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MOOTNESS. See also **Bankruptcy; Constitutional Law, II, 1-2; V, 1; Injunctions; Labor.**

Joint judgment—Payment by one party—Suit for contribution.—Payment by payee of check of a joint judgment against payee and the bank does not moot the case since the payee can still sue the petitioner bank for contribution. *Bank of Marin v. England*, p. 99.

MOTIONS. See **Procedure, 4.**

MURDER. See **Constitutional Law, III, 3; Juries; Procedure, 2.**

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

NATIONAL BANK ACT.

Branch banks—Competitive equality between national and state banks.—The provisions of the Act, 12 U. S. C. § 36 (c), place national and state banks on a basis of “competitive equality” as far as branch banking is concerned, and national banks may establish branches only in accordance with all requirements and conditions applicable to state banks by state law. *First Nat. Bank v. Walker Bank*, p. 252.

NATIONAL EMERGENCY. See **Criminal Law**, 4; **Passports**.

NATIONAL LABOR RELATIONS BOARD. See also **Injunctions**; **Labor**.

1. *Arbitration—Collective bargaining agreement—Unfair labor practice.*—The compulsory arbitration provision in the collective bargaining agreement did not preclude the NLRB from finding that the employer committed an unfair labor practice by refusing to furnish the union with information necessary to the proper performance of its representative duties. *NLRB v. Acme Industrial Co.*, p. 432.

2. *Collective bargaining agreement—Premium pay plan—Unfair labor practice.*—NLRB was not without jurisdiction to adjudicate an unfair labor practice charge merely because its decision required the interpretation of a provision of the collective bargaining agreement relied on as a defense by the employer. *NLRB v. C & C Plywood Corp.*, p. 421.

NATIONAL QUOTAS. See **Immigration and Nationality Act**.

NATURAL GAS ACT.

Jurisdiction of FPC—Abandonment of facilities—Approval by FPC.—Petitioner's refusal to continue receiving natural gas for transportation in interstate commerce constituted an abandonment of “facilities” and “service” which, under § 7 (b) of the Act, required FPC approval. *United Gas Pipe Line v. FPC*, p. 83.

NATURALIZATION. See also **Judicial Review**, 2.

Petition for naturalization—Burden of proof.—In naturalization proceedings, as distinguished from deportation or denaturalization cases where the Government must prove its case by clear, unequivocal, and convincing evidence, the burden is on the alien to show his eligibility in every respect. *Berenyi v. Immigration Director*, p. 630.

NEGROES. See **Constitutional Law**, III, 3; V, 2; **Juries**; **Jurisdiction**, 1; **Procedure**, 2.

NEW HAMPSHIRE SWEEPSTAKES. See **Criminal Law**, 1.

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NEW MEXICO-ARIZONA ENABLING ACT.

Disposition of trust lands—State highway use.—Consistent with the essential purposes of the Act, the restrictions on the manner of disposition of trust lands are not applicable to acquisitions by the State for its highway program, but the State must compensate the trust in money for the full appraised value of any material sites or rights of way it obtains over the trust lands. *Lassen v. Arizona Highway Dept.*, p. 458.

NEWSWORTHY ITEMS. See **Constitutional Law**, V, 3.

NEW TRIAL. See **Evidence**, 2; **Trial**.

NEW YORK. See **Attorneys**; **Constitutional Law**, II, 1-2; V, 1, 3; VI, 1.

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NOTICE. See **Bankruptcy**; **Mootness**.

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OVERLAPPING OFFENSES. See **Constitutional Law**, I.

PARTIES. See **Railroad Adjustment Board**.

PASSPORTS. See also **Criminal Law**, 4.

Area restrictions—Travel to Cuba—Validity of passports.—Area restrictions upon the use of an otherwise valid passport are not criminally enforceable under § 215 (b) of the Immigration and Nationality Act of 1952. *United States v. Laub*, p. 475; *Travis v. United States*, p. 491.

PERIODICALS. See **Constitutional Law**, V, 3.

PERSONAL INJURIES. See **Federal Prisoners**.

PETITION FOR NATURALIZATION. See **Judicial Review**, 2; **Naturalization**.

PETIT JURIES. See **Constitutional Law**, II, 3; III, 3; VII, 1; **Juries**; **Procedure**, 1-3.

