

INDEX

ADMINISTRATIVE OFFICE OF UNITED STATES COURTS.

Appointment of Director, p. 921.

ADMINISTRATIVE PROCEDURE. See **Alcohol Administration Act**; **Antitrust Acts**, 2-3; **Armed Forces**; **Constitutional Law**, II, 1; **Jurisdiction**, 6; **Labor**, 1; **Procedure**, 5, 10, 12; **Transportation**, 1-5.

ADMIRALTY.

1. *Jones Act—Seamen—Federal Employers' Liability Act—Liability for death resulting from violation of Coast Guard regulations.*—Employer held liable, without showing of negligence, for death of seaman resulting from violation of Coast Guard regulations pertaining to navigation. *Kernan v. American Dredging Co.*, p. 426.

2. *Longshoremen — Shipboard injury — Plaintiff's negligence — Instructions to jury.*—Trial court did not err in refusing to instruct jury that plaintiff was not entitled to any recovery if he voluntarily chose to use passageway known by him to be unsafe and if there was any other passageway known by him to be safe; it properly instructed jury that plaintiff's negligence was to be considered in mitigation of damages. *Palermo v. Luckenbach Steamship Co.*, p. 20.

3. *Suit by longshoreman against shipowner—Stevedoring contractor interpleaded for indemnity—Questions to be submitted to jury.*—Where longshoreman sued shipowner for injuries and shipowner interpleaded stevedoring contractor, claiming indemnity, all issues of fact involved in third-party action should have been submitted to jury. *Weyerhaeuser S. S. Co. v. Nacirema Operating Co.*, p. 563.

ALCOHOL ADMINISTRATION ACT.

Wholesale liquor dealers—Tie-in or "quota" sales—Suspension of permit.—Wholesale liquor dealer who compelled retailers to buy brands not desired in order to get desired brands violated § 5 of the Federal Alcohol Administration Act and subjected wholesaler to suspension of permit. *Black v. Magnolia Liquor Co.*, p. 24.

ALIENS.

1. *Deportation—Membership in Communist Party—Sufficiency of evidence.*—Sufficiency of evidence of past membership in Communist Party to support deportation order under Internal Security Act. *Rowoldt v. Perfetto*, p. 115.

ALIENS—Continued.

2. *Deportation*—“Willful” failure to depart or apply for travel documents—Criminal offense—Sufficiency of evidence.—Evidence insufficient to support conviction for “willfully” failing to depart and make timely application for travel documents. *Heikkinen v. United States*, p. 273.

3. *Exclusion*—Chinese claiming to be children of American citizen—Blood-grouping tests.—Order excluding Chinese seeking entry as children of American citizen vacated and case remanded for more accurate blood-grouping tests. *United States ex rel. Lee Kum Hoy v. Murff*, p. 169.

ANTITRUST ACTS. See also **Jurisdiction**, 3.

1. *Clayton Act*—*Robinson-Patman Act*—*Private suits for violations*.—A private cause of action lies under §§ 4 and 16 of Clayton Act for unlawful price discriminations violating § 2 of Clayton Act, but not for sales at unreasonably low prices violating only § 3 of Robinson-Patman Act. *Nashville Milk Co. v. Carnation Co.*, p. 373; *Safeway Stores, Inc., v. Vance*, p. 389.

2. *Clayton Act*—*Robinson-Patman Act*—*Price discrimination*—*Meeting competition*.—Oil company’s lower price to “jobbers” justified when made to meet lawful and equally low price of competitors; sufficiency of evidence to support findings of Federal Trade Commission; review by this Court of appraisal of evidence by Court of Appeals. *Federal Trade Commission v. Standard Oil Co.*, p. 396.

3. *Clayton Act*—*Enforcement*—*Federal Trade Commission*.—Whether cease-and-desist order should be enforced against one firm before similar orders are enforced against its competitors is for Commission to decide, and Court of Appeals should not overrule Commission in absence of patent abuse of discretion. *Moog Industries, Inc., v. Federal Trade Commission*, p. 411.

APPEAL. See **Constitutional Law**, V; **Jurisdiction**, 4; **Procedure**, 1, 7.

ARKANSAS. See **Labor**, 2.

ARMED FORCES.

Discharge—Less than “honorable”—“Record.”—Issuance of less than honorable discharge to soldier, based on actions prior to induction, not authorized; “record” means record of military service. *Harmon v. Brucker*, p. 579.

ASSIGNMENT. See **Taxation**.

ASSIMILATIVE CRIMES ACT. See **Constitutional Law**, I.

ATTORNEYS. See **Criminal Law**; **Taxation**.

BANKRUPTCY. See also **Taxation**.

Amendments of General Orders in Bankruptcy, p. 969.

- BLOOD TESTS.** See **Aliens**, 3.
- BOILER INSPECTION ACT.** See **Admiralty**, 1.
- BURDEN OF PROOF.** See **Transportation**, 6.
- CALIFORNIA.** See **Constitutional Law**, II, 1; IV, 1-2; VI.
- CARRIERS.** See **Admiralty**; **Constitutional Law**, II, 1; **Jurisdiction**, 6; **Labor**, 3; **Procedure**, 10-12; **Transportation**.
- CERTIORARI.** See **Jurisdiction**, 2-3; **Procedure**, 2-3, 6.
- CHINESE.** See **Aliens**, 3.
- CITIZENSHIP.** See **Aliens**, 3.
- CLAYTON ACT.** See **Antitrust Acts**, 1-3.
- COAST GUARD.** See **Admiralty**, 1.
- COERCION.** See **Labor**, 2.
- COMMERCE.** See **Constitutional Law**, II, 1; **Procedure**, 8; **Transportation**, 1-5.
- COMMUNICATIONS ACT.** See **Evidence**, 1-2.
- COMMUNISM.** See **Aliens**, 1-2; **Contempt**; **Labor**, 1; **Trial**.
- COMPETITION.** See **Antitrust Acts**.
- CONGRESS.** See **Constitutional Law**, I.
- CONSTITUTIONAL LAW.** See also **Jurisdiction**, 1-3; **Procedure**, 9.

I. Congressional Power.

Delegation of authority—Assimilative Crimes Act.—Assimilative Crimes Act of 1948 making subsequently enacted criminal law of State applicable to federal enclave held constitutional. *United States v. Sharpnack*, p. 286.

II. Federal-State Relations.

1. *State regulation of carriers—Conflict with federal laws re procurement.*—State law regulating rates charged by carriers in intrastate commerce not validly applicable to federal procurement of transportation under federal laws and regulations; jurisdiction of District Court under Declaratory Judgment Act; failure of United States to exhaust administrative remedies under state law. *Public Utilities Commission of California v. United States*, p. 534.

2. *Property of United States—Immunity from state taxation—Private parties leasing, holding or using same in private business.*—Private parties leasing, holding or using federal property in private business not immune from state taxation based on its value, even when taxes increase financial burden on Government. *United States v. City of Detroit*, p. 466; *United States v. Township of Muskegon*, p. 484; *City of Detroit v. Murray Corp.*, p. 489.

CONSTITUTIONAL LAW—Continued.**III. Freedom of Speech.**

Prior restraint—City ordinance requiring license before soliciting membership in union.—City ordinance requiring license before soliciting membership in union held unconstitutional as prior restraint on freedom of speech. *Staub v. City of Baxley*, p. 313.

IV. Due Process.

1. *Notice—Law requiring registration of convicts.*—Conviction of ex-convict for failure to register as such violated due process when she had no knowledge of duty to register. *Lambert v. California*, p. 225.

2. *Notice—Foreign corporation—Service by registered mail.*—Foreign corporation insuring resident by mail and having no agent or place of business in insured's State subject to suit in his State, though process could be served only by registered mail. *McGee v. International Life Ins. Co.*, p. 220.

3. *State courts—Right to counsel—Waiver.*—Youthful Negro who refused counsel in state court and pleaded guilty of murder, when he had several possible technical defenses, had not validly waived counsel, and his conviction and sentence were invalid. *Moore v. Michigan*, p. 155.

4. *State courts—Conviction of murder on perjured testimony—Habeas corpus.*—State-court denial of habeas corpus to person convicted of murder on perjured testimony held violative of due process. *Alcorta v. Texas*, p. 28.

