her active participation the plaintiff would never have been arrested"). See also Chesapeake & Potomac Telephone Co. v. Lewis, 99 F.2d 424 (D.C. Cir. 1938); Hill v. Henry, 90 Ga. App. 93, 82 S.E.2d 35 (1954). The failure of the informant to discourage or prevent the arrest is not sufficient to render him an instigator. Hammond v. D.C. Black, Inc., 53 Ga. App. 609, 186 S.E. 775 (1936).

13. Standard Oil Co. v. Davis, 208 Ala. 565, 567, 94 So. 754, 756 (1922); Davis v. Nadell, 138 N.Y.S.2d 50 (Sup. Ct. 1954). If the private person subsequently admits to the arrestee that he caused the arrest, this also justifies the conclusion that the private person went beyond the bounds of giving information. Pixton v. Dunn, 120 Utah 658, 238 P.2d 408 (1951).

14. "[O]ne who in good faith invokes the action of public officers on account of a violation of the criminal law to which he calls their attention is entitled to more liberal treatment in this regard than is one who seeks to bring about an arrest for his private advantage." Lemon v. King, 95 Kan. 524, 529, 148 Pac. 750, 751 (1915).

15. Veneman v. Jones, 118 Ind. 41, 20 N.E. 644 (1889); Lemon v. King, 95 Kan. 524, 148 Pac. 750 (1915); Taaffe v. Slevin, 11 Mo. App. 507 (1882).

officer and the officer had a duty to make the arrest.[16] If the arrestee defies the authority of the officer when the officer attempts to investigate the soundness of the private person's information, thus forcing the officer to make an arrest to complete his investigation, the informant is not liable for this arrest.[17]

The mere presence of the informant at the scene of the arrest will not render the informant responsible for the arrest. The absence of the informant from the scene, however, will give rise to an inference that the informant did not command the arrest.[18] If the informant had no knowledge of the arrest, this also gives rise to an inference that he did not command the arrest.[19]

Appellate courts are able to reach just results in most cases after making a careful examination of the conduct of the private person, but they are not always successful. For example, in *Harrer v. Montgomery Ward & Company*,[20] the Supreme Court of Montana held Montgomery Ward & Company liable for instigating the arrest of Harrer, when the defendant's only acts were to phone the police and to hand the officers a check which was identical to checks which a forger had been passing in the area. Harrer snatched the check from the officer and refused to identify himself, even though he knew that the forger had been using his name on the fraudulent checks. The discretion exercised in reaching a decision to arrest was clearly that of the officers. Although the result in the *Harrer* case does not reflect the reasoning of the majority of courts, neither is it an isolated instance.[21]

In addition to the factors asserting influence on the courts, which have been listed above, there are other factors which are not so apparent from a reading of the cases but which lend impetus to an erroneous decision. These factors sometimes cause the courts to hold a private person liable for an illegal arrest which he did not cause, procure, or command.

16. "The defendandant justifies [the arrest] by answering that the plaintiff was at the time of his arrest actually violating a city ordinance in the view and presence of the officer who made the arrest. This presents a complete justification." Veneman v. Jones, 118 Ind. 41, 44, 20 N.E. 644, 645 (1889).

17. Frickstad v. Midcraft, 100 Cal. App. 188, 279 Pac. 840 (1929) (arrestee refused to identify himself); Joske v. Irvine, 91 Tex. 574, 44 S.W. 1059 (1898) (challenged officer to make an arrest, refusing to give him any information).

18. See, *e.g.*, Frickstad v. Midcraft, 100 Cal. App. 188, 279 Pac. 840 (1929).

19. Snider v. Wimberly, 357 Mo. 491, 209 S.W.2d 239 (1948); Edgar v. Omaha Public Power Dist., 166 Neb. 452, 89 N.W.2d 238 (1958).

20. 124 Mont. 295, 221 P.2d 428 (1950).

21. Webb v. Prince, 62 Ga. App. 749, 9 S.E.2d 675 (1940); Linquist v. Friedman's, Inc., 366 Ill. 286, 64 N.E. 875 (1902); Winegar v. Chicago, Burlington & Quincy Ry., 163 S.W.2d 357 (Kan. City Ct. App. 1942); Wright v. Hoover, 211 Mo. App. 185, 241 S.W. 89 (1922); S.H. Kress & Co. v. Bradshaw, 186 Okla. 588, 99 P.2d 508 (1940); Leon's Shoe Stores, Inc. v. Hornsby, 306 S.W.2d 402 (Tex. Civ. App. 1957).

An analysis of these factors will readily demonstrate their significance.

