

INDEX

ADMINISTRATIVE PROCEDURE. See **Aliens**; **Constitutional Law**, V, 1; **Federal Power Act**; **Federal Trade Commission**; **Labor**, 1-7; **Reconstruction Finance Corporation Act**.

ADMIRALTY. See also **Constitutional Law**, I, 2; **Labor**, 7.

Temporary unseaworthiness—Injury to seaman—Knowledge or negligence of shipowner.—Shipowner liable for personal injuries to member of crew resulting from temporary unseaworthiness of ship; knowledge or negligence of shipowner not necessary. *Mitchell v. Trawler Racer, Inc.*, p. 539.

AGGREGATE VALUE. See **Criminal Law**.

AGRICULTURAL COOPERATIVES. See **Antitrust Acts**, 2.

AGRICULTURAL MARKETING AGREEMENT ACT. See **Jurisdiction**, 8.

AIR POLLUTION. See **Constitutional Law**, I, 2.

ALABAMA. See **Civil Rights Act**.

ALIENS. See also **Constitutional Law**, V, 1; **Procedure**, 3.

Deportation — Communism — Sufficiency of evidence.—Evidence sufficient to support finding that alien had become member of Communist Party after entering United States and was deportable under Act of October 16, 1918, as amended by § 22 of Internal Security Act of 1950. *Niukkanen v. McAlexander*, p. 390.

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

1. *Sherman Act—Drug manufacturer—Resale price maintenance.*—In civil suit under § 4 of Sherman Act charging drug manufacturer with combining and conspiring to maintain resale prices of its products in areas having no "fair trade" laws, the District Court erred in dismissing complaint on ground that Government had not shown right to relief. *United States v. Parke, Davis & Co.*, p. 29.

2. *Sherman Act—Clayton Act—Application to dairy cooperative.*—Cooperative marketing association of milk producers subject to prosecution for some violations of §§ 2 and 3 of Sherman Act and § 7 of Clayton Act, notwithstanding exemptions granted by Capper-Volstead Act and § 6 of Clayton Act; civil adjudication of violating § 3 of Sherman Act and § 7 of Clayton Act affirmed; decree sustained. *Maryland and Virginia Milk Producers Assn. v. United States*, p. 458.

- APPEAL.** See **Jurisdiction**, 1-3.
- ARREST.** See **Constitutional Law**, V.
- ASSIGNMENTS.** See **Copyrights**.
- ATTORNEY GENERAL.** See **Constitutional Law**, III.
- AVOCADOS.** See **Jurisdiction**, 8.
- CALIFORNIA.** See **Constitutional Law**, II, 2; IV; **Jurisdiction**, 8.
- CAPPER-VOLSTEAD ACT.** See **Antitrust Acts**, 2.
- CARRIERS.** See **Admiralty**; **Employers' Liability Act**; **Labor**, 6-7; **Transportation**.
- CERTIORARI.** See **Procedure**, 4.
- CITIZENSHIP.** See **Procedure**, 3.
- CIVIL RIGHTS ACT.** See also **Constitutional Law**, III; **Jurisdiction**, 5.
Negroes—Denial of right to vote—Action by United States against State.—Under Civil Rights Act of 1960, United States may bring action against State for declaratory and injunctive relief against county election board depriving Negroes of voting rights by racially discriminatory practices. *United States v. Alabama*, p. 602.
- CLAYTON ACT.** See **Antitrust Acts**, 2.
- COERCION.** See **Labor**, 2, 4, 7.
- COLLATERAL ESTOPPEL.** See **Procedure**, 3.
- COMMERCE.** See **Constitutional Law**, I; **Criminal Law**; **Federal Trade Commission**; **Jurisdiction**, 8; **Labor**, 5; **Transportation**.
- COMMUNISM.** See **Aliens**; **Constitutional Law**, II, 2; V, 1; **Procedure**, 2.
- CONDEMNATION.** See **Federal Power Act**.
- CONFLICT OF LAWS.** See **Constitutional Law**, I, 2; **Labor**, 3, 6.
- CONSPIRACY.** See **Antitrust Acts**; **Constitutional Law**, V, 1; **Criminal Law**.
- CONSTITUTIONAL LAW.** See also **Jurisdiction**, 1-3, 5, 8; **Procedure**, 1-3.

