the existence of one or more of the circumstances respectively set forth in paragraphs numbered (1) to (7), inclusive, is shown by the applicant, otherwise appears, or is admitted by the respondent, or unless the court concludes pursuant to the provisions of paragraph numbered (8) that the record in the State court proceeding, considered as a whole, does not fairly support such factual determination, the burden shall rest upon the applicant to establish by convincing evidence that the factual determination by the State court was erroneous.

"(e) If the applicant challenges the sufficiency of the evidence adduced in such State court proceeding to support the State court's determination of a factual issue made therein, the applicant, if able, shall produce that part of the record pertinent to a determination of the sufficiency of the evidence to support such determination. If the applicant, because of indigency or other reason is unable to produce such part of the record, then the State shall produce such part of the record and the Federal court shall direct the State to do so by order directed to an appropriate State official. If the State cannot provide such pertinent part of the record, then the court shall determine under the existing facts and circumstances what weight shall be given to the State court's factual determination.

"(f) A copy of the official records of the State court, duly certified by the clerk of such court to be a true and correct copy of a finding, judicial opinion, or other reliable written indicia showing such a factual determination by the State court shall be admissible in the Federal court proceeding."

SEC. 3. Item 2254 in the analysis of chapter 153 of title 28, United States Code, immediately preceding section 2241 thereof, is amended to read as follows:

"2254. State custody; remedies in Federal courts."

Approved November 2, 1966.

Public Law 89-712

November 2, 1966
[H. R. 5990]

AN ACT

To grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937.

Panama Canal.
Benefits to certain former employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That subsection 181 (b) of title 2, Canal Zone Code, approved October 18, 1962 (76A Stat. 20), is amended to read as follows:

"(b) An additional amount of $20 per month shall be paid to each person who receives payment of cash relief under subsection (a) of this section and shall be allowed without regard to the limitations contained therein."

SEC. 2. This Act shall take effect on the first day of the month following that in which it is enacted.

Approved November 2, 1966.

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