

I N D E X

ADMINISTRATIVE PROCEDURE. See **Labor**, 1-5; **Natural Gas Act**.

ADMIRALTY.

1. *Seamen—Maintenance and cure—Shipowner's verbal agreement to assume responsibility for improper treatment—Statute of Frauds.*—State Statute of Frauds not applicable to verbal agreement of shipowner to assume responsibility for improper treatment by hospital of seaman entitled to maintenance and cure. *Kossick v. United Fruit Co.*, p. 731.

2. *Amendments of Rules.*—Order entered April 17, 1961, amending Rules of Practice in Admiralty and Maritime Cases, effective July 19, 1961, to be reported later, p. 891.

AIR FORCE. See **Taxation**, 2.

ALIENS. See **Citizenship; Procedure**, 6.

ALLOCUTION. See **Procedure**, 7.

ANTITRUST ACTS.

1. *Sherman Act—Drug manufacturer—Resale price maintenance—Remedy.*—When this Court had ruled that the Government's proofs were sufficient to show violation of Sherman Act and, on remand, defendant only showed that it had abandoned illegal practices and injunction was not needed, district court should have entered judgment on merits and retained case on docket for further relief, if defendant should resume illegal activity. *United States v. Parke, Davis & Co.*, p. 125.

2. *Sherman Act—Efforts to influence legislation and law enforcement against competitors—Railroads against truckers.*—Organized efforts of railroads to influence legislation and law enforcement adverse to long-distance trucking did not violate Sherman Act, even when purpose was to destroy truckers as competitors for long-distance freight business. *Eastern Railroads Conf. v. Noerr Motor Freight*, p. 127.

3. *Clayton Act—Sherman Act—Exclusive-dealing agreement—Substantial lessening of competition—Relevant market.*—Agreement to buy all coal needed for fuel at one plant for 20 years did not violate § 3 of Clayton Act or § 1 or 2 of Sherman Act when amount involved

ANTITRUST ACTS—Continued.

exceeded entire consumption in State but was less than 1% of capacity of all producers in seller's competitive area. *Tampa Electric Co. v. Nashville Coal Co.*, p. 320.

APPEALS. See **Constitutional Law**, III, 2; **Procedure**, 1.

ARREST. See **Civil Rights**, 1; **Evidence**, 1.

BANKS. See **Taxation**, 3.

CALIFORNIA. See **Procedure**, 2.

CARRIERS. See **Antitrust Acts**, 2; **Employers' Liability Act**.

CARRY-BACK. See **Taxation**, 1.

CENSORSHIP. See **Constitutional Law**, I, 1.

CERTIORARI. See **Procedure**, 3-5.

CITIZENSHIP. See also **Procedure**, 6.

Denaturalization—Fraudulent procurement—Willful misrepresentation of occupation—Lapse of time.—Evidence was sufficient to support finding that applicant for citizenship swore that his occupation was "real estate" when actually it was bootlegging; denaturalization sustained notwithstanding lapse of 27 years between naturalization and filing of denaturalization complaint. *Costello v. United States*, p. 265.

CIVIL RIGHTS.

1. *Unlawful search—Civil action for damages—Sufficiency of complaint.*—In civil action by Negroes for damages under R. S. § 1979, allegations that, without warrant or probable cause, city policemen invaded and searched home and arrested and detained one of the plaintiffs stated a cause of action against policemen; but city was not liable. *Monroe v. Pape*, p. 167.

2. *Deprivation—Civil action for damages—Right to maintain.*—Under 42 U. S. C. §§ 1983 and 1985, petitioner could not maintain civil action against municipality for damages for deprivation of rights of freedom of speech and assembly; but such action could be maintained against individuals. *Egan v. City of Aurora*, p. 514.

CLAYTON ACT. See **Antitrust Acts**, 2-3.

CLOSED SHOPS. See **Labor**, 1-3.

COAL. See **Antitrust Acts**, 3.

COMMUNICATIONS ACT.