I. Commerce.

1. *State taxation—Use of goods shipped into State—Requiring nonresident seller to collect from resident purchaser.*—Florida statute taxing use of goods shipped into State and requiring nonresident seller to collect tax from resident purchaser did not violate Commerce Clause of Constitution or Due Process Clause of Fourteenth Amendment. *Scripto, Inc., v. Carson*, p. 207.

CONSTITUTIONAL LAW—Continued.

2. *State smoke abatement code—Ships in port—Federal license.*—Criminal provisions of Detroit Smoke Abatement Code constitutional as applied to ships docked in port, though they operate in interstate commerce and have been inspected, approved and licensed by Federal Government. *Huron Cement Co. v. Detroit*, p. 440.

II. Due Process.

1. *Federal courts—Public trial—Summary conviction of contempt for refusal to answer grand jury's questions.*—In circumstances, exclusion of public from courtroom when witness was summarily convicted of criminal contempt and sentenced for refusal to answer grand jury's questions did not violate Due Process Clause of Fifth Amendment or public-trial requirement of Sixth Amendment. *Levine v. United States*, p. 610.

2. *State action—Discharge of public employee for refusal to answer questions about subversion.*—Summary discharge of temporary county employee, solely on grounds of insubordination and violation of state statute, for refusing to answer before congressional investigating committee questions concerning subversion, did not violate Due Process Clause of Fourteenth Amendment. *Nelson v. Los Angeles County*, p. 1.

3. *State courts—Convictions totally lacking in evidentiary support.*—Conviction in city police court for "loitering" and "disorderly conduct" violated Due Process Clause of Fourteenth Amendment when the record was totally lacking in evidentiary support. *Thompson v. City of Louisville*, p. 199.

4. *State courts—Denial of counsel—Suppression of evidence.*—When state prisoner applied to state court for habeas corpus and alleged that he was denied counsel at his trial for murder and that prosecutor suppressed evidence favorable to defendant, he was entitled to hearing. *Wilde v. Wyoming*, p. 607.

5. *State courts—Sufficiency of allegations.*—Petition to State Supreme Court for habeas corpus on ground that confinement violated Due Process Clause of Fourteenth Amendment alleged sufficient facts to entitle petitioner to hearing, and it was error to deny writ without hearing. *Sublett v. Adams*, p. 143.

6. *State taxation—Use of goods shipped into State—Requiring non-resident seller to collect from resident purchaser.*—Florida statute taxing use of goods shipped into State and requiring nonresident seller to collect tax from resident purchaser did not violate Due Process Clause of Fourteenth Amendment. *Scripto, Inc., v. Carson*, p. 207.

CONSTITUTIONAL LAW—Continued.**III. Elections.**

Racial discrimination—Suits by Attorney General to enjoin.—Insofar as R. S. § 2004, as amended by Civil Rights Act of 1957, authorizes Attorney General to sue to enjoin racial discrimination by public officials in the performance of their official duties pertaining to elections, it is constitutional. *United States v. Raines*, p. 17; *United States v. Thomas*, p. 58.

IV. Freedom of Speech and Press.

Handbills—Ordinance forbidding distribution without name and address of sponsor.—City ordinance which forbade distribution, in any place under any circumstances, of any handbill not containing name and address of author, distributor or sponsor, was void on its face under Fourteenth Amendment. *Talley v. California*, p. 60.

V. Search and Seizure.

1. *Administrative warrant for arrest—Incidental search and seizure.*—When immigration officers with administrative warrant arrested alien for deportation, they had right to make incidental search, and articles seized were admissible in evidence in criminal prosecution for conspiracy to commit espionage; cooperation between immigration officers and F. B. I. lawful; search by F. B. I. of alien's relinquished hotel room without warrant but with consent of hotel management and seizure of articles abandoned there by alien were lawful. *Abel v. United States*, p. 217.

2. *Warrant—Probable cause for issuance—Standing to challenge validity.*—When federal officers with search warrant searched apartment, found and seized narcotics and arrested person found there who claimed apartment was not his, he had standing under Rule 41 (e) Fed. Rules Crim. Proc. to move to suppress evidence seized; affidavit reciting hearsay was sufficient evidence of probable cause to justify issuance of warrant. *Jones v. United States*, p. 257.