In almost all of the suits by the arrestee against the private person for false arrest, the plaintiff alleges great humiliation at having been arrested. There are also allegations of physical injury, mental suffering, and often allegations that the plaintiff was subjected to harsh or unfair treatment by the police or was wrongfully detained by the police for several days without formal charge. Of course, by holding that the private person "instigated, procured or caused" the arrest, the court is able to fasten upon the instigator as a proximate result of his wrongful conduct liability for the indiscretions of the police officers.

In cases of false arrest where the arrestee has obviously been done an injustice, courts are naturally prone to give relief if at all possible. The plaintiff has only to show his detention or arrest and the defendant must justify the detention or arrest by proof of a privilege.[22] The plaintiff can bring suit against the police officer, the private person, or both.[23] If he brings suit against the police officer alleging false arrest, the plaintiff has little chance of successfully litigating his claim and of actually recovering for his losses. Hall points out that police officers are usually privileged to make the arrest, and that their principal—the state or municipality—is usually immune from suit.[24] "As regards police officers, absence of liability is the uniform rule."[25] Although bonding statutes and garnishment laws seem to change the "judgment proof" nature of the officers, a moment's reflection convinces one of the contrary. Garnishment is unavailable against public officers in most states.[26] Bonding statutes have two shortcomings. First, they do not include all police officers, especially those in municipalities, where most false arrests occur.[27] Second, the law of suretyship offers defenses such as the requirement that the officer must be acting within the scope of his authority.[28] "An

22. Cleveland v. Emerson, 51 Ind. App. 339, 99 N.E. 796 (1912); Efroymson v. Smith, 29 Ind. App. 451, 63 N.E. 328 (1902).

23. See, *e.g.*, Black v. Marsh, 31 Ind. App. 53, 67 N.E. 201 (1903); Hertzka v. Ellison, 8 Tenn. App. 667 (1928).

24. Hall, *The Law of Arrest in Relation to Contemporary Social Problems*, 3 U. CHI. L. REV. 345 (1936).

25. *Id.* at 348. See also Branton, *Financial Responsibility of Police Officers*, 19 LAW. GUILD REV. 52 (1959).

26. "The exemption is not given to the person for a private advantage, but granted to the office from public necessity." Wallace v. Lawyer, 54 Ind. 501, 509 (1876). For a listing of the authorities, see 17 McQUILLIN, MUNICIPAL CORPORATIONS 366-73 (3d ed. 1950).

27. Hall, *op. cit. supra* note 23, at 349-50. In Indiana, town officers are required to file a bond in the sum set by the board of town trustees and city officers are required to file a bond in the sum set by the common council of the city. IND. ANN. STAT. §§ 48-201, 48-1244 (Burns 1950).

28. If the officer is acting beyond the scope of his authority, he is acting as a private individual. The surety is only liable for acts done by the officer under color of his

official bond, whether of a police officer or of any other person holding public office, is designed to protect the public against such officer's official misconduct rather than his private misconduct."[29] As a final hurdle in the plaintiff's path to discourage suit against the officer for recovery on the bond, the surety company is extremely capable of defending the suit with the highest caliber lawyers, experienced in these suits, while the plaintiff can usually only afford to retain one or two trial lawyers.[30]

If the plaintiff, on the other hand, brings suit against a private person who participated in any way in the arrest, recovery is much easier to secure. Courts lose sight of the fact that private persons have a duty to aid in law enforcement. The private person communicating facts to an officer is seen as an "instigator" or an "aggressor" and is forced to compensate for the harm caused by the policeman's false arrest. While liability suits against police officers would tend to hamper them in the performance of their duties, suits against private persons have a less drastic effect. The private person is not the servant of an immune municipality, as the officer often is. There are no problems of suretyship, and the rules of garnishment render almost all private persons amenable to recovery. In fact, the defendant is usually a merchant who could respond in damages for the torts of himself or his agents and servants.[31] Finally, the parties are more often on an equal basis, although occasionally the defendant is quite a large mercantile establishment.

Thus, while appellate courts expound the sound general rule that private persons may give information without subjecting themselves to liability for false arrest, these same courts have been unable to establish specific criteria to determine whether certain conduct constitutes informing or instigating. In addition to the problem of a lack of such criteria, there is the problem created by the court's desire to give relief in most false arrest cases, as indicated above.