V. Double Jeopardy.

Appeal—Reversal—Retrial.—Reversal of conviction for lesser offense did not subject accused to second trial for greater offense for which he was tried but not convicted on first trial. *Green v. United States*, p. 184.

VI. Impairment of Contracts.

Insurance contracts—Impairment—Foreign corporation—Notice of suit by registered mail.—After insurance contract with foreign corporation had been made, State could authorize its citizens to sue thereon in own State and serve notice by registered mail; no impairment of contract. *McGee v. International Life Ins. Co.*, p. 220.

CONTEMPT.

Criminal contempt—Refusal to answer—Punishment.—Refusal to answer 11 questions of same class constituted only one contempt; punishment for criminal contempt not barred by witness' imprisonment for civil contempt. *Yates v. United States*, p. 66.

CONTRACTS. See **Constitutional Law**, VI.

COURTS OF APPEALS. See **Antitrust Acts**, 3; **Procedure**, 5, 7.

CONVICTS. See **Constitutional Law**, IV, 1.

COUNSEL. See **Constitutional Law**, IV, 3; **Criminal Law**; **Taxation**.

CRIMINAL LAW. See also **Aliens**, 2; **Constitutional Law**, I; IV, 3-4; V; **Contempt**; **Evidence**; **Jurisdiction**, 4; **Procedure**, 1-2, 4, 7, 9; **Trial**.

Perjury—Law authorizing oath—District Court Rule.—Oath administered to attorney under District Court Rule re examination of fitness for practice was administered under "law of United States" within meaning of 18 U. S. C. § 1621. *United States v. Hvass*, p. 570.

DAMAGES. See **Admiralty**; **Employers' Liability Act**.

DEATH. See **Admiralty**, 1.

DECLARATORY JUDGMENTS ACT. See **Jurisdiction**, 6; **Procedure**, 10.

DEFAMATION. See **Procedure**, 3.

DELEGATION OF POWER. See **Constitutional Law**, I.

DEPORTATION. See **Aliens**, 1-2.

DISCHARGE. See **Armed Forces**.

DISCRIMINATION. See **Labor**, 3.

DOUBLE JEOPARDY. See **Constitutional Law**, V.

DRUGSTORES. See **Transportation**, 2.

DUE PROCESS. See **Constitutional Law**, IV.

EMPLOYERS' LIABILITY ACT. See also **Admiralty**.

Liability of employer—Questions for jury—Sufficiency of evidence.—*Gibson v. Thompson*, p. 18; *Stinson v. Atlantic Coast Line R. Co.*, p. 62; *Honeycutt v. Wabash R. Co.*, p. 424.

EVIDENCE. See also **Aliens**, 1-2; **Antitrust Acts**, 2; **Employers' Liability Act**; **Procedure**, 4-5, 9; **Transportation**, 6.

1. *Admissibility—Federal courts—Wiretapping authorized by state law.*—Evidence obtained as result of wiretapping by state officers under warrant authorized by state law not admissible in criminal trial in federal court under § 605 of Federal Communications Act. *Benanti v. United States*, p. 96.

2. *Admissibility—Federal courts—Wiretapping—Listening on regular telephone extension.*—Communications overheard by police officers on regularly used telephone extension with consent of subscriber who is also party to conversation not barred from evidence in federal court under § 605 of Federal Communications Act. *Rathbun v. United States*, p. 107.

EVIDENCE—Continued.

3. *Crimes—Tax evasion—“Net worth” method of proof.*—In a tax-evasion prosecution based on net worth, proof of likely source of net-worth increases not essential when all possible sources of nontaxable income negated by evidence. *United States v. Massei*, p. 595.

EXCLUSION. See *Aliens*, 3.

FEDERAL ALCOHOL ADMINISTRATION ACT. See *Alcohol Administration Act*.

FEDERAL COMMUNICATIONS ACT. See *Evidence*, 1-2.

FEDERAL EMPLOYERS' LIABILITY ACT. See *Admiralty*, 1; *Employers' Liability Act*.

FEDERAL-STATE RELATIONS. See *Constitutional Law*, I, II; *Evidence*, 1; *Jurisdiction*, 1-3; *Labor*, 2.

FEDERAL TRADE COMMISSION. See *Antitrust Acts*, 2-3; *Procedure*, 5.

FIFTH AMENDMENT. See *Constitutional Law*, IV, V.

FOREIGN CORPORATIONS. See *Constitutional Law*, IV, 2; VI.

FOURTEENTH AMENDMENT. See *Constitutional Law*, III; IV, 3-4.

FRAUD. See *Procedure*, 4.

FREEDOM OF SPEECH. See *Constitutional Law*, III.

GEORGIA. See *Constitutional Law*, III.

GRANDFATHER CLAUSE. See *Transportation*, 2.

GRAND JURY. See *Procedure*, 9.

GRANITE. See *Transportation*, 3.

HABEAS CORPUS. See *Constitutional Law*, IV, 3; *Jurisdiction*, 2.

IMMIGRATION ACT. See *Aliens*.

IMMUNITY. See *Constitutional Law*, II, 2; *Procedure*, 3.

IMPAIRMENT OF CONTRACTS. See *Constitutional Law*, VI.

INCOME TAX. See *Evidence*, 3.

INDEMNITY. See *Admiralty*, 3.

INDICTMENT. See *Procedure*, 1, 9.

INJUNCTION. See *Constitutional Law*, II, 1; *Labor*, 2-3; *Procedure*, 8.

INSTRUCTIONS TO JURY. See *Admiralty*, 2.

INSURANCE. See *Constitutional Law*, IV, 2; VI.

INTERNAL REVENUE. See **Evidence**, 3; **Taxation**.

INTERNAL SECURITY ACT. See **Aliens**, 1.

INTERSTATE COMMERCE COMMISSION. See **Procedure**, 8, 12; **Transportation**, 1-5.

INTIMIDATION. See **Labor**, 2.

INTOXICATING LIQUORS. See **Alcohol Administration Act**.

INTRASTATE COMMERCE. See **Constitutional Law**, II, 1.

IRON ORE. See **Transportation**, 5.

JONES ACT. See **Admiralty**.

JUDICIAL REVIEW. See **Antitrust Acts**, 2-3; **Jurisdiction**; **Labor**, 1; **Procedure**.

JURISDICTION. See also **Constitutional Law**, II, 1; IV, 2; **Labor**, 1; **Procedure**.

1. *Supreme Court—Constitutional issue—Adequacy of nonfederal ground for state decision.*—Failure to apply for license or to attack specific sections not adequate nonfederal ground for state decision sustaining ordinance requiring license before soliciting membership in union. *Staub v. City of Baxley*, p. 313.

2. *Supreme Court—Constitutional issue—Adequate state ground.*—Where judgment of state court denying writ of habeas corpus rested on adequate state ground, this Court denied certiorari. *In re Lamkin*, p. 59.

3. *Supreme Court—Constitutional issue—Adequate state ground.*—Certiorari to review dismissal of civil suit in state court dismissed when judgment rested on adequate state ground. *Wilson v. Loew's Incorporated*, p. 597.

4. *Supreme Court—Direct appeal from District Court—Dismissal of indictment based on construction of statute.*—Direct appeal to Supreme Court from judgment of District Court dismissing indictment on construction of statute, sustained. *United States v. Hvass*, p. 570.

5. *Supreme Court—Prohibition and mandamus—Moot case.*—Application to Supreme Court for writ to compel lower federal court to decide case and vacate temporary restraining order became moot when lower court vacated temporary restraining order. *Williams v. Simons*, p. 49.

6. *District Courts—Declaratory Judgment Act—"Actual controversy."*—Proposed enforcement of state law regulating carriers, as applied to transportation of federal property under federal law, produced "actual controversy" giving Federal District Court jurisdiction of suit under Declaratory Judgment Act, notwithstanding failure to exhaust administrative remedies. *Public Utilities Commission of California v. United States*, p. 534.

JURISDICTION—Continued.

7. *District Courts—Railway Labor Act—Suit against union to enjoin racial discrimination.*—District Court had jurisdiction of suit against union by Negro railway employees to enjoin racial discrimination; not prevented by § 3 First (i) of Railway Labor Act; railroad not necessary party. *Conley v. Gibson*, p. 41.