1. *Wiretapping—Electronic listening device—Admissibility of evidence.*—Eavesdropping by police using electronic listening device

COMMUNICATIONS ACT—Continued.

which penetrated wall of house occupied by defendants did not violate § 605 of Communications Act of 1934; but it violated their rights under Fourth Amendment, and evidence so obtained was not admissible at their trial for gambling offenses. *Silverman v. United States*, p. 505.

2. *Wiretapping—Use in state court—Injunction by federal court.*—A federal court may not enjoin use in a criminal trial in a state court of evidence obtained by wiretapping in violation of Federal Communications Act. *Pugach v. Dollinger*, p. 458.

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

CONFESSIONS. See **Constitutional Law**, IV.

CONGRESSIONAL INVESTIGATIONS. See **Constitutional Law**, I, 2.

CONNECTICUT. See **Constitutional Law**, IV.

CONSTITUTIONAL LAW. See also **Civil Rights**, 1-2; **Eminent Domain**; **Procedure**, 3-5; **Taxation**, 2-4.

I. Freedom of Speech and Press.

1. *Motion pictures—Requirement of submission for examination or censorship.*—City ordinance requiring that all motion pictures be submitted for examination or censorship prior to their public exhibition not void on its face as violative of First and Fourteenth Amendments. *Times Film Corp. v. Chicago*, p. 43.

2. *Congressional investigations—Contempt convictions for refusal to answer—Communist propaganda.*—Conviction under 2 U. S. C. § 192 for refusal to answer questions regarding membership in Communist Party and communist propaganda activities did not violate rights of witnesses under First Amendment. *Wilkinson v. United States*, p. 399; *Braden v. United States*, p. 431.

II. Due Process.

1. *State criminal trial—Right to counsel—Habeas corpus.*—Petition for habeas corpus alleging that, in state criminal trial for non-capital offense, defendant was indigent, ignorant and mentally ill Negro who requested but was denied counsel, together with record showing that legal issues were very complex and he obviously was incapable of conducting his own defense, indicated denial of due process and entitled petitioner to hearing to determine whether his allegations were true. *McNeal v. Culver*, p. 109.

2. *Due process—State criminal trial—Right to counsel.*—When state law made person charged with crime incompetent to testify under oath in his own behalf but permitted him to make unsworn

CONSTITUTIONAL LAW—Continued.

statement to jury, court's refusal to permit his counsel to question him on stand violated Due Process Clause of Fourteenth Amendment. *Ferguson v. Georgia*, p. 570.

3. *Due process—State criminal trial—Right to counsel.*—On petition for habeas corpus, petitioner was entitled to opportunity to prove that he had been deprived of due process in criminal trial by court's refusal to grant continuance until arrival of counsel he had retained. *Reynolds v. Cochran*, p. 525.

III. Equal Protection of Laws.

1. *Racial discrimination—Restaurant in public parking building.*—When restaurant was located in, and operated as integral part of, public parking building built with public funds and owned and operated by State, its refusal to serve Negro violated Equal Protection Clause of Fourteenth Amendment. *Burton v. Wilmington Parking Authority*, p. 715.

2. *State criminal cases—Habeas corpus—Appeals—Indigents.*—Iowa statute that requires indigent prisoner to pay filing fee before his application for writ of habeas corpus or appeal from conviction will be docketed denies him equal protection of laws in violation of Fourteenth Amendment. *Smith v. Bennett*, p. 708.

IV. Self-incrimination.

Confessions—Reliability as bearing on voluntariness.—In admitting confessions in evidence in murder trial, it was error for state court to consider whether or not they were reliable in determining whether they were "voluntary," and this violated Due Process Clause of Fourteenth Amendment. *Rogers v. Richmond*, p. 534.

V. Search and Seizure.

1. *Rented premises—Consent of landlord.*—Consent of landlord did not validate search of rented premises without warrant, and articles seized not admissible in evidence in criminal trial in federal court. *Chapman v. United States*, p. 610.

2. *Electronic listening devices—Admissibility of evidence.*—Eavesdropping by police using electronic listening device which penetrated wall of house occupied by defendants did not violate § 605 of Communications Act of 1934; but it did violate their rights under Fourth Amendment, and evidence so obtained was not admissible at their trial for gambling offenses. *Silverman v. United States*, p. 505.