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

COOPERATIVE MARKETING ASSOCIATIONS. See **Antitrust Acts**, 2.

COPYRIGHTS.

Renewal rights—Death of author—Assignee or executor.—When author of copyrighted musical composition dies testate after assigning renewal rights but before time for renewal, his executor is entitled to renewal rights when there is no widow, widower or child. *Miller Music Corp. v. Charles N. Daniels, Inc.*, p. 373.

COUNSEL. See **Constitutional Law**, II, 4.

CRIMINAL LAW. See also **Constitutional Law**, I, 2; II, 1, 3-5; IV; V; **Evidence**; **Jurisdiction**, 4.

Interstate transportation of stolen goods—Joinder of defendants—Severance—Aggregate value.—In circumstances of case, joinder of several defendants in single indictment under 18 U. S. C. § 2314 for transporting stolen goods from one State into three different States and conspiring to do so was proper under Rule 8 (b), Fed. Rules Crim. Proc.; severance not required under Rule 14 after dismissal of conspiracy count where court found that joint trial would not prejudice defendants; aggregation of several shipments to meet statutory minimum of \$5,000 permitted under 18 U. S. C. § 2311. *Schaffer v. United States*, p. 511.

DAIRIES. See **Antitrust Acts**, 2.

DECEPTIVE PRACTICES. See **Federal Trade Commission**.

DEFICIENCY. See **Taxation**.

DEPORTATION. See **Aliens**; **Constitutional Law**, V, 1.

DISORDERLY CONDUCT. See **Constitutional Law**, II, 3.

DRUGS. See **Antitrust Acts**, 1; **Constitutional Law**, V, 2.

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

ELECTIONS. See **Civil Rights Act**; **Constitutional Law**, III; **Jurisdiction**, 5.

EMINENT DOMAIN. See **Federal Power Act**.

EMPLOYERS' LIABILITY ACT.

Instructions to jury—"Employee"—Working on private siding when injured.—Erroneous instructions to jury as to factors to be considered in determining whether plaintiff was "employee" of railroad when injured while working on private siding. *Ward v. Atlantic Coast Line R. Co.*, p. 396.

EQUAL PROTECTION OF LAWS. See **Civil Rights Act**; **Constitutional Law**, III; **Jurisdiction**, 8.

ESPIONAGE. See **Constitutional Law**, V, 1.

ESTOPPEL. See **Procedure**, 3.

EVIDENCE. See also **Aliens**; **Constitutional Law**, II, 3-4; V.

Admissibility—Criminal cases—Wife's testimony against husband.—Over objection of both spouses, wife may be required to testify against husband in his trial under 18 U. S. C. § 2421 for transporting her interstate for purposes of prostitution. *Wyatt v. United States*, p. 525.

FAIR LABOR STANDARDS ACT. See Labor, 5.

FEDERAL EMPLOYERS' LIABILITY ACT. See Employers' Liability Act.

FEDERAL POWER ACT.

Niagara River power project—Condemnation—Indian lands.—Under § 21 lands purchased and owned in fee simple by Tuscarora Indian Nation may be taken for state power project on Niagara River under license from Federal Power Commission pursuant to Act of August 21, 1957; such lands not in "reservation" or subject to treaty; taking not prevented by 25 U. S. C. § 177. Federal Power Comm'n v. Tuscarora Indian Nation, p. 99.

FEDERAL RULES OF CIVIL PROCEDURE. See Procedure, 5.

FEDERAL RULES OF CRIMINAL PROCEDURE. See Constitutional Law, V, 2; Criminal Law.

FEDERAL-STATE RELATIONS. See Civil Rights Act; Constitutional Law, I, 2; III; Federal Trade Commission; Jurisdiction, 7; Labor, 3, 5-6; Reconstruction Finance Corporation Act.

FEDERAL TRADE COMMISSION.

Cease and desist orders—Deceptive practices—Insurance companies—McCarran-Ferguson Act.—Statute of home-office State forbidding deceptive practices there "or in any other state" not sufficient under McCarran-Ferguson Act to exempt from Federal Trade Commission Act insurance company's mail-order deceptive practices in other States where it is not licensed or represented. Federal Trade Commission v. Travelers Health Assn., p. 293.