JURY. See **Admiralty**, 2, 3; **Employers' Liability Act**; **Procedure**, 9.

LABOR. See also **Admiralty**; **Constitutional Law**, III; **Employers' Liability Act**; **Jurisdiction**, 1; **Procedure**, 12.

1. *National Labor Relations Act—Employer assisting union to defeat rival union—Appropriate remedy—Scope of judicial review.*—When employer committed unfair labor practice by assisting undominated union to defeat rival union in representation election, Board erred in ordering employer to withhold recognition of assisted union until it obtained Board certification when that was impossible because assisted union was not in compliance with § 9 (f), (g) and (h); Court of Appeals exceeded review power in modifying Board's order so as to dispense with election and in modifying the order on a point not raised before Board. *National Labor Relations Board v. Mine Workers*, p. 453.

2. *National Labor Relations Act—State-court injunction—Intimidation of employees—Peaceful picketing.*—State court could enjoin intimidation and coercion of nonstriking employees and of officers and agent of employer, but not peaceful picketing. *Youngdahl v. Rainfair, Inc.*, p. 131.

3. *Railway Labor Act—Racial discrimination in union representation—Suit by Negro employees against union.*—Right of Negro railroad employees to sue union designated as their bargaining agent under Railway Labor Act to compel it to represent them fairly; Adjustment Board did not have exclusive jurisdiction; railroad not necessary party; sufficiency of complaint. *Conley v. Gibson*, p. 41.

LIBEL. See **Procedure**, 3.

LICENSE. See **Alcohol Administration Act**; **Constitutional Law**, III; **Jurisdiction**, 1.

LIENS. See **Taxation**.

LIQUOR DEALERS. See **Alcohol Administration Act**.

LONGSHOREMEN. See **Admiralty**, 2-3.

MAIL. See **Constitutional Law**, IV, 2.

MANDAMUS. See **Jurisdiction**, 5.

- MASTER AND SERVANT.** See Admiralty, 1-2; Employers' Liability Act; Labor.
- MICHIGAN.** See Constitutional Law, II, 2; IV, 3; Jurisdiction, 5.
- MOOT CASE.** See Jurisdiction, 5.
- MOTOR CARRIER ACT.** See Transportation, 2-4; Procedure, 12.
- MUNICIPALITIES.** See Constitutional Law, II, 2; III; IV, 1.
- MURDER.** See Constitutional Law, IV, 3-4; V.
- NATIONAL LABOR RELATIONS ACT.** See Labor, 1-2.
- NATIONAL TRANSPORTATION POLICY.** See Transportation, 3-4.
- NEGLIGENCE.** See Admiralty, 1-2; Employers' Liability Act.
- NEGROES.** See Constitutional Law, IV, 3; Labor, 3.
- NET WORTH.** See Evidence, 3.
- NEW YORK.** See Evidence, 1.
- NOTICE.** See Constitutional Law, IV, 1-2; Procedure, 7.
- OATH.** See Criminal Law.
- PARITY.** See Transportation, 5.
- PARTIES.** See Procedure, 11.
- PERJURY.** See Constitutional Law, IV, 4; Criminal Law; Procedure, 4.
- PERMITS.** See Alcohol Administration Act; Constitutional Law, III; Transportation, 2-4.
- PERSONAL INJURIES.** See Admiralty, 1-3; Employers' Liability Act.
- PICKETING.** See Labor, 2.
- POLICE.** See Evidence, 1-2.
- PORTS.** See Transportation, 5.
- PRICE DISCRIMINATION.** See Antitrust Acts.
- PRIORITY.** See Taxation.
- PRIVILEGE.** See Procedure, 3.
- PROCEDURE.** See also Admiralty, 3; Antitrust Acts, 3; Constitutional Law, II, 1; IV, 2; Jurisdiction; Transportation, 6.
1. *Supreme Court—Direct appeal—Dismissal of indictment for failure to allege violation of statute.*—When District Court dismisses indictment for failure to allege violation of statute, based on construction of statute, direct appeal to Supreme Court lies under 18 U. S. C. § 3731. United States v. Hvass, p. 570.

PROCEDURE—Continued.

2. *Supreme Court—Scope of review—Issues not raised below or in petition for certiorari.*—Issues not raised in Court of Appeals and not mentioned in petition for certiorari not properly before this Court. *Lawn v. United States*, p. 339.

3. *Supreme Court—Scope of judicial review.*—Where petition for certiorari presented question of absolute immunity of government officials from defamation suits, but narrower defense of qualified privilege had been urged below but not passed on by Court of Appeals, case remanded to Court of Appeals to consider defense of qualified privilege. *Barr v. Matteo*, p. 171.

4. *Supreme Court—Record tainted by perjury and fraud—Remand.*—Supreme Court will not review criminal case when record is challenged, on basis of newly discovered evidence, as being tainted with perjury and fraud; case remanded to trial court for consideration of such charge. *United States v. Shotwell Mfg. Co.*, p. 233.

5. *Supreme Court—Review of Court of Appeals—Sufficiency of evidence to support agency findings.*—Whether there is sufficient evidence to support findings of Federal Trade Commission is left by Congress to Court of Appeals, and this Court will intervene only when the standard appears to have been misapprehended or grossly misapplied. *Federal Trade Commission v. Standard Oil Co.*, p. 396.

6. *Supreme Court—Denial of certiorari—No legal significance.*—*Elgin, J. & E. R. Co. v. Gibson* (memorandum of FRANKFURTER, J.), p. 897.

7. *Courts of Appeals—Notice of appeal—Timeliness.*—In circumstances of case, Court of Appeals erred in holding that notice of appeal from conviction of crime was untimely. *Rosenbloom v. United States*, p. 80.

8. *District Courts—Action on remand of case by this Court.*—When this Court reversed judgment of District Court setting aside order of Interstate Commerce Commission and remanded case for consideration of only one question, District Court should not again enjoin Commission's order on another ground. *Alleghany Corp. v. Breswick & Co.*, p. 415.

9. *Criminal cases—Preliminary hearing re grand jury proceedings—Admissibility and sufficiency of evidence.*—Accused not entitled to preliminary hearing as to whether grand jury which returned indictment had considered evidence presented to earlier grand jury in violation of their privilege against self-incrimination; admissibility and sufficiency of evidence at trial; not deprived of fair trial by statements of government counsel. *Lawn v. United States*, p. 339.

PROCEDURE—Continued.

10. *Declaratory Judgment Act—Suit by Federal Government challenging validity of state law regulating carriers—Failure to exhaust administrative remedies.*—Failure of Federal Government to exhaust administrative remedies under state law regulating carriers did not bar its suit challenging validity as applied to transportation of federal property. *Public Utilities Commission of California v. United States*, p. 534.

11. *Suit against railway union to enjoin racial discrimination—Railroad not necessary party.*—In suit against union by Negro railway employees to enjoin racial discrimination, railroad was not necessary party. *Conley v. Gibson*, p. 41.

12. *District Courts—Attack on order of Interstate Commerce Commission—Standing of labor organizations to sue.*—Labor organizations representing employees of parent railroad had standing to sue to set aside order of Interstate Commerce Commission permitting motor carrier subsidiary of railroad to provide ordinary motor carrier service not auxiliary or supplemental to rail service. *American Trucking Associations v. United States*, p. 141.

PROCESS. See **Constitutional Law**, IV, 2.

PROCUREMENT. See **Constitutional Law**, II, 1.

PROHIBITION. See **Jurisdiction**, 5.

QUOTA SALES. See **Alcohol Administration Act**.

RACIAL DISCRIMINATION. See **Labor**, 3.

RAILROADS. See **Constitutional Law**, II, 1; **Jurisdiction**, 7; **Labor**, 3; **Procedure**, 10–12; **Transportation**, 1, 3–6.

RAILWAY LABOR ACT. See **Jurisdiction**, 7; **Labor**, 3.

RECORD. See **Armed Forces**.

REGISTERED MAIL. See **Constitutional Law**, IV, 2.

REGISTRATION. See **Constitutional Law**, IV, 1.

REMAND. See **Procedure**, 3–4, 8.

REMEDIES. See **Antitrust Acts**, 1, 3.

RETRIAL. See **Constitutional Law**, V.