A solution to this dilemma would be to give private persons the defense of justification based on probable cause for believing a crime has

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office. See, *e.g.*, Curtis v. American Surety Co., 74 N.Y.S.2d 903, 272 App. Div. 1078 (1948). Indiana applies a different rule. If the conduct complained of would not have occurred if the actor had not been an officer, then the conduct was of an official nature and the surety is liable. State *ex rel.* Penrod v. French, 222 Ind. 145, 51 N.E.2d 858 (1943). This rule is also applied in the federal courts and by several other states: DeVault v. Fidelity & Casualty Co., 107 F.2d 343 (8th Cir. 1939); Stark Hickey, Inc. v. Standard Accident Ins. Co., 291 Mich. 350, 289 N.W. 172 (1939); Lynch v. Burgess, 40 Wyo. 30, 273 Pac. 691 (1929).

29. Massey v. Standard Accident Ins. Co., 280 Ky. 23, 24, 132 S.W.2d 530, 531 (1939).

30. Hall, *op. cit. supra* note 23, at 352.

31. When a mercantile clerk "causes" the false arrest of a patron, the employer is responsible for the arrest. It matters not that the act of the clerk was wilful and not directly authorized. See, *e.g.*, Efroymson v. Smith, 29 Ind. App. 451, 63 N.E. 328 (1902).

been committed and that the arrestee was guilty. The vast majority of courts do not allow the private person the defense of probable cause.[32] Only six states are currently in the minority which does allow this defense.[33]

Instead of weighing the conduct of the private person in an attempt to determine the degree to which he participated in an illegal arrest, the courts should weigh the reasonableness of the conduct. If information was false and unreasonably given, the private person should be made to respond in damages. Conversely, even if the private person commanded the arrest of a suspect, if it appears that he acted reasonably in giving the command, his reasonableness should present a complete justification.

Merchants are especially plagued by false arrest suits or the fear of false arrest suits. They are solvent, vulnerable defendants in such suits. At present merchants are never sure whether or not they have gone beyond the bounds of giving information and rendered themselves instigators. Consequently, they tend to de-emphasize arrest, relying on preventive self-help to protect them from shoplifters and forgers.[34]

State legislatures recently have become more attentive to the demands of merchants for protection from the ravages of the shoplifter and forger. During the four year period from 1955 to 1959, no less than twenty states enacted legislation to protect merchants from false arrest suits.[35] The typical statute provides that if the merchant or his employees

32. Daniels v. Milstead, 221 Ala. 353, 128 So. 447 (1930); Adair v. Williams, 24 Ariz. 422, 210 Pac. 853 (1922); S.H. Kress & Co. v. Powell, 132 Fla. 471, 180 So. 757 (1938); Linquist v. Friedman's, Inc., 366 Ill. 232, 8 N.E.2d 625 (1937); Harness v. Steele, 159 Ind. 286, 64 N.E. 875 (1902); Witte v. Haben, 131 Minn. 71, 154 N.W. 662 (1915); Wiegand v. Meade, 108 N.J.L. 471, 158 Atl. 825 (1932); Sanders v. Rolnick, 67 N.Y.S.2d 652, 188 Misc. 627 (1947); Brinkman v. Drolesbaugh, 97 Ohio St. 171, 119 N.E. 451 (1918); Dallas Joint Stock Land Bank v. Britton, 134 Tex. 529, 135 S.W.2d 981 (1940). Probable cause will be considered, however, in determining whether or not the plaintiff is entitled to recover punitive damages.

33. Kroger Grocery & Baking Co. v. Waller, 208 Ark. 1063, 189 S.W.2d 361 (1945); Collyer v. S.H. Kress Co., 5 Cal. 2d 175, 54 P.2d 20 (1936); Grau v. Forges, 183 Ky. 521, 209 S.W. 369 (1919); Plumlee v. American Ry. Express Co., 1 La. App. 702 (1925); Doak v. Springstead, 284 Mich. 459, 279 N.W. 898 (1938); Teel v. May Department Stores Co., 348 Mo. 696, 155 S.W.2d 74 (1941).

34. Waltz, *Shoplifting and the Law of Arrest: Merchant's Dilemma,* 62 YALE L.J. 788 (1953). "By conveniently placed mirrors, well arranged counters, and attentive clerks, the opportunities for theft are minimized." Note, *Shoplifting—An Analysis of Legal Controls,* 32 IND. L.J. 20, 24 (1956).