FIFTEENTH AMENDMENT. See Civil Rights Act; Constitutional Law, III; Jurisdiction, 5.

FIFTH AMENDMENT. See Constitutional Law, II, 1; V.

FLORIDA. See Constitutional Law, I; Jurisdiction, 8.

FOREIGN COMMERCE. See Labor, 7.

FOURTEENTH AMENDMENT. See Constitutional Law, II, 2-6; IV.

FOURTH AMENDMENT. See Constitutional Law, V, 1.

FREEDOM OF SPEECH AND PRESS. See Constitutional Law, IV.

GENERAL SERVICES ADMINISTRATION. See Reconstruction Finance Corporation Act.

GEORGIA. See Constitutional Law, III; Jurisdiction, 5.

GRAND JURIES. See Constitutional Law, II, 1.

HABEAS CORPUS. See also **Jurisdiction**, 4.

1. *State courts—Right to hearing—Denial of counsel—Suppression of evidence.*—When state prisoner applied to state court for habeas corpus and alleged that he was denied counsel at his trial for murder and that prosecutor suppressed evidence favorable to defendant, he was entitled to hearing. *Wilde v. Wyoming*, p. 607.

2. *State courts—Right to hearing—Sufficiency of petition.*—Petition to State Supreme Court for habeas corpus on ground that confinement violated Due Process Clause of Fourteenth Amendment alleged sufficient facts to entitle petitioner to hearing, and it was error to deny writ without hearing. *Sublett v. Adams*, p. 143.

HANDBILLS. See **Constitutional Law**, IV.

HEALTH. See **Constitutional Law**, I, 2; **Federal Trade Commission**.

HEARING. See **Constitutional Law**, II; **Habeas Corpus**.

HEARSAY. See **Constitutional Law**, V, 2.

HOTELS. See **Constitutional Law**, V, 1.

HUSBAND AND WIFE. See **Evidence**.

HYDROELECTRIC POWER. See **Federal Power Act**.

IMMIGRATION AND NATURALIZATION SERVICE. See **Aliens**; **Constitutional Law**, V, 1.

INCOME TAX. See **Taxation**.

INDIANS. See **Federal Power Act**.

INDICTMENT. See **Criminal Law**.

INDUSTRIAL WASTE. See **Navigable Waters**.

INJUNCTIONS. See **Civil Rights Act**; **Constitutional Law**, III; **Jurisdiction**, 2, 5-8; **Labor**, 3, 6-7; **Navigable Waters**.

INNKEEPERS. See **Constitutional Law**, V, 1.

INSTRUCTIONS TO JURY. See **Employers' Liability Act**.

INSUBORDINATION. See **Constitutional Law**, II, 2.

INSURANCE. See **Federal Trade Commission**.

INTERNAL REVENUE CODE. See **Procedure**, 5; **Taxation**.

INTERNAL SECURITY ACT OF 1950. See **Aliens**.

INTERNATIONAL RELATIONS. See **Jurisdiction**, 6.

INTERSTATE COMMERCE. See **Constitutional Law**, I; **Criminal Law**; **Federal Trade Commission**; **Jurisdiction**, 8; **Labor**, 5; **Transportation**.

JOINDER OF PARTIES. See **Criminal Law.**

JURISDICTION. See also **Civil Rights Act; Labor, 3, 6-7; Navigable Waters; Procedure.**

1. *Supreme Court—Direct appeal from District Court—Judgment holding federal statute unconstitutional.*—When basis of District Court's judgment was that federal statute was unconstitutional, case was properly appealed directly to Supreme Court under 28 U. S. C. § 1252, no matter what parties contend proper basis of judgment should have been. *United States v. Raines*, p. 17.

2. *Supreme Court—Direct appeal from District Court—Suit to enjoin enforcement of state statute.*—When complaint sought to enjoin enforcement of state statute on ground of federal unconstitutionality, it was required to be heard by 3-judge District Court under 28 U. S. C. § 2281, and direct appeal from dismissal was properly taken to Supreme Court under 28 U. S. C. § 1253, notwithstanding allegation of other grounds for relief. *Florida Lime and Avocado Growers v. Jacobsen*, p. 73.

