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Summary of Actions Taken by the United States Sup

WASHINGTON, *June 14*—*The Supreme Court took the following actions today:*

ATTORNEYS

Without comment, the Court declined to hear a challenge brought by blacks who contended that the Georgia bar examination, which blacks traditionally failed at a higher rate than by whites, was racially discriminatory in violation of the Constitution. The case presented issues similar to those that the Court decided—against the challengers—last week on a challenge to the exam given to applicants for the District of Columbia police force. (Tyler V. Vickey, No. 75-1026).

BUSING

With no justice recording a dissent, the Court declined to hear any of the four petition seeking review of the school desegregation plan ordered for Boston by Federal District Judge W. Arthur Garrity jr. (White V. Morgan, No. 75-1441; McDonough v. Morgan, No. 75-1445; Boston Home and Shcool Assn. v. Morgan, No. 75-1466; Doherty v. Morgan, No. 75-1527).

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GAS

Following the suggestion of Solicitor General Robert H. Bork, the Court declined to review a series of challengers to the national rate for new sales of gas set by the Federal Power Commission. (Calif. Co. v. Fed. Power Comm'n., No. 75-1289; Shell Oil Co. v. Fed. Power Comm'n., 75-1299; American Pub. Gas Assn. v. Fed. Power Comm'n., 75-1304; Pub. Service Comm'n. of New York v. Fed. Power Comm'n., No. 75-1305; Associated Gas Distributors v. Fed. Power Comm'n., No. 75-1308; Superior Oil Co. v. Fed. Power Com'n., No. 75-1474.)

The Court also declined to review a lower Federal appeals court decision upholding the power of the Environmental Protection Agency to order reductions in the lead content of gasoline. (E. I. du-Pont de Nemours & Co. v. E.P.A., No. 75-1602; Ethyl Corp. v. E.P.A. No. 75-1612; Nalco Chemical Co. v. E.P.A., No. 75-1613; Natl. Petroleum Refiners Asnn. v. E.P.A., No. 75-1614).

INDIANS

In a unanimous decision, the Court held that Public Law 280—which gives various states criminal and civil jurisdiction over reservations—does not give states the power to tax reservation Indians. (Bryan v. Itasca County, No. 75-5027).

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LABOR

With Thurgood Marshall writing for the majority, the Court held that the place where an employee works, rather than the place where the employee was hired, is the significant factor in deciding whether a state's "right-to-work" law is applicable.

Under Federal labor law, employers and unions may generally make union shop or agency shop agreements requiring employees to be union members or pay union dues, but states may override this by enacting "right-to-work" laws prohibiting such agreements. So, under today's decision, a state right-to-work law would be binding on someone who did most of his work in that state, even if hired elsewhere.

The decision came in a case involving seamen who were hired in Texas, which has a right-to-work law, but who spent most of their time at sea. The Court found that the seamen were not bound by the Texas law.

Chief Justice Warren E.

reme Court Yesterday on a Wide Variety of Matters

Burger and Justice Lewis F. Powell Jr. concurred in the judgment, rather than in the majority opinion. Justices Potter Stewart and William H. Rehnquist dissented. (Oil Workers v. Mobil Oil Corp., No. 74-1254).

ORIGINAL JURISDICTION

In a case involving a marine boundary dispute between Maine and New Hampshire, the Court said that it is permissible for the Supreme Court to enter a consent decree as the final resolution of both factual and legal issues in the case. The special master who had handled the earlier stages of the case for the Court, during which the parties reached agreement, had expressed the view that entry of a consent decree was impermissible. Justice William J. Brennan Jr. wrote the majority opinion; Justice Byron R. White, Harry A. Blackmun and John Paul Stevens dissented. (New Hampshire v. Maine, No. 64, orig.).

SECURITIES

With Justice Marshall writing for a unanimous Court, the Justices detailed a new standard for determining "materiality" in cases involving Rule 14A-9, under the Securities and Exchange Act of 1934 — The rule that prohibits any proxy solicitation that is "false or misleading with respect to any material fact, or which omits to state any material fact necessary in order to make the statements therein not false or misleading." The standard reads thus:

"An omitted fact is material if there is a substantial likelihood that a reasonable shareholder would consider it important in deciding how to vote. [this standard] does not require proof of a substantial likelihood that disclosure would have caused the reasonable investor to change his vote. What the standard does contemplate is a showing of a substantial likelihood that, under all the circumstances, the omitted fact would have assumed actual significance in the deliberations of the reasonable shareholder." (TCS Industries Inc. v. Northway, Inc., N.o 74-1471.) Justice Stevens did not participate in the case.

WATERGATE

The Court turned down a plea by G. Gordon Liddy, the convicted Watergate burglar, seeking reduction in the 20-year sentence imposed on him by United States District Judge John J. Sirica. (Liddy v. U.S., No. 75-6385.)