REVIEW. See **Antitrust Acts**, 2–3; **Jurisdiction**; **Labor**, 1; **Procedure**.

ROBINSON-PATMAN ACT. See **Antitrust Acts**, 1–2.

SAFETY APPLIANCE ACTS. See **Admiralty**, 1.

SALES. See **Alcohol Administration Act**; **Antitrust Acts**, 1–2.

SEAMEN. See Admiralty, 1.

SELF-INCRIMINATION. See Procedure, 9.

SERVICE OF PROCESS. See Constitutional Law, IV, 2.

SHIPOWNERS. See Admiralty, 1-3.

SOLICITATION. See Constitutional Law, III.

STEVEDORES. See Admiralty.

STRIKES. See Labor, 2.

SUPREME COURT. See also Jurisdiction, 1-5; Procedure, 1-6.

1. Amendments of General Orders in Bankruptcy, p. 969.

2. MR. JUSTICE REED (retired) designated to perform judicial duties in United States Court of Claims (pp. 860, 886) and the United States Court of Appeals for District of Columbia Circuit (p. 944) and appointed Special Master in *Virginia v. Maryland* (p. 946).

3. MR. JUSTICE MINTON (retired) designated to perform judicial duties in Court of Claims, p. 880.

4. Appointment of Director of Administrative Office of United States Courts, p. 921.

SURETIES. See Taxation.

TAFT-HARTLEY ACT. See Labor, 1-2.

TAXATION. See also Constitutional Law, II, 2; Evidence, 3.

Federal tax lien—Priority—“Mortgagee.”—Priority of lien for federal taxes over “assignment” to performance-bond surety of all sums to become due under subcontract; assignee not “mortgagee” within meaning of § 3672 (a) of Internal Revenue Code of 1939, as amended; same as to interpleader’s claim for attorney’s fees. *United States v. Ball Construction Co.*, p. 587.

TELEPHONES. See Evidence, 1-2.

TEXAS. See Constitutional Law, IV, 4; VI.

TIE-IN SALES. See Alcohol Administration Act.

TRIAL. See also Procedure, 9.

Criminal cases—Cross-examination—Right to inspect investigators’ reports.—*Scales v. United States*, p. 1; *Lightfoot v. United States*, p. 2.

TRANSPORTATION. See also Admiralty; Constitutional Law, II, 1; Jurisdiction, 6; Procedure, 8, 10-12.

1. *Interstate Commerce Commission—Fixing intrastate rail fares—Sufficiency of findings.*—Findings held insufficient to support order fixing intrastate rail fares on Chicago suburban commuter service under 49 U. S. C. § 13 (4). *Chicago, M., St. P. & P. R. Co. v. Illinois*, p. 300.

TRANSPORTATION—Continued.

2. *Motor Carrier Act—Permit issued under “grandfather clause”*—Subsequent interpretation by Commission.—Subsequent interpretation by Interstate Commerce Commission of commodity description, “stock in trade of drug stores,” in permit issued under “grandfather clause” of Motor Carrier Act, sustained. *Nelson, Inc., v. United States*, p. 554.

3. *Motor Carrier Act—Application to serve points then served only by railroads—National Transportation Policy—“Inherent advantages.”*—In passing on application of motor carrier for authority to serve points presently served only by rail, Commission must, under National Transportation Policy, assess “inherent advantages” of proposed service; finding that existing rail service is “reasonably adequate” not alone sufficient to support denial of application. *Schaffer Transportation Co. v. United States*, p. 83.

4. *Railroads—Motor carrier subsidiary—Scope of service.*—In proceeding under § 207 of Interstate Commerce Act by motor carrier subsidiary of railroad for authority to provide ordinary motor carrier service, Commission not required by § 5 (2) (b) or National Transportation Policy to restrict such service to that which is auxiliary to, or supplemental of, parent railroad’s services. *American Trucking Associations v. United States*, p. 141.

5. *Rail rates—Parity between ports—Interrelationship.*—In reconsidering applications for establishment of parity in rates on shipments of imported iron ore from Baltimore, Philadelphia and New York, Interstate Commerce Commission should be permitted to consider interrelationship of all three ports. *Interstate Commerce Commission v. Baltimore & O. R. Co.*, p. 175.

6. *Tucker Act—Suit by railroad to recover overcharges deducted from later bill—Burden of proof.*—Railroad suing Government under Tucker Act to recover amount deducted as overcharges from bill for subsequent services has burden of proving that original charges were proper. *United States v. New York, N. H. & H. R. Co.*, p. 253.

TREBLE DAMAGES. See **Antitrust Acts**, 1.

TUCKER ACT. See **Transportation**, 6.

UNIONS. See **Constitutional Law**, III; **Jurisdiction**, 1, 7; **Labor**, 1-3; **Procedure**, 12.

VIOLENCE. See **Labor**, 2.

WAIVER. See **Constitutional Law**, IV, 3.

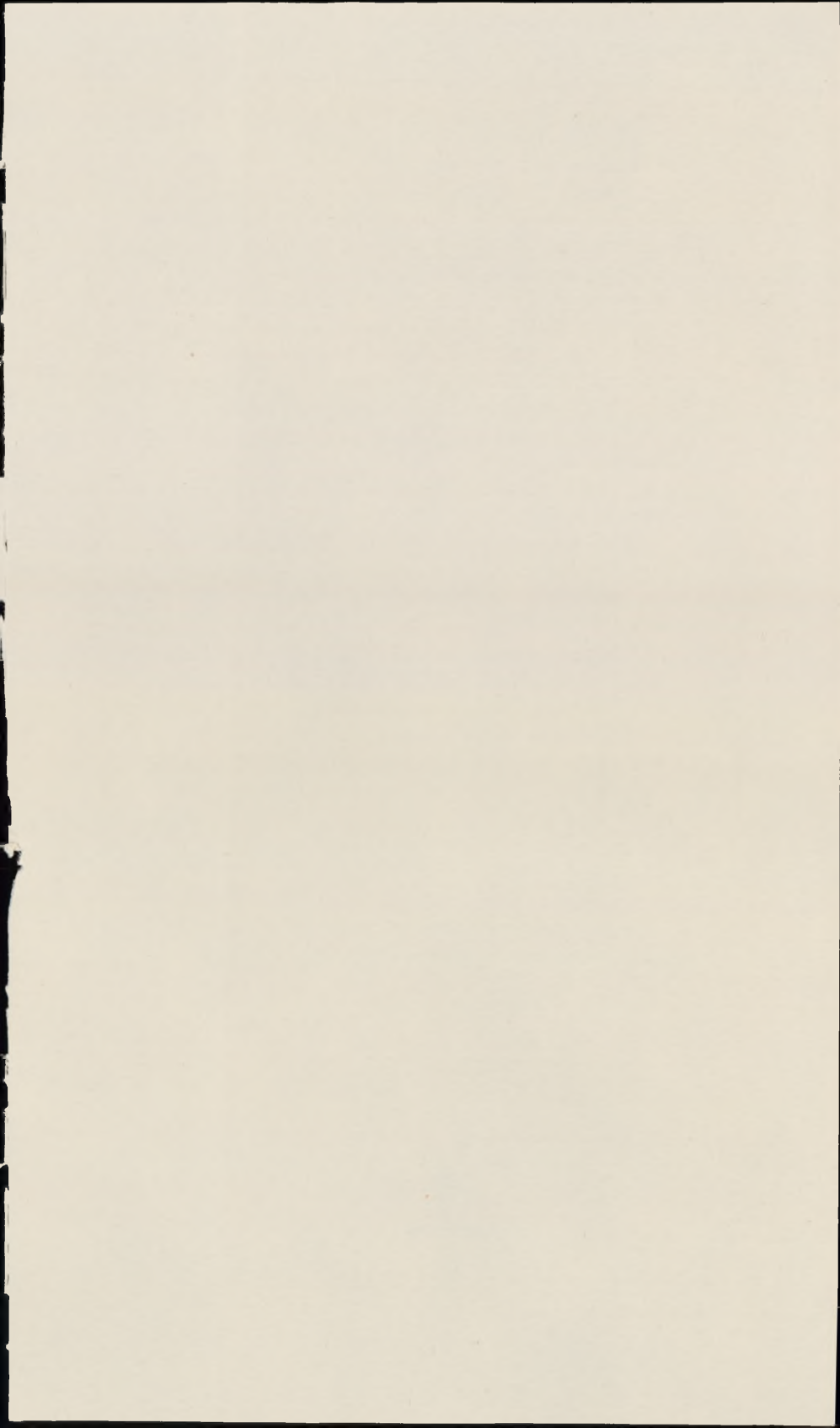
WIRETAPPING. See **Evidence**, 1-2.