3. *Supreme Court—Appeal—State decision sustaining state tax.*—When taxpayer did not explicitly challenge constitutionality of state tax statute, Supreme Court did not have jurisdiction under 28 U. S. C. § 1257 of appeal from state decision sustaining it; but granted certiorari under 28 U. S. C. § 2103 to consider claim that it infringed his federal immunities. *Rohr Aircraft Corp. v. San Diego County*, p. 628.

4. *Supreme Court—Moot case—Dismissal.*—Supreme Court without jurisdiction to review denial of habeas corpus to prisoner released after case reached Supreme Court. *Parker v. Ellis*, p. 574.

5. *District Courts—Basis of judgment—Constitutional question not properly before court.*—When a complaint under R. S. § 2004, as amended by Civil Rights Act of 1957, related only to official actions, District Court erred in dismissing it on ground that the Act would exceed permissible limits of Fifteenth Amendment if applied to purely private actions by private persons. *United States v. Raines*, p. 17.

6. *District Courts—Injunctions—"Labor disputes."*—The Norris-LaGuardia Act deprives a Federal District Court of jurisdiction to enjoin American seamen from peacefully picketing a foreign ship with a foreign crew while temporarily in an American port, in protest against loss of livelihood by American seamen to foreign ships with substandard wages or conditions, and in order to prevent the ship from unloading its cargo. *Marine Cooks & Stewards v. Panama S. S. Co.*, p. 365.

7. *District Courts—Injunctions—"Labor disputes."*—The Norris-LaGuardia Act deprives a Federal District Court of jurisdiction to

JURISDICTION—Continued.

enjoin a railroad labor union from striking because of the railroad's refusal to negotiate about a proposed agreement not to abolish any position without the union's consent, even when controversy grew out of railroad's proposal to abolish or consolidate little-used stations with permission of state regulatory commissions. *Telegraphers v. Chicago & N. W. R. Co.*, p. 330.

8. *District Courts—Suit to enjoin enforcement of state statute as violative of Federal Constitution—Failure to contest validity or enforcement in state courts.*—When complaint in suit to enjoin enforcement of state statute on grounds of federal unconstitutionality alleged justiciable controversy, failure of complainant to contest its validity or enforcement in state courts did not bar right to seek injunction in federal court. *Florida Lime and Avocado Growers v. Jacobsen*, p. 73.

9. *District Courts—Suit for refund of income tax—Part payments.*—Under 28 U. S. C. § 1346 (a) (1), a federal district court does not have jurisdiction of an action by a taxpayer for refund of part payment of an assessment for a deficiency in his income tax. *Flora v. United States*, p. 145.

JURY. See **Employers' Liability Act.**

LABOR. See also **Admiralty; Employers' Liability Act.**

1. *National Labor Relations Act—Unfair labor practice—Complaint—Limitations.*—Six-month statute of limitations contained in § 10 (b) of National Labor Relations Act barred complaint for enforcement during preceding six months of "union security" clause in agreement between employer and minority union entered into more than six months before filing of complaint. *Machinists Local v. Labor Board*, p. 411.

2. *National Labor Relations Act—Unfair labor practice—Peaceful picketing to compel employer recognition.*—Peaceful picketing by minority union to compel employer to recognize it as exclusive bargaining agent of employees is not conduct "to restrain or coerce" employees in exercise of rights under § 7 and therefore not unfair labor practice under § 8 (b) (1) (A). *Labor Board v. Drivers Local Union*, p. 274.

3. *National Labor Relations Act—Collective bargaining agreements—Conflict with state antitrust laws—Jurisdiction of state court to enjoin.*—State court may not apply state antitrust law so as to prevent carrying out of agreement between employers and unions on subject matter as to which National Labor Relations Act requires them to bargain. *Teamsters Union v. Oliver*, p. 605.

LABOR—Continued.

4. *National Labor Relations Act—Union coercing employees to strike—Scope of order.*—Board finding that union had violated § 8 (b) (1) (A) by coercing employees of telephone company to participate in strike sustained; cease and desist order sustained, except insofar as it related to employees of "any other employer." *Communications Workers v. Labor Board*, p. 479.

