EDITORIAL NOTES

1. A recent United States Supreme Court decision, *Linkletter v. Walker*, ..., 85 S.Ct. 1731, (1965) answered one of the questions raised in the discussion, Editorial Notes, 14 Drake L. Rev. 77 (1964) of the article, *The Federal Standard of Search and Seizure*, 13 Drake L. Rev. 65 (1963). In discussing the effect of Mapp v. Ohio, 367 U.S. 643 (1961), the court announced that the exclusion of evidence seized in violation of the search and seizure provisions of the Fourth Amendment does not operate restrospectively upon cases finally decided in the period prior to Mapp v. Ohio.

2. The Iowa Supreme Court in *State v. Johnson*, ... Iowa ....., 135 N.W.2d 518, reversed its prior decision in *State v. Ferguson*, 226 Iowa 361, 283 N.W.2d 917, in light of the recent decision of the United States Supreme Court in *Griffin v. State of California*, 380 U.S. 609, 85 S.Ct. 1229, 14 L.Ed.2d 106, and held that the instruction by the court that, "You are instructed that under the laws of this State, a defendant in a criminal case has the right to take the stand in his own behalf, but if he fails to exercise this right to take the stand and testify, his failure to do so may be considered by you as an inference of guilt." violated the self-incrimination clause of the Fifth Amendment which the Court said it had made applicable to the states by the Fourteenth Amendment in *Malloy v. Hogan*, 378 U.S. 1, 84 S.Ct. 1489, 12 L.Ed.2d 653. The Iowa court held that the instruction was prejudicial error and the case was remanded for a new trial.

3. In *State v. Mabbitt*, ... Iowa ....., 135 N.W.2d 525, the Iowa Supreme Court considered the contention of the defendant that he had been deprived of advice and assistance of counsel as guaranteed to him in *Gideon v. Wainwright*, 372 U.S. 335, 83 S.Ct. 792, 9 L.Ed.2d 799, and *Escobedo v. State of Illinois*, 378 U.S. 478, 84 &S.Ct. 1758, 12 L.Ed.2d 977. The court held that since his present counsel represented him at the trial there was no violation of the rule established in *Gideon v. Wainwright*, and that his case could be distinguished from Escobedo on the facts since it was shown by the record that the police officer in the present case before interrogating the defendant fully advised him of his right to remain silent and that anything he said might be used against him.

4. A recent decision relevant to the discussion in *Uninsured Motorist Coverage—The Hidden Arrow in the Plantiff's Quiver.* 12 Drake L. Rev. 119 (1963) is *White v. Nationwide Mutual Insurance Co. v. Allstate Insurance Co.*, 245 F. Supp. 1 (D.C.W.D. Va. 1965). First it answers the question of who is insured, and holds that a married daughter living with her parents might be a member of a household within a provision extending coverage, though not for purposes of a policy exclusion so that she could collect under a section of the Virginia Code defining "uninsured motor vehicle," the amount of her damages that exceeded the insurance coverage of the other motorist involved in the accident. The court also clarified the purpose of the SR-21 form required by the Division of Motor Vehicles stating that they are meant for the information of the Division of Motor vehicles in acting in regard to revocation of driving privileges, and is not meant to be relied on by insurance carriers, especially not to estopp a third party on his rights under the contract.

5. The Iowa Supreme Court in *Wagner v. Larson*, ... Iowa ....., 136 N.W.2d 312, citing *Manufacturer's Liability for Negligent Design*, 14 Drake L. Rev. 117 (1965) stated that the modern and proper rule as to the manufacturer's or seller's duty as to design is stated in Restatement of the Law of Torts § 398, "A manufacturer of a chattel made under a plan or design which makes it dangerous for the uses for which it is manufactured is subject to liability to others whom he should expect to use the chattel lawfully or to be in the vicinity of its probable use for bodily harm caused by his failure to exercise reasonable care in the adoption of a safe plan or design. The court held that an employee of the purchaser of a machine is a person naturally expected to use the machine and is within the distributive or consumer chain.

6. The Iowa Supreme Court in *Andersen v. National Presto Industries Inc.* ..... Iowa ....., 135 N.W.2d 639 (1965) holds that sufficient minimum contact existed between the corporation and Iowa and its residents to justify application of statute providing for obtaining jurisdiction over foreign corporation. The plaintiff followed section 617.3 Code of 1962, as amended by chapter 325 of the Acts of the 60th General Assembly, the pertinent part being, ". . . or if such foreign corporation commits a tort in whole or in part in Iowa against a resident of Iowa, such acts shall be deemed to be doing business in Iowa for the purpose of service of process or original notice . . ." The jurisdiction of foreign corporations is discussed in *Foreign Corporations—The Effect of a Single Act*, 4 Drake L. Rev. 18, and the passage of the amendment is discussed in Editorial Notes, 12 Drake L. Rev. 93 (1962).