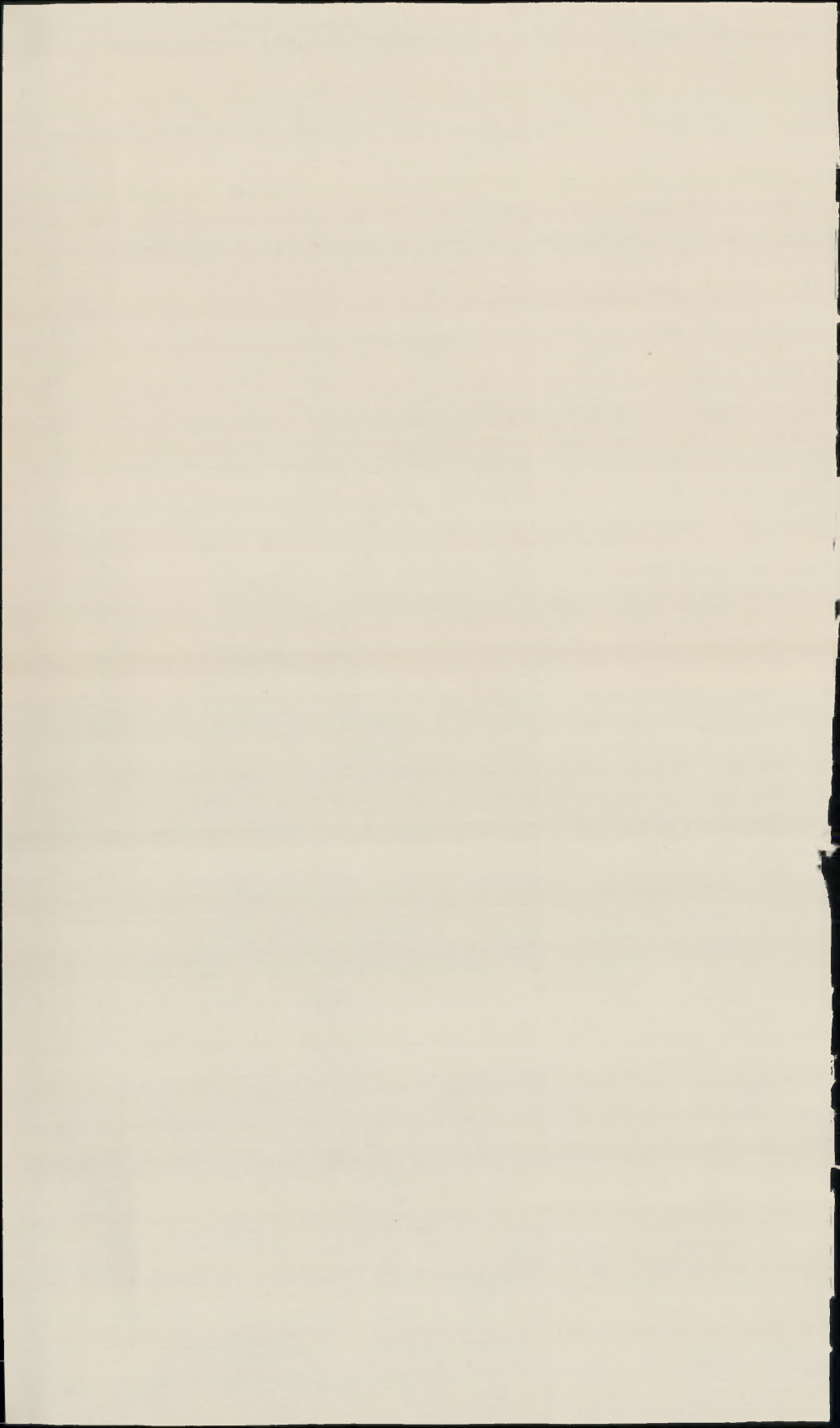
WITNESSES. See **Contempt**; **Criminal Law**.

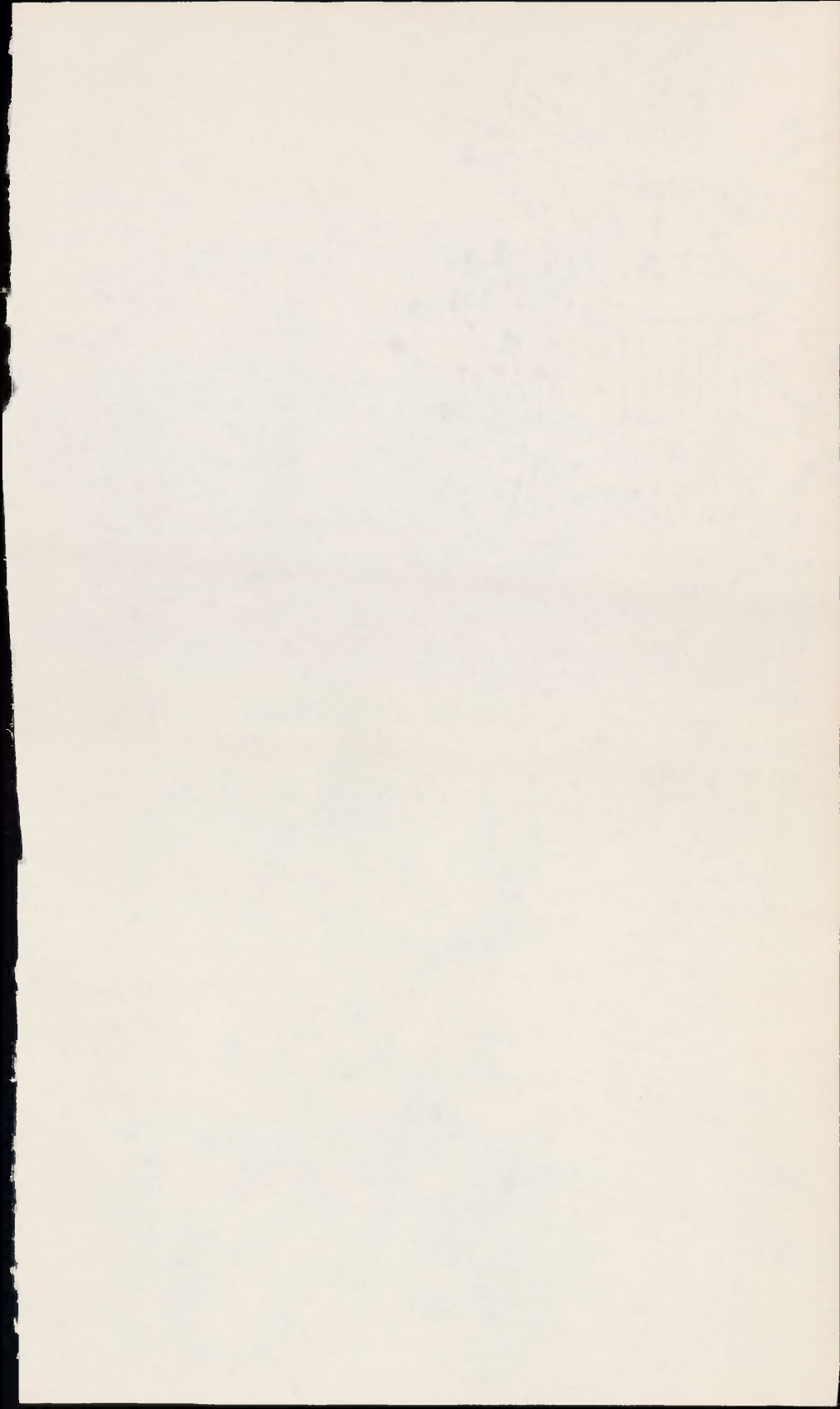
WORDS.