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

COUNSEL. See **Constitutional Law**, II, 1-3.

COURT OF CLAIMS. See **Supreme Court; Taxation**, 1.

COURTS OF APPEALS. See Labor, 5.

CRIMINAL LAW. See also **Constitutional Law**, I, 2; II, 1-3; III, 2; IV; V; **Evidence**, 1-3; **Procedure**, 1, 3-5, 7-8; **Trial**, 1-2.

Multiple convictions and sentences—Stealing government property—Receiving same property.—Under 18 U. S. C. § 641, person may not be convicted and sentenced both for stealing government property and for receiving and concealing same property. *Milano- vich v. United States*, p. 551.

DAMAGES. See **Civil Rights**, 1-2; **Employers' Liability Act**; **Eminent Domain**.

DELAWARE. See **Constitutional Law**, III, 1.

DENATURALIZATION. See **Citizenship**; **Procedure**, 6.

DISCOVERY. See **Trial**.

DISCRIMINATION. See **Constitutional Law**, III; **Labor**, 1-3, 5; **Taxation**, 2-3.

DISMISSAL. See **Procedure**, 1, 3-4, 6.

DRUGS. See **Antitrust Acts**, 1.

DUE PROCESS. See **Civil Rights**, 1; **Constitutional Law**, II; IV; **Procedure**, 7-8.

EASEMENTS. See **Eminent Domain**.

EAVESDROPPING. See **Communications Act**; **Constitutional Law**, V, 2; **Evidence**, 2-3.

ELECTIONS. See **Labor**, 4.

ELECTRIC POWER. See **Antitrust Acts**, 3.

EMINENT DOMAIN.

Just compensation—Navigable waters—Destruction of privately owned flowage easement.—When construction of dam and reservoir on navigable river by Government destroyed privately owned flowage easement over adjacent land, owner of easement was entitled to compensation; measure of damages. *United States v. Virginia Electric & Power Co.*, p. 624.

EMPLOYERS' LIABILITY ACT.

Release—Consideration—Federal question.—When suit in state court under Federal Employers' Liability Act turned on validity of release, that presented federal question, and factual issue concerning presence of consideration for release should have been submitted to jury. *Maynard v. Durham & S. R. Co.*, p. 160.

EQUAL PROTECTION OF LAWS. See **Constitutional Law**, III.

EVIDENCE. See also **Citizenship; Communications Act, 1-2; Constitutional Law, IV; V.**

1. *Unlawful seizure by federal agents—Use in state court—Suit in federal court to enjoin.*—In suit in federal court to enjoin use in state court of narcotics seized by federal agents during search without warrant, complaint was properly dismissed for failure to state claim upon which relief could be granted. *Wilson v. Schnettler*, p. 381.

2. *Admissibility—Wiretapping—Use in state court—Injunction by federal court.*—A federal court may not enjoin use in a criminal trial in a state court of evidence obtained by wiretapping in violation of Federal Communications Act. *Pugach v. Dollinger*, p. 458.

3. *Admissibility—Eavesdropping—Electronic listening device.*—Eavesdropping by police using electronic listening device which penetrated wall of house occupied by defendants did not violate § 605 of Communications Act of 1934; but it violated their rights under Fourth Amendment, and evidence so obtained was not admissible in evidence at their trial for gambling offenses. *Silverman v. United States*, p. 505.

EXCESS PROFITS TAX. See **Taxation, 1.**

FEDERAL COMMUNICATIONS ACT. See **Communications Act.**

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

FEDERAL HOME LOAN BANK ACT. See **Taxation, 4.**

FEDERAL POWER COMMISSION. See **Natural Gas Act.**

FEDERAL RULES OF CIVIL PROCEDURE. See also **Procedure, 6.**

Amendments of Rules and Forms.—Order entered April 17, 1961, amending Federal Rules of Civil Procedure and certain forms used in connection therewith, effective July 19, 1961, to be reported later, p. 891.