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- POOR PERSONS.** See **Constitutional Law**, III, 2.
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- POST-CONVICTION PROCEEDINGS.** See **Constitutional Law**, III, 2.
- POVERTY.** See **Constitutional Law**, III, 2.
- PREFERENTIAL RATES.** See **Interstate Commerce Commission**, 3.
- PREMIUM PAY PLAN.** See **National Labor Relations Board**, 2.
- PRETRIAL PROCEDURE.** See **Procedure**, 4.
- PRICE INCREASES.** See **Natural Gas Act**.
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- PRIOR CONVICTIONS.** See **Constitutional Law**, II, 3; **Procedure**, 3.
- PRISON EMPLOYMENT.** See **Federal Prisoners**.
- PRISONERS.** See **Constitutional Law**, III, 2; **Federal Prisoners**.
- PRISONS.** See **Trespass**.
- PRIVACY.** See **Constitutional Law**, IV, 2; V, 3.
- PRIVILEGE.** See **Attorneys**; **Constitutional Law**, VI; **Evidence**, 1-2; **Procedure**, 5-6; **Trial**.
- PROCEDURE.** See also **Constitutional Law**, I; II, 3; III, 2-3; VI, 1-2; **Deportation**; **Employer and Employee**; **Evidence**, 1-2; **Injunctions**; **Interstate Commerce Commission**, 3; **Judicial Review**, 1-2; **Juries**; **Labor**; **Naturalization**; **Railroad Adjustment Board**; **Supreme Court**, 2; **Trial**.

1. *Criminal law—Confessions—Finding of voluntariness by trial judge.*—The trial judge need not make formal findings of fact or write an opinion, but it must clearly appear from the record that he made a primary finding of voluntariness before the confession was introduced into evidence before the jury. *Sims v. Georgia*, p. 538.

2. *Criminal law—Discrimination in jury selection—Retrial.*—Persons whose state court convictions are set aside for jury discrimination may be retried by the State under procedures which conform to constitutional requirements. *Whitus v. Georgia*, p. 545.

PROCEDURE—Continued.

3. *Criminal law—Recidivist statutes—Due process.*—Texas' use of prior convictions in the petitioners' current criminal trials did not offend the provisions of the Due Process Clause of the Fourteenth Amendment. *Spencer v. Texas*, p. 554.

4. *Denial of motion for summary judgment granting a permanent injunction—Not "interlocutory"—Not appealable under 28 U. S. C. § 1292 (a)(1).*—Since denial of motion for summary judgment granting permanent injunction related only to pretrial procedures and not to the merits, it was not "interlocutory" and therefore not appealable under § 1292 (a)(1). *Switzerland Assn. v. Horne's Market*, p. 23.

5. *Self-incrimination Clause—Comment on failure to testify—Failure to object at trial.*—Petitioner's failure to object at trial and during appeal in state courts to prosecutor's comment on his failure to testify in criminal trial which resulted in his conviction, review of which was being sought in this Court when *Griffin v. California* was decided, held not to foreclose petitioner's right to attack as unconstitutional the practice of making such comment following its invalidation in *Griffin*. *O'Connor v. Ohio*, p. 92.

6. *Supreme Court—Jurisdiction issue postponed—Appeal dismissed and certiorari granted.*—New Jersey's forfeiture-of-office statute is too tangentially involved to satisfy the requirements of 28 U. S. C. § 1257 (2); the appeal is dismissed, the papers are treated as a petition for certiorari, and certiorari is granted. *Garrity v. New Jersey*, p. 493.

PRODUCTION OF RECORDS. See **Attorneys; Constitutional Law**, VI, 1.

PROOF. See **Constitutional Law**, III, 3; **Criminal Law**, 4; **Judicial Review**, 2; **Juries; Naturalization; Passports; Procedure**, 2.

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RAILROAD ADJUSTMENT BOARD.

Work-assignment dispute — Automation — Collective bargaining agreements.—The Board must exercise its exclusive jurisdiction to settle entire work-assignment dispute between competing unions in one proceeding. *Transportation Union v. U. P. R. Co.*, p. 157.

RAILROAD RATES. See **Interstate Commerce Commission**, 2-3.

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RAILWAY LABOR ACT. See **Employer and Employee**; **Railroad Adjustment Board**.

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RECKLESS HOMICIDE. See **Constitutional Law**, I.

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- SEARCH AND SEIZURE.** See Constitutional Law, IV; Criminal Law, 2-3, 5.
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- SEDITION.** See Constitutional Law, II, 1-2; V, 1.
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2. *Rules—Delay in docketing appeal—Exercise of discretion.*—Court's exercise of discretion not warranted where 22-day delay beyond time fixed by its Rule 13 (1) for docketing appeals was inadequately accounted for. *Pittsburgh Towing v. Barge Line*, p. 32.

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1. *Immunity from state taxation—Red Cross—Federal instrumentality.*—The Red Cross is clearly a federal instrumentality for purposes of immunity from state taxation on its operations and Congress has not waived its immunity. *Dept. of Employment v. U. S.*, p. 355.

2. *Tax Injunction Act—Suit by United States—Eleventh Amendment.*—The Act, which prohibits district courts from enjoining the collection of state taxes where a "plain, speedy and efficient" state-court remedy is available, does not restrict a suit by the United States to enjoin the unconstitutional imposition of state taxes; nor does the Eleventh Amendment bar the action. *Dept. of Employment v. U. S.*, p. 355.