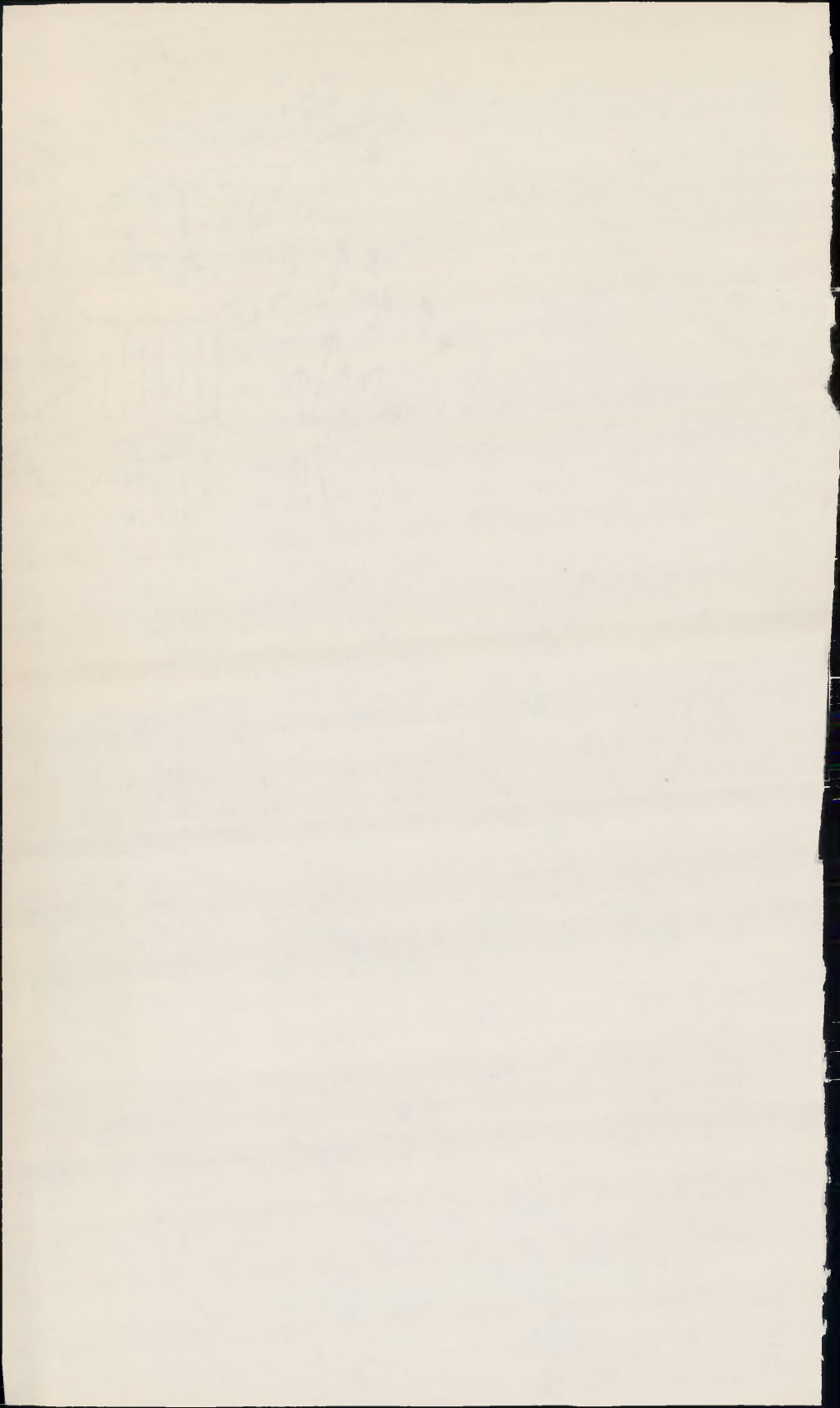
1. "*Actual controversy.*"—Declaratory Judgment Act. Public Utilities Commission of California v. United States, p. 534.
2. "*Disputes between an employee or group of employees and a carrier or carriers.*"—§ 3 First (i) of Railway Labor Act. Conley v. Gibson, p. 41.
3. "*Grandfather clause.*"—Motor Carrier Act, 49 U. S. C. § 309 (a) (1). Andrew G. Nelson, Inc., v. United States, p. 554.
4. "*Inherent advantages.*"—National Transportation Policy. Schaffer Transportation Co. v. United States, p. 83.
5. "*Intercept.*"—§ 605, Federal Communications Act. Rathbun v. United States, p. 107.
6. "*Law of the United States.*"—18 U. S. C. § 1621. United States v. Hvass, p. 570.
7. "*Mortgagee.*"—§ 3672 (a), Internal Revenue Code of 1939. United States v. R. F. Ball Construction Co., p. 587.
8. "*Oath to be administered,*" authorization.—18 U. S. C. § 1621. United States v. Hvass, p. 570.
9. "*Record.*"—38 U. S. C. § 693h. Harmon v. Brucker, p. 579.
10. "*Service in its operations.*"—§ 5 (2) (b) of Interstate Commerce Act. American Trucking Associations v. United States, p. 141.
11. "*Stock in trade of drug stores.*"—Contract motor carrier permit. Andrew G. Nelson, Inc., v. United States, p. 554.
12. "*Willfully*" failing to depart from United States.—§ 20 (c), Immigration Act of 1917. Heikkinen v. United States, p. 273.