FEDERAL RULES OF CRIMINAL PROCEDURE. See **Procedure, 7.**

FEDERAL SAVINGS AND LOAN ASSOCIATIONS. See **Taxation, 3-4.**

FEDERAL-STATE RELATIONS. See **Admiralty; Civil Rights, 1-2; Constitutional Law, I, 1; II; III; IV; Evidence, 1-2; Taxation, 2-4.**

FILING FEES. See **Constitutional Law, III, 2.**

FIRST AMENDMENT. See **Constitutional Law, I.**

- FLORIDA.** See **Constitutional Law**, II, 1, 3.
- FOREMEN.** See **Labor**, 2.
- FOURTEENTH AMENDMENT.** See **Civil Rights**, 1-2; **Constitutional Law**, I, 1-2; II, 1-3; III, 1-2; IV; **Procedure**, 4.
- FOURTH AMENDMENT.** See **Civil Rights**, 1; **Communications Act**; **Constitutional Law**, V; **Evidence**, 1, 3.
- FRAUD.** See **Citizenship**.
- FREEDOM OF SPEECH, PRESS AND ASSEMBLY.** See **Civil Rights**, 2; **Constitutional Law**, I, 1-2.
- GAS.** See **Natural Gas Act**.
- GEORGIA.** See **Constitutional Law**, II, 2.
- HABEAS CORPUS.** See **Constitutional Law**, II, 1, 3; III, 2.
- HIRING HALLS.** See **Labor**, 3.
- HOME OWNERS' LOAN ACT.** See **Taxation**, 4.
- HOSPITALS.** See **Admiralty**, 1.
- ILLINOIS.** See **Civil Rights**, 1-2; **Patents**, 2.
- IMMIGRATION AND NATIONALITY ACT.** See **Citizenship**.
- INDIANA.** See **Patents**, 2.
- INDICTMENTS.** See **Procedure**, 1.
- INDIGENTS.** See **Constitutional Law**, III, 2.
- INJUNCTIONS.** See **Antitrust Acts**, 1; **Evidence**, 1.
- INSPECTION.** See **Trial**, 1-2.
- INTEREST.** See **Taxation**, 1.
- IOWA.** See **Constitutional Law**, III, 2.
- JENCKS ACT.** See **Trial**, 1-2.
- JUDGMENTS.** See **Antitrust Acts**, 1; **Taxation**, 1.
- JURISDICTION.** See **Labor**, 5; **Patents**, 2; **Procedure**, 1.
- KU KLUX ACT.** See **Civil Rights**, 1.
- LABOR.** See also **Admiralty**, 1; **Employers' Liability Act**; **Procedure**, 1.

1. *National Labor Relations Act—Closed-shop agreement—Refund of dues.*—When Board found that unions had violated § 8 (b) (1) (A) and § 8 (b) (2) by establishing and maintaining closed-shop preferential hiring conditions and causing employer to refuse to hire certain applicants, Board was not authorized by § 10 (c) to require unions

LABOR—Continued.

to refund dues and fees paid by their members. *Carpenters Local v. Labor Board*, p. 651; *Teamsters Local v. Labor Board*, p. 667; *Labor Board v. News Syndicate Co.*, p. 695.

2. *National Labor Relations Act—Closed-shop agreement—Requirement that union foremen do hiring.*—Requirement of collective bargaining agreement that hiring be done by union foremen and that employer comply with union rules "not in conflict with" federal law, not unlawful *per se*. *Labor Board v. News Syndicate Co.*, p. 695; *Typographical Union v. Labor Board*, p. 705.

3. *National Labor Relations Act—Closed-shop agreement—Hiring hall.*—Hiring hall arrangements not unlawful unless they actually result in discriminations prohibited by the Act. *Teamsters Local v. Labor Board*, p. 667.

4. *National Labor Relations Act—Representative elections—Refusal to enforce Board's order—Inconsequential error in corporate name of employer.*—Court of Appeals erred in refusing to enforce order of Board in representative election solely because notices of election contained minor and unconfusing mistake in employer's corporate name. *Labor Board v. Mattison Machine Works*, p. 123.