5. *Fair Labor Standards Act—Coverage—Employees of contractor building dam for city water works.*—Employees of contractor building dam to increase reservoir capacity of city water works not within coverage of overtime provisions of Act, even though substantial part of water will be used by interstate instrumentalities and producers of goods for interstate commerce. *Mitchell v. H. B. Zachry Co.*, p. 310.

6. *Norris-LaGuardia Act—Injunctions—"Labor disputes."*—The Norris-LaGuardia Act deprives a Federal District Court of jurisdiction to enjoin a railroad labor union from striking because of the railroad's refusal to negotiate about a proposed agreement not to abolish any position without the union's consent, even when controversy grew out of railroad's proposal to abolish or consolidate little-used stations with permission of state regulatory commissions. *Telegraphers v. Chicago & N. W. R. Co.*, p. 330.

7. *Norris-LaGuardia Act—Injunctions—"Labor disputes."*—The Norris-LaGuardia Act deprives a Federal District Court of jurisdiction to enjoin American seamen from peacefully picketing a foreign ship with a foreign crew while temporarily in an American port, in protest against loss of livelihood by American seamen to foreign ships with substandard wages or conditions, and in order to prevent the ship from unloading its cargo. *Marine Cooks & Stewards v. Panama S. S. Co.*, p. 365.

LICENSES. See **Constitutional Law**, I, 2.

LIMITATIONS. See **Labor**, 1.

LOITERING. See **Constitutional Law**, II, 3.

LOUISIANA. See **Constitutional Law**, III.

LUMBER. See **Transportation**.

MAIL-ORDER BUSINESS. See **Federal Trade Commission**.

MANN ACT. See **Evidence**.

MCCARRAN-FERGUSON ACT. See **Federal Trade Commission**.

MEDICINES. See **Antitrust Acts**, 1.

- MICHIGAN.** See **Constitutional Law**, I, 2.
- MILK PRODUCERS.** See **Antitrust Acts**, 2.
- MOOT CASE.** See **Jurisdiction**, 4.
- MOTOR CARRIERS.** See **Labor**, 2-3.
- MUSIC.** See **Copyrights**.
- NARCOTICS.** See **Constitutional Law**, V, 2.
- NATIONALITY ACT OF 1940.** See **Procedure**, 3.
- NATIONAL LABOR RELATIONS ACT.** See **Labor**, 1-4.
- NAVIGABLE WATERS.**
- Obstructions—Discharge of industrial waste—Injunction.*—Discharge through sewers of industrial waste solids which reduced depth of channel in navigable river violated §§ 10 and 13 of Rivers and Harbors Act of 1899 and not exempted under § 13 as “refuse . . . flowing from sewers . . . in liquid state”; District Court authorized to grant injunctive relief in suit by United States. *United States v. Republic Steel Corp.*, p. 482.
- NEBRASKA.** See **Federal Trade Commission**.
- NEGLIGENCE.** See **Admiralty**.
- NEGROES.** See **Civil Rights Act**; **Constitutional Law**, III; **Jurisdiction**, 5.
- NEW YORK.** See **Federal Power Act**.
- NIAGARA RIVER POWER PROJECT.** See **Federal Power Act**.
- NONRESIDENTS.** See **Constitutional Law**, I, 1.
- NORRIS-LaGUARDIA ACT.** See **Labor**, 6-7.
- NOTICE.** See **Admiralty**.
- OHIO.** See **Labor**, 3.
- OVERTIME.** See **Labor**, 5.
- PERSONAL INJURIES.** See **Admiralty**; **Employers' Liability Act**.
- PICKETING.** See **Labor**, 2, 7.
- POLICE POWER.** See **Constitutional Law**, I, 2.
- POWER.** See **Federal Power Act**.
- PRICES.** See **Antitrust Acts**, 1.
- PROBABLE CAUSE.** See **Constitutional Law**, V, 2.

PROCEDURE. See also **Civil Rights Act; Constitutional Law**, II, 1-6; V, 2; **Criminal Law; Evidence; Habeas Corpus; Jurisdiction.**

1. *Supreme Court—Scope of review—Questions not raised below.*—Questions not raised in lower courts not properly before this Court when reviewing their decisions. *Abel v. United States*, p. 217.

