

laws of the place where such death occurred and services of process in such suit may be had upon the defendant in such place." In a suit brought in a federal district court in Illinois on grounds of diversity of citizenship to recover under the Utah death statute for a death occurring in Utah, the Illinois statute was held to violate the Full Faith and Credit clause.

Justices concurring: Vinson, C.J., Black, Douglas, Jackson, Burton, Clark, Minton
Justices dissenting: Reed, Frankfurter

479. *Joseph Burstyn, Inc. v. Wilson*, 343 U.S. 495 (1952).

Insofar as the New York Education Law forbids the commercial showing of any motion picture without a license and authorizes denial of a license on a censor's conclusion that a film is "sacrilegious," it is void as a prior restraint on freedom of speech and of the press under the First Amendment, made applicable to the states by the Due Process Clause of the Fourteenth Amendment. The statute authorized designated officers to refuse to license the showing of any film that is obscene, indecent, immoral, inhuman, sacrilegious, or the exhibition of which would tend to corrupt morals or incite to crime.

480. *Kedroff v. St. Nicholas Cathedral*, 344 U.S. 94 (1952).

As construed and applied, Art. 5-C of the New York Religious Corporations Laws, which authorized transfer of administrative control of the Russian Orthodox churches of North America from the Supreme Church Authority in Moscow to the authorities selected by a convention of the North American churches, is invalid. Legislation that determines, in a hierarchical church, ecclesiastical administration or the appointment of the clergy, or transfers control of churches from one group to another, interferes with the free exercise of religion in violation of the First Amendment.

Justices concurring: Black, Douglas, Frankfurter, Vinson, C.J., Reed, Burton, Clark, Minton
Justice dissenting: Jackson

481. *Wieman v. Updegraff*, 344 U.S. 183 (1952).

Oklahoma law requires each state officer and employee, as a condition of his employment, to take a "loyalty oath," that he is not, and has not been for the preceding five years, a member of any organization listed by the Attorney General of the United States as "communist front" or "subversive." As construed, this statute excludes persons from state employment on the basis of membership in an organization, regardless of their knowledge concerning the activities and purposes of the organization, and therefore violates the Due Process Clause of the Fourteenth Amendment.