5. *National Labor Relations Act—Board findings—Scope of review by Court of Appeals.*—Court of Appeals did not go beyond proper scope of review in holding that record did not support Board's finding that, in practice, employer maintained and enforced closed-shop and preferential hiring conditions which violated Act. *Labor Board v. News Syndicate Co.*, p. 695.

LABOR MANAGEMENT RELATIONS ACT, 1947. See **Procedure**, 1.

LACHES. See **Citizenship**.

LANDLORD AND TENANT. See **Constitutional Law, V**; **Taxation**, 2.

LARCENY. See **Criminal Law**.

LIMITATIONS. See **Citizenship**.

LOANS. See **Taxation**, 4.

LOBBYING. See **Antitrust Acts**, 2.

MAINTENANCE AND CURE. See **Admiralty**, 1.

MICHIGAN. See **Taxation**, 3.

MISREPRESENTATION. See **Citizenship**.

MONOPOLY. See **Antitrust Acts**, 1-3.

- MOTION PICTURES.** See **Constitutional Law**, I, 1.
- MOTOR CARRIERS.** See **Antitrust Acts**, 2; **Labor**, 3.
- MULTIPLE CONVICTIONS.** See **Criminal Law**.
- MUNICIPALITIES.** See **Civil Rights**, 1-2; **Constitutional Law**, I, 1.
- NARCOTICS.** See **Evidence**, 1.
- NATIONAL BANKS.** See **Taxation**, 3.
- NATIONAL HOUSING ACT.** See **Taxation**, 2.
- NATIONAL LABOR RELATIONS ACT.** See **Labor**, 1-5.
- NATURAL GAS ACT.**
Application under § 7—Sale for consumption by industrial user—Matters considered by Commission.—On application by pipeline company for certification under § 7 (e) of transportation of gas for public utility company which had purchased it directly from producers for consumption under its own boilers, Commission did not exceed authority or abuse discretion by denying application after considering desirability of such use, possibility of pre-emption of pipeline capacity and gas reserves by industrial users, and effect of high price agreed upon. *Federal Power Comm'n v. Transcontinental Pipe Line Co.*, p. 1.
- NATURALIZATION.** See **Citizenship**.
- NAVIGABLE WATERS.** See **Eminent Domain**.
- NEGROES.** See **Civil Rights**, 1; **Constitutional Law**, II, 1; III, 1.
- NEW YORK.** See **Admiralty**, 1.
- PATENTS.**
1. *Infringements—Combinations—Manufacture and sale of unpatented component.*—When a patent covered only the combination of certain unpatented components into flexible convertible automobile tops, manufacture and sale of flexible top fabric for use in replacing original fabric did not constitute either direct or contributory infringement. *Aro Mfg. Co. v. Convertible Top Co.*, p. 336.
2. *Infringement suits—Venue—Waiver.*—In patent infringement suit in federal district court in Indiana, an Illinois manufacturer which openly assumed and controlled defense of its Indiana customer did not thereby as matter of law subject itself to jurisdiction of court in Indiana or waive venue requirements of 28 U. S. C. § 1400. *Schnell v. Peter Eckrich & Sons*, p. 260.
- PAUPERS.** See **Constitutional Law**, III, 2.

PERSONAL INJURIES. See **Admiralty; Employers' Liability Act.**

PIPELINES. See **Natural Gas Act.**

PLEADINGS. See **Civil Rights, 1.**

POLICE. See **Civil Rights, 1.**

PRICE MAINTENANCE. See **Antitrust Acts, 1.**

PROCEDURE. See also **Admiralty, 2; Antitrust Acts, 1; Constitutional Law, II; III, 2; IV; Employers' Liability Act; Evidence, 1-3; Federal Rules of Civil Procedure; Labor, 4, 5; Taxation, 1; Trial.**

1. *Supreme Court—Direct appeal from district court—Dismissal of indictment—Abstract question.*—On direct appeal from order of district court dismissing indictment under § 302 of Labor Management Relations Act, 1947, on ground it did not apply to loans, order set aside and case remanded for trial on indictment when record presented only abstract question. *United States v. Fruehauf*, p. 146.