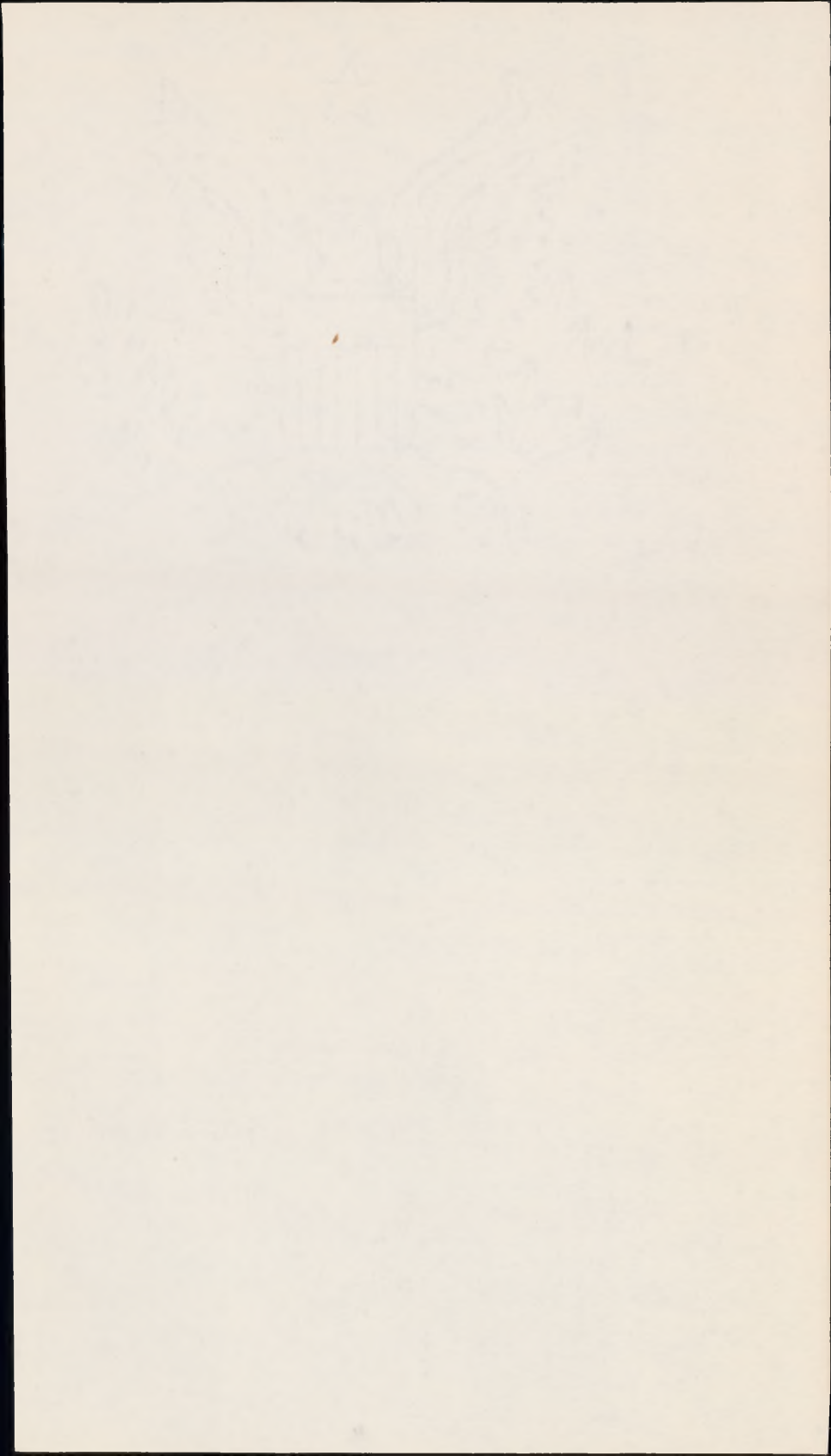


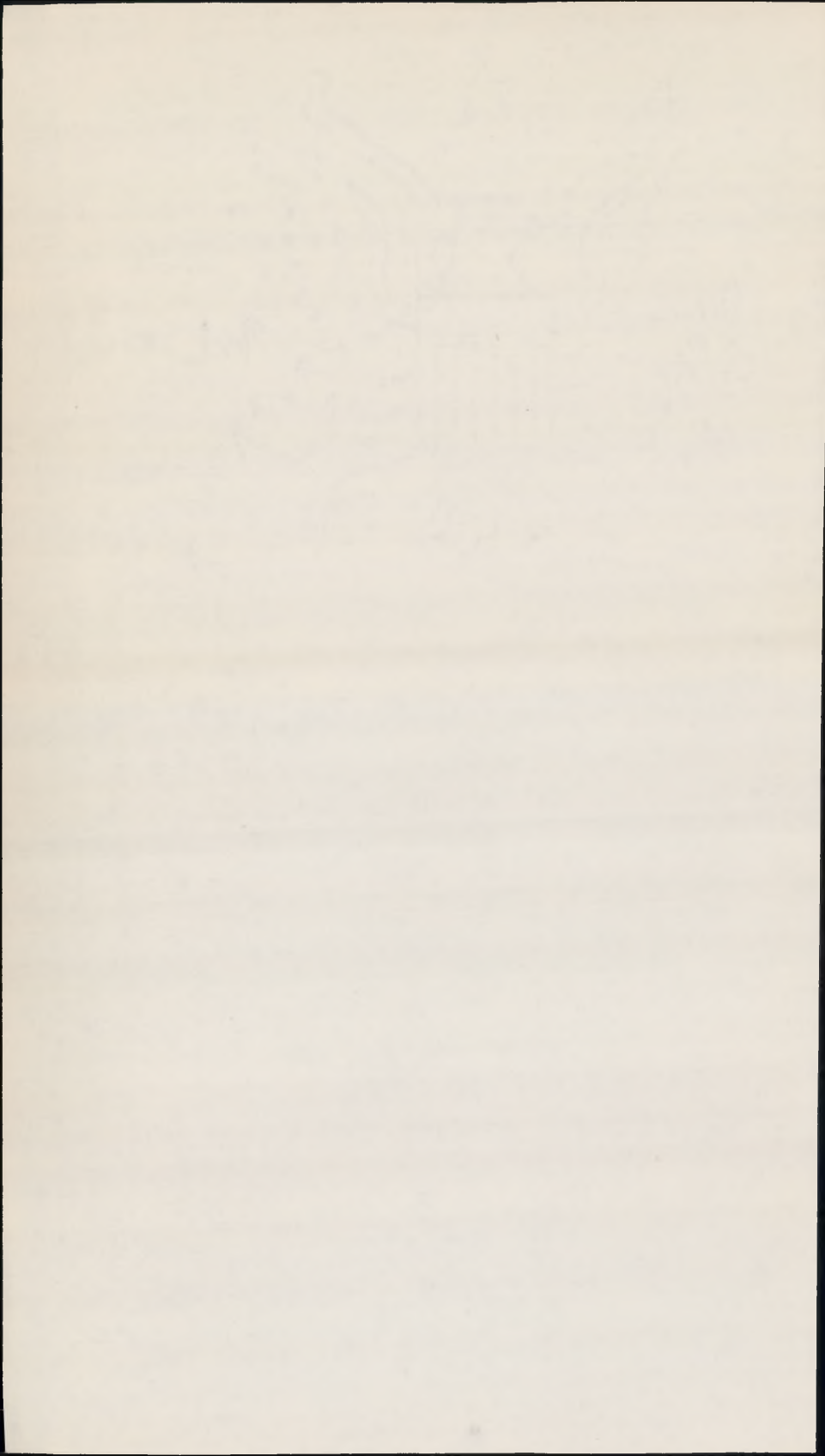


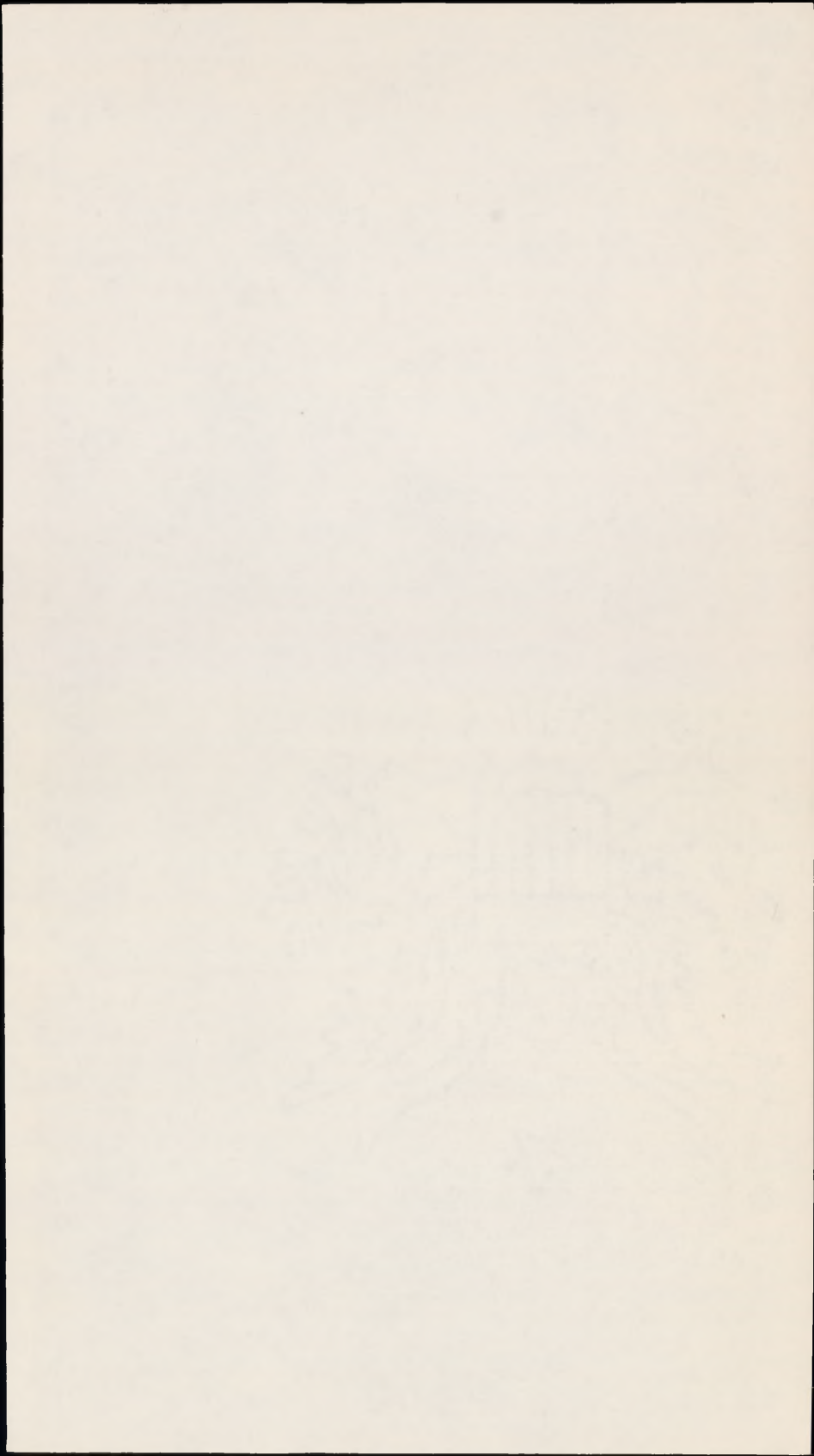