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- TREASON.** See **Constitutional Law**, II, 1-2; V, 1.
- TRESPASS.**
Demonstration on jail driveway—Evidence to support convictions.—Florida trespass statute as applied here to demonstrators on jail premises is aimed at conduct of limited kind and is not unconstitutionally vague, and there was ample evidence to support their trespass convictions for remaining on jail grounds after being directed to leave by the sheriff. *Adderley v. Florida*, p. 39.
- TRIAL.** See also **Confessions**; **Constitutional Law**, I; II, 3; III, 3; **Evidence**, 2; **Juries**; **Procedure**, 2-3, 5.
Monitored conversations between petitioner and counsel—Notes thereof available to government attorneys—New trial ordered.—In view of Solicitor General's report that notes of monitored conversations between petitioner and his counsel were made available to government attorneys the case is remanded for a new trial to make certain that petitioner is accorded a trial free from any inadmissible evidence. *Black v. United States*, p. 26.
- TRIAL JUDGES.** See **Confessions**; **Procedure**, 1.
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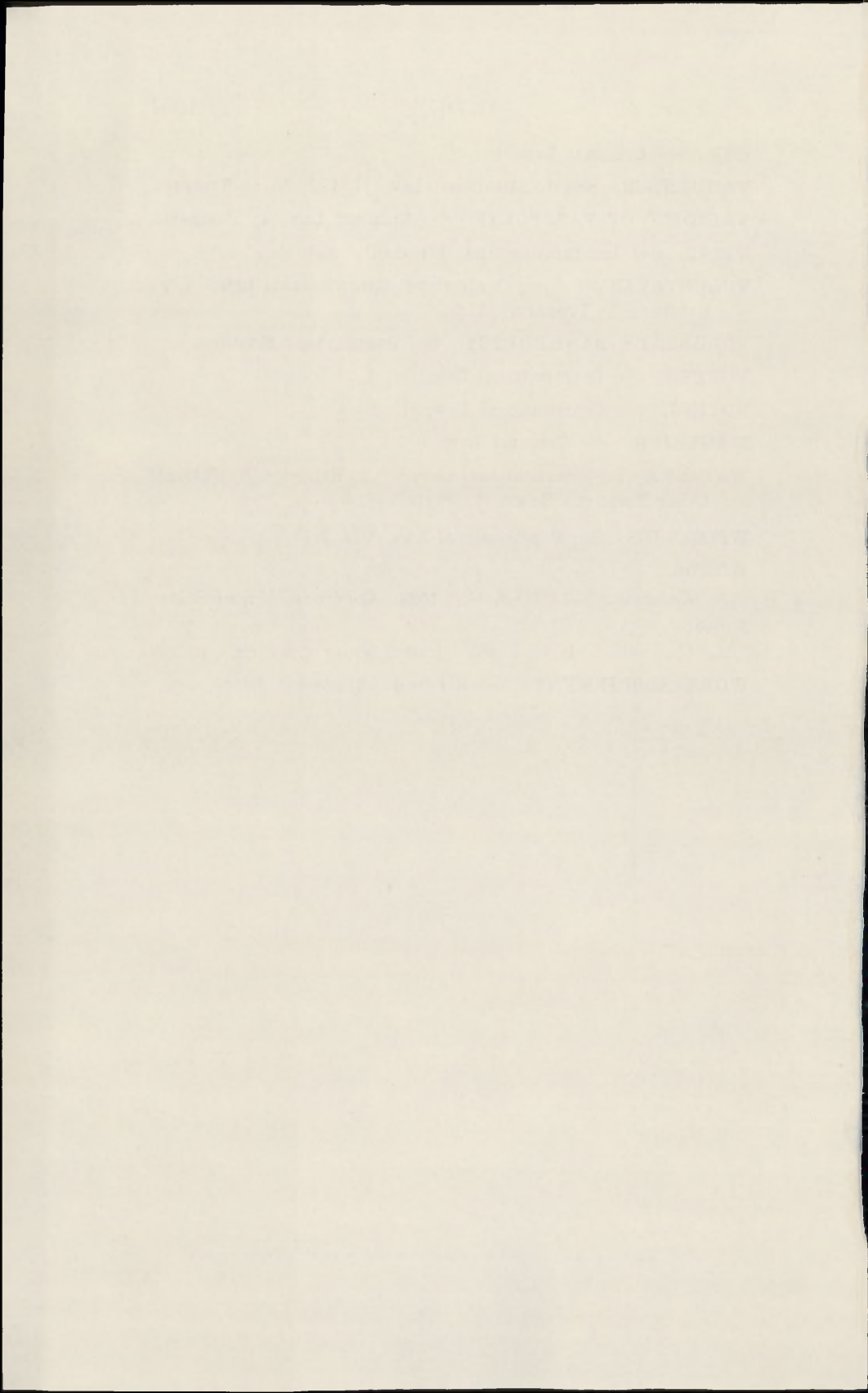
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