2. *Supreme Court—Diversity of citizenship case—Subsequent change in state decisional law.*—When judgment below in diversity of citizenship case was based on what appeared to be applicable state law but recent dictum of state supreme court cast doubt on it, judgment vacated and cause remanded. *Nolan v. Transocean Air Lines*, p. 293.

3. *Supreme Court—Certiorari—Dismissal when improvidently granted.*—Where certiorari was granted but record revealed that circumstances did not warrant it, writ dismissed. *Bullock v. South Carolina*, p. 292.

4. *Supreme Court—Certiorari—Dismissal when improvidently granted.*—When certiorari was granted in belief that decision of state supreme court presented question under Fourteenth Amendment, but record did not adequately establish that such a question was presented to it, certiorari was dismissed as improvidently granted. *Newsom v. Smyth*, p. 604.

5. *Supreme Court—Certiorari—Affirmance of judgment below.*—When certiorari was granted in federal criminal case on misapprehension as to issues and there was no merit to petitioner's arguments, judgment of Court of Appeals was affirmed. *Coppola v. United States*, p. 762.

6. *District courts—Dismissal of denaturalization proceeding—Failure to specify it was "without prejudice."*—Dismissal of denaturalization proceeding for failure to file affidavit of good cause was "for lack of jurisdiction" within meaning of Rule 41 (b) of Federal

PROCEDURE—Continued.

Rules of Civil Procedure; failure to specify that it was "without prejudice" did not bar second denaturalization proceeding. *Costello v. United States*, p. 265; *United States v. Lucchese*, p. 290.

7. *District courts—Criminal cases—Right of defendant to speak before sentencing—Technical defect in sentence.*—On motions under Rule 35 of Federal Rules of Criminal Procedure to vacate sentence for aggravated bank robbery, record did not support claim that defendant was not given opportunity to speak before sentencing, as required by Rule 32 (a), and technical defect in sentence did not invalidate it. *Green v. United States*, p. 301.

8. *District courts—Criminal trials—Fair administration of justice.*—When defendant was convicted on four counts of five-count indictment under narcotics laws, and Solicitor General suggested to this Court that the combination of circumstances, beginning with one judge's clearly expressed intention to impose a five-year sentence and ending with another judge's imposition of a twenty-year sentence, was not consistent with the orderly administration of criminal justice, this Court set aside all but a five-year sentence on which defendant had originally pleaded guilty. *Saldana v. United States*, p. 646.

PRODUCTION OF DOCUMENTS. See **Trial**, 1-2.

PROPAGANDA. See **Antitrust Acts**, 2; **Constitutional Law**, I, 2.

PUBLIC UTILITIES. See **Natural Gas Act**.

RACIAL DISCRIMINATION. See **Constitutional Law**, III, 1.

RAILROADS. See **Antitrust Acts**, 2; **Employers' Liability Act**.

RECEIVING STOLEN PROPERTY. See **Criminal Law**.

REFUNDS. See **Labor**, 1.

RELEASES. See **Employers' Liability Act**.

REMEDIES. See **Antitrust Acts**, 1; **Civil Rights**; **Labor**, 1, 4.

RESTAURANTS. See **Constitutional Law**, III, 1.

RESTRAINT OF TRADE. See **Antitrust Acts**, 1-3.

RIGHT TO COUNSEL. See **Constitutional Law**, II, 1-3.

RULES OF CIVIL PROCEDURE. See **Federal Rules of Civil Procedure**; **Procedure**, 6.

RULES OF CRIMINAL PROCEDURE. See **Procedure**, 7.

SAVINGS AND LOAN ASSOCIATIONS. See **Taxation**, 3-4.

SEAMEN. See **Admiralty**.

SEARCH AND SEIZURE. See **Civil Rights**, 1; **Constitutional Law**, V, 1-2; **Evidence**, 1, 4.

SELF-INCRIMINATION. See **Constitutional Law**, IV.

SENTENCE. See **Criminal Law; Procedure**, 7-8.

SHERMAN ACT. See **Antitrust Acts**, 1-3.

SHIPOWNERS. See **Admiralty**, 1.

SOUTH CAROLINA. See **Procedure**, 3; **Taxation**, 4.

STAMP TAXES. See **Taxation**, 4.

STATUTE OF FRAUDS. See **Admiralty**, 1.

SUPREME COURT. See also **Procedure**, 1-5.

Mr. Justice Reed (retired) designated to perform judicial duties on Court of Claims, p. 825.

TAXATION.

1. *Excess profits tax—Judgment for overpayment—Interest.*—When Court of Claims has awarded judgment against United States to taxpayer for overpayment of excess profits taxes, interest on part of judgment attributable to unused excess profits credit carry-back is governed by § 3771 (e) of Internal Revenue Code of 1939, rather than by 28 U. S. C. § 2411 (a). *Bulova Watch Co. v. United States*, p. 753.

2. *State taxes—Discrimination against United States—Private leaseholds on Air Force base.*—State taxation of privately owned Wherry Act leaseholds of housing developments on federally owned Air Force base entirely unconstitutional when it taxed such leaseholds on higher valuation than leaseholds on state-owned lands; federal court could not levy lower taxes for State. *Moses Lake Homes v. Grant County*, p. 744.

3. *State taxes—National banks—Discrimination.*—Michigan tax on shares of national banks at higher rate than tax on shares of federal and state savings and loan associations held not so discriminatory as to violate R. S. § 5219. *Michigan Nat. Bank v. Michigan*, p. 467.

4. *State taxes—Federal home loan banks—"Advances" to federal savings and loan associations.*—State may not require tax stamps on notes of federal savings and loan association covering loans from federal home loan bank. *Laurens Fed. Sav. & Loan Assn. v. South Carolina Tax Comm'n*, p. 517.

TRADE ASSOCIATIONS. See **Antitrust Acts**, 2; **Labor**, 3.

TRANSPORTATION. See **Antitrust Acts**, 2; **Employers' Liability Act**; **Labor**, 3; **Natural Gas Act**.

TRIAL. See also **Constitutional Law**, II; IV; V; **Evidence**, 1-3.

1. *Criminal cases—Jencks Act—Duty of trial judge in determining whether document in question is "statement" which defense is entitled to inspect.*—When defense moved to inspect statement made and signed by witness and Government denied possession of it but admitted possession of F. B. I. summary of interview with him, it was error for trial judge to rely on witness' denial that summary was his statement and to deny motion without calling F. B. I. agent who had prepared summary. *Campbell v. United States*, p. 85.

2. *Criminal cases—Jencks Act—"Statement"—Failure to produce.*—When government witnesses testified to conversations with defendants and admitted that they had prepared memoranda of such conversations, such memoranda were "statements" within meaning of 28 U. S. C. § 3500, and failure to produce some of them was reversible error. *Clancy v. United States*, p. 312.

TRUCKERS. See **Antitrust Acts**, 2; **Labor**, 3.

UNIONS. See **Labor**, 1-5; **Procedure**, 1.

VENUE. See **Patents**, 2.

WASHINGTON. See **Taxation**, 2.

WATER POWER. See **Eminent Domain**.

WHERRY ACT. See **Taxation**, 2.

WIRETAPPING. See **Communications Act**; **Evidence**, 2-3.

WITNESSES. See **Constitutional Law**, I, 2; **Trial**, 1-2.

WORDS.

1. *"Advances."*—Federal Home Loan Bank Act, § 13. *Laurens Fed. Sav. & Loan Assn. v. South Carolina Tax Comm'n*, p. 517.

2. *"At a greater rate than . . . other moneyed capital . . . coming into competition with the business of national banks."*—R. S. § 5219. *Michigan National Bank v. Michigan*, p. 467.

3. *"For lack of jurisdiction."*—Federal Rules of Civil Procedure, 41 (b). *Costello v. United States*, p. 265; *United States v. Lucchese*, p. 290.

4. *"Occupation."*—Petition for naturalization under Immigration and Nationality Act of 1952. *Costello v. United States*, p. 265.

5. *"Statement."*—18 U. S. C. § 3500. *Campbell v. United States*, p. 85; *Clancy v. United States*, p. 312.

6. *"Under color of" state law.*—R. S. § 1979. *Monroe v. Pape*, p. 167.

