35. ALA. CODE tit. 14 § 334 (Supp. 1957); ARIZ. REV. STAT. ANN. § 13-675 (Supp. 1958); ARK. STAT. ANN. § 41-3942 (Supp. 1957); FLA. STAT. ANN. § 811.022 (Supp. 1958); GA. CODE ANN. § 105-1005 (Supp. 1958); ILL. ANN. STAT. ch. 38, § 252 (Smith-Hurd, Supp. 1958); KY. REV. STAT. § 433.236 (1959); LA. REV. STAT. ANN. § 15:84.5 (Supp. 1958) (1 hour limit); MASS. ANN. LAWS ch. 231, § 94B (Supp. 1958); MINN. STAT. ANN. § 622.27 (Supp. 1958); MISS. CODE ANN. § 2374-04 (Supp. 1958); MONT. REV. CODES ANN. §§ 64-212 to -213 (Supp. 1959) (merchant may require patron to keep merchandise in view without subjecting himself to a suit for slander); NEB. REV. STAT. § 29-402 (Supp. 1957); N.M. STAT. ANN. §§ 40-45-26 to -27 (Supp. 1959) (1 hour

have probable cause for believing that goods have been unlawfully taken by a person, they may recover the goods by taking the person into custody for a reasonable length of time without subjecting themselves to a suit for false arrest. Legislation making probable cause justification for detention need not be limited to merchants in its application. It is a confession of the failure of our present rules for determining when a private person should be made to answer for an arrest, and as such, this type of legislation should be the uniform rule.

INJUNCTIVE RELIEF AGAINST PICKETING UNDER THE INDIANA RIGHT TO WORK LAW

In 1957, Indiana became the first industrial state to pass a right to work law.[1] The impact that this statute will have on the law of labor-management relations in this state will depend upon its effect on the previously enacted local version[2] of the federal Norris-LaGuardia or anti-injunction act,[3] and the impact upon both local statutes of the federal labor relations act[4] and the current federal preemption doctrine.[5] The right to work law provides that membership in a labor organization shall not be made a condition of employment, prohibits solicitation of, entering into, or extension of any contract or agreement containing such a condi-

limit); OHIO REV. CODE ANN. § 2935.041 (Paige, Supp. 1958); OKLA. STAT. tit. 23 § 1341 (Supp. 1957); TENN. CODE ANN. §§ 40-824 to -826 (Supp. 1958); TEX. PEN. CODE art. 1436e (Supp. 1959); VA. CODE ANN. § 18-187 (Supp. 1958); W. VA. CODE ANN. § 5990 (11) (Supp. 1958) (brands "shoplifting" a breach of peace).

1. IND. ANN. STAT. §§ 40-2701 to -2706 (Burns Supp. 1957). For an analysis of the factors attendant in the passage of the Indiana act, see Whitney, *The Indiana Right To Work Law*, 11 IND. & LAB. REL. REV. 506 (1958). Other states with "Right-to-Work" statutes are all located in the south or in non-industrial areas. ALA. CODE Tit. 26, §§ 375(1)-(7) (Supp. 1955); ARIZ. REV. STAT. ANN. §§ 23-1301 to -1307 (1956); ARK. STAT. ANN. §§ 81-201 to -207 (1947); FLA. CONST. DECLARATION OF RIGHTS § 12 (1944); GA. CODE ANN. §§ 54-901 to -909 (Supp. 1958); IOWA CODE ANN. §§ 736A.1-.8 (1949); KAN. CONST. art. 15, § 12 (1958); LA. REV. STAT. §§ 23:881-889 (Supp. 1956); MISS. CODE ANN. § 6984.5 (Supp. 1958); NEB. CONST. art. 15, §§ 13-15; NEB. REV. STAT. §§ 48-217 to -219 (1952); NEV. REV. STAT. §§ 613.230-.300 (1955); N.C. GEN. STAT. §§ 95-78 to -84 (1958); N.D. REV. CODE § 34-0114 (Supp. 1957); S.C. CODE § 40-46 (Supp. 1958); S.D. CODE §§ 17.1101, .9914 (1952); TENN. CODE ANN. §§ 50.209-.212 (1956); TEX. REV. CIV. STAT. ANN. art. 5154g (Supp. 1958); UTAH CODE ANN. §§ 34-16 to -18 (Supp. 1957); VA. CODE §§ 40-69, 40-74.1 (Supp. 1958).

2. IND. ANN. STAT. § 40-504 (Burns 1952).

3. 29 U.S.C. § 101 (1952).

4. 29 U.S.C. §§ 141-188 (1952).

5. San Diego Building Trades Council v. Garmon, 79 Sup. Ct. 773 (1959); San Diego Building Trades Council v. Garmon, 353 U.S. 26 (1957); Amalgamated Meat Cutters v. Fairlawn Meats, 353 U.S. 20 (1957); Guss v. Utah Labor Relations Bd., 353 U.S. 1 (1957); Garner v. Teamsters Union Local 776, 346 U.S. 485 (1953).