2. *Supreme Court—Constitutionality of state statute—Point not ruled on by State Supreme Court.*—On appeal from decision of State Supreme Court sustaining constitutionality of state statute providing for immediate dismissal of state employees who refuse to take loyalty oath, judgment vacated and cause remanded when State Supreme Court had not passed on question whether employees would be afforded a hearing. *Nostrand v. Little*, p. 474.

3. *Supreme Court—Constitutional question—Beclouded issue—Remand.*—When issue as to constitutionality of § 401 (j) of Nationality Act of 1940 was clouded by issue as to whether collateral estoppel prevented Government from challenging appellee's citizenship, case remanded to District Court with permission for parties to obtain adjudication on question of collateral estoppel. *Mackey v. Mendoza-Martinez*, p. 384.

4. *Supreme Court—Certiorari—Dismissal when improvidently granted.*—*McGann v. United States*, p. 214; *Phillips v. New York*, p. 456; *Needelman v. United States*, p. 600.

5. *District Courts—Summary proceedings—Conflicting claims to property seized for delinquent federal taxes.*—Summary trial of conflicting claims to property seized by Internal Revenue officers for delinquent federal taxes not authorized by 28 U. S. C. § 2463 and contrary to Federal Rules of Civil Procedure. *New Hampshire Fire Ins. Co. v. Scanlon*, p. 404.

PROSTITUTION. See **Evidence.**

PUBLIC TRIAL. See **Constitutional Law**, II, 1.

RACIAL DISCRIMINATION. See **Civil Rights Act; Constitutional Law**, III; **Jurisdiction**, 5.

RAILROADS. See **Employers' Liability Act; Labor**, 6; **Transportation.**

RECONSTRUCTION FINANCE CORPORATION ACT.

State taxation of real estate—Surplus Property Act—Failure to deed title to United States.—Section 8 of Reconstruction Finance Corporation Act subjecting Corporation's real estate to state and local taxation no longer applicable to real estate declared surplus and surrendered to War Assets Administration for disposal, even though

- RECONSTRUCTION FINANCE CORPORATION ACT**—Con. title had not been deeded to United States and property was leased in name of Corporation and United States. *Rohr Aircraft Corp. v. San Diego County*, p. 628.
- REFUND.** See **Taxation.**
- RIVERS AND HARBORS ACT OF 1899.** See **Navigable Waters.**
- RULES OF CIVIL PROCEDURE.** See **Procedure**, 5.
- RULES OF CRIMINAL PROCEDURE.** See **Constitutional Law**, V, 2; **Criminal Law.**
- SEAMEN.** See **Admiralty**; **Jurisdiction**, 6; **Labor**, 7.
- SEARCH AND SEIZURE.** See **Constitutional Law**, IV.
- SEAWORTHINESS.** See **Admiralty.**
- SELF-INCRIMINATION.** See **Constitutional Law**, II, 1.
- SEVERANCE.** See **Criminal Law.**
- SEWERS.** See **Navigable Waters.**
- SHERMAN ACT.** See **Antitrust Acts**, 1-2.
- SHIPS.** See **Admiralty**; **Constitutional Law**, I, 2; **Jurisdiction**, 6; **Labor**, 7.
- SIXTH AMENDMENT.** See **Constitutional Law**, II, 1.
- SMOKE ABATEMENT CODES.** See **Constitutional Law**, I, 2.
- STATUTE OF LIMITATIONS.** See **Labor**, 1.
- STOLEN GOODS.** See **Criminal Law.**
- STRIKES.** See **Labor**, 4, 6-7.
- SUBVERSION.** See **Aliens**; **Constitutional Law**, II, 2; V, 1; **Procedure**, 2.
- SUMMARY PROCEEDINGS.** See **Constitutional Law**, II, 1-2, 4-5; **Procedure**, 5.
- SUPREME COURT.** See **Jurisdiction**, 1-4; **Procedure**, 1-4.
- SURPLUS PROPERTY ACT.** See **Reconstruction Finance Corporation Act.**
- TARIFFS.** See **Transportation.**
- TAXATION.** See also **Constitutional Law**, I, 1; II, 6; **Jurisdiction**, 3; **Procedure**, 5; **Reconstruction Finance Corporation Act.**
Income tax—Deficiency—Suit for refund.—Taxpayer must pay full amount of income tax deficiency assessed by Commissioner before he may sue in federal district court for refund under 28 U. S. C. § 1346 (a) (1). *Flora v. United States*, p. 145.