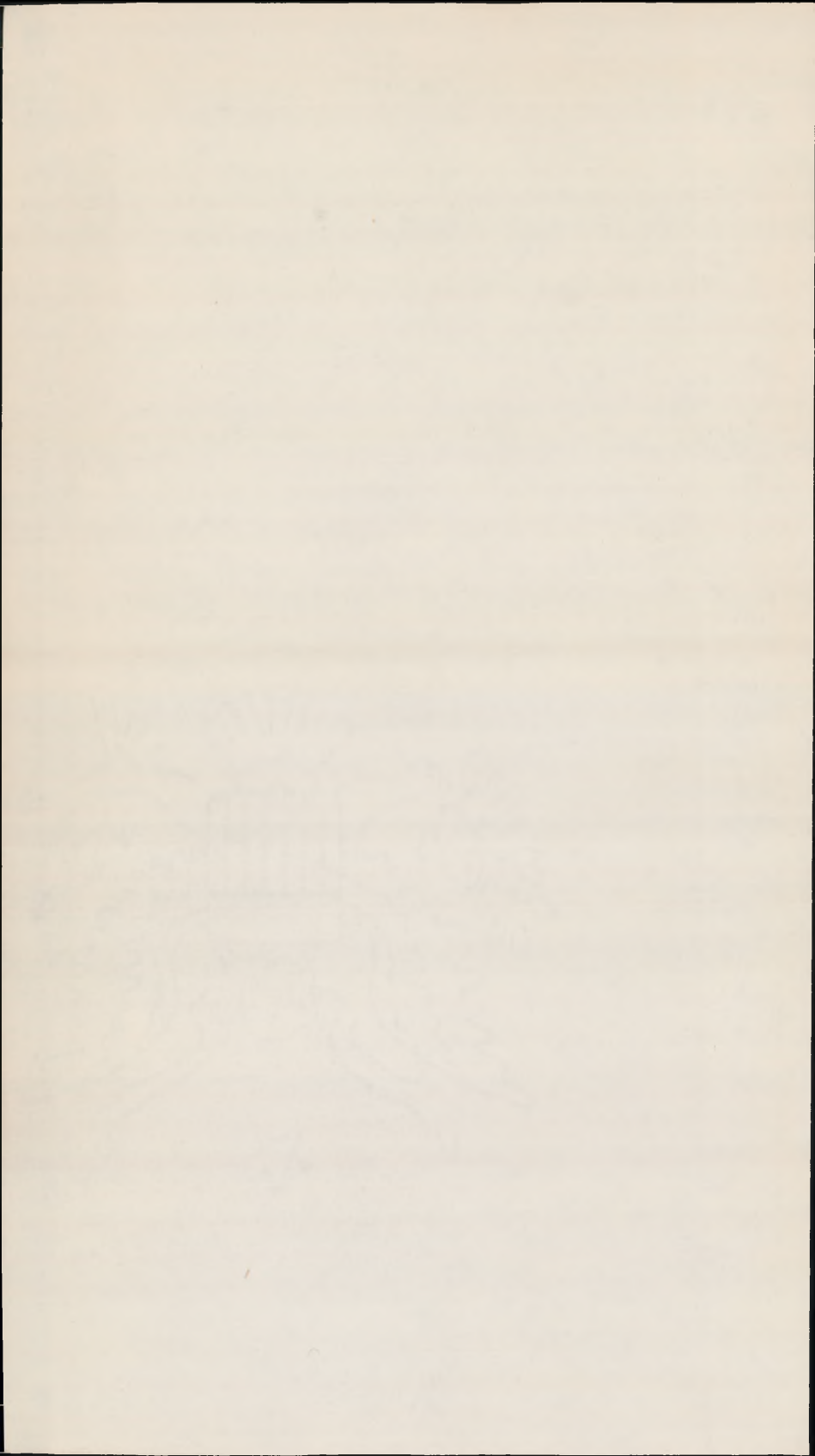


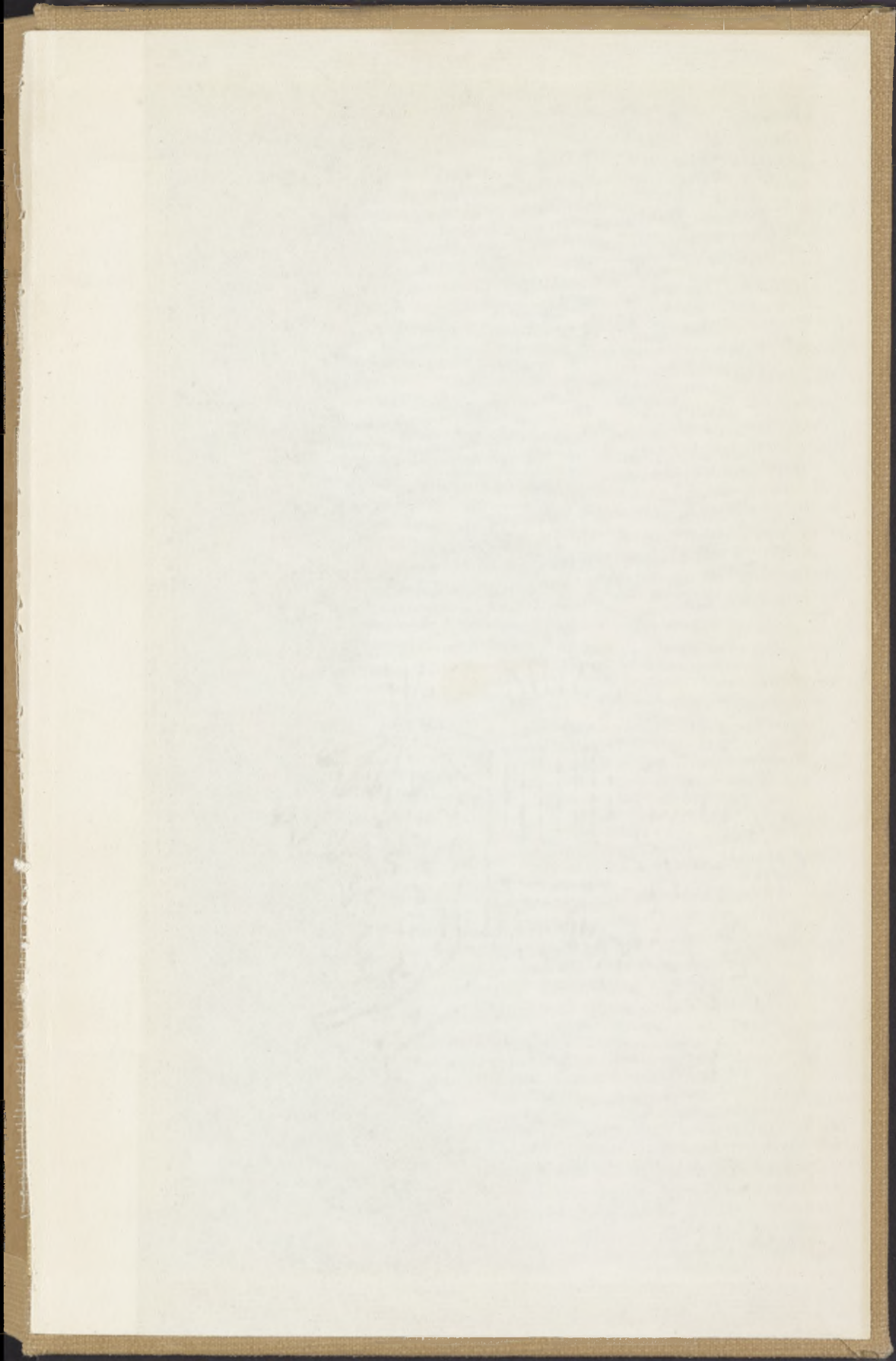














OAMGENPUB1119

UNIVERSITY OF
MICHIGAN

VOL. 1
OF 1
AMERICAN
BANKING