TEXAS. See **Labor**, 5.

TRANSPORTATION. See also **Admiralty**; **Employers' Liability Act**; **Labor**, 6.

Railroads—Tariffs—Additional "privileges or facilities."—Railroad delaying lumber in transit to allow shippers additional time to find market is furnishing additional "privileges or facilities" which must be covered by tariff under § 6 of Interstate Commerce Act. *Union Pacific R. Co. v. United States*, p. 327.

TUSCARORA INDIAN NATION. See **Federal Power Act**.

UNFAIR LABOR PRACTICE. See **Labor**, 1-4.

UNIONS. See **Labor**, 1-4, 6-7.

UNSEAWORTHINESS. See **Admiralty**.

VALUE. See **Criminal Law**.

VOTERS. See **Civil Rights Act**; **Constitutional Law**, III; **Jurisdiction**, 5.

WAGES AND HOURS. See **Labor**, 5.

WAR ASSETS ADMINISTRATION. See **Reconstruction Finance Corporation Act**.

WARRANTS. See **Constitutional Law**, V.

WASHINGTON. See **Procedure**, 2.

WATER WORKS. See **Labor**, 5.

WHITE SLAVE ACT. See **Evidence**.

WITNESSES. See **Constitutional Law**, II, 1; **Evidence**.

WORDS.

1. "*Aggregate value.*"—18 U. S. C. § 2311. *Schaffer v. United States*, p. 511.

2. "*Closely related process or occupation directly essential to*" *production of goods for interstate commerce.*—Fair Labor Standards Act, § 3 (j). *Mitchell v. H. B. Zachry Co.*, p. 310.

3. "*Coerce.*"—National Labor Relations Act, § 8 (b) (1) (A). *Labor Board v. Drivers Local Union*, p. 274.

4. "*Criminal prosecutions.*"—Sixth Amendment. *Levine v. United States*, p. 610.

5. "*Employee.*"—Federal Employers' Liability Act. *Ward v. Atlantic Coast Line R. Co.*, p. 396.

6. "*Engaged in commerce.*"—Fair Labor Standards Act, § 7. *Mitchell v. H. B. Zachry Co.*, p. 310.

WORDS—Continued.

7. "*Labor dispute.*"—Norris-LaGuardia Act. Railroad Telegraphers v. Chicago & N. W. R. Co., p. 330; Marine Cooks & Stewards v. Panama S. S. Co., p. 365.

8. "*Liquid state.*"—Rivers and Harbors Act of 1899, §13. United States v. Republic Steel Corp., p. 482.

9. "*Minor disputes.*"—Railway Labor Act. Railroad Telegraphers v. Chicago & N. W. R. Co., p. 330.

10. "*Obstruction . . . to the navigable capacity*" of river.—Rivers and Harbors Act of 1899, § 10. United States v. Republic Steel Corp., p. 482.

11. "*Person aggrieved.*"—Rule 41 (e), Federal Rules of Criminal Procedure. Jones v. United States, p. 257.

12. "*Prejudiced . . . by . . . joinder for trial.*"—Rule 14, Federal Rules of Criminal Procedure. Schaffer v. United States, p. 511.

13. "*Privileges or facilities.*"—Interstate Commerce Act, § 6 (1). Union Pacific R. Co. v. United States, p. 327.

14. "*Refuse . . . flowing from sewers.*"—Rivers and Harbors Act of 1899, § 13. United States v. Republic Steel Corp., p. 482.

15. "*Regulated by State law.*"—McCarran-Ferguson Act, § 2 (b). Federal Trade Commission v. Travelers Health Assn., p. 293.

16. "*Reservation.*"—Federal Power Act, § 3 (2). Federal Power Commission v. Tuscarora Indian Nation, p. 99.

17. "*Restrain or coerce.*"—National Labor Relations Act, § 8 (b) (1) (A). Labor Board v. Drivers Local Union, p. 274.

18. "*Value.*"—18 U. S. C. § 2311. Schaffer v. United States, p. 511.

WYOMING. See **Constitutional Law**, II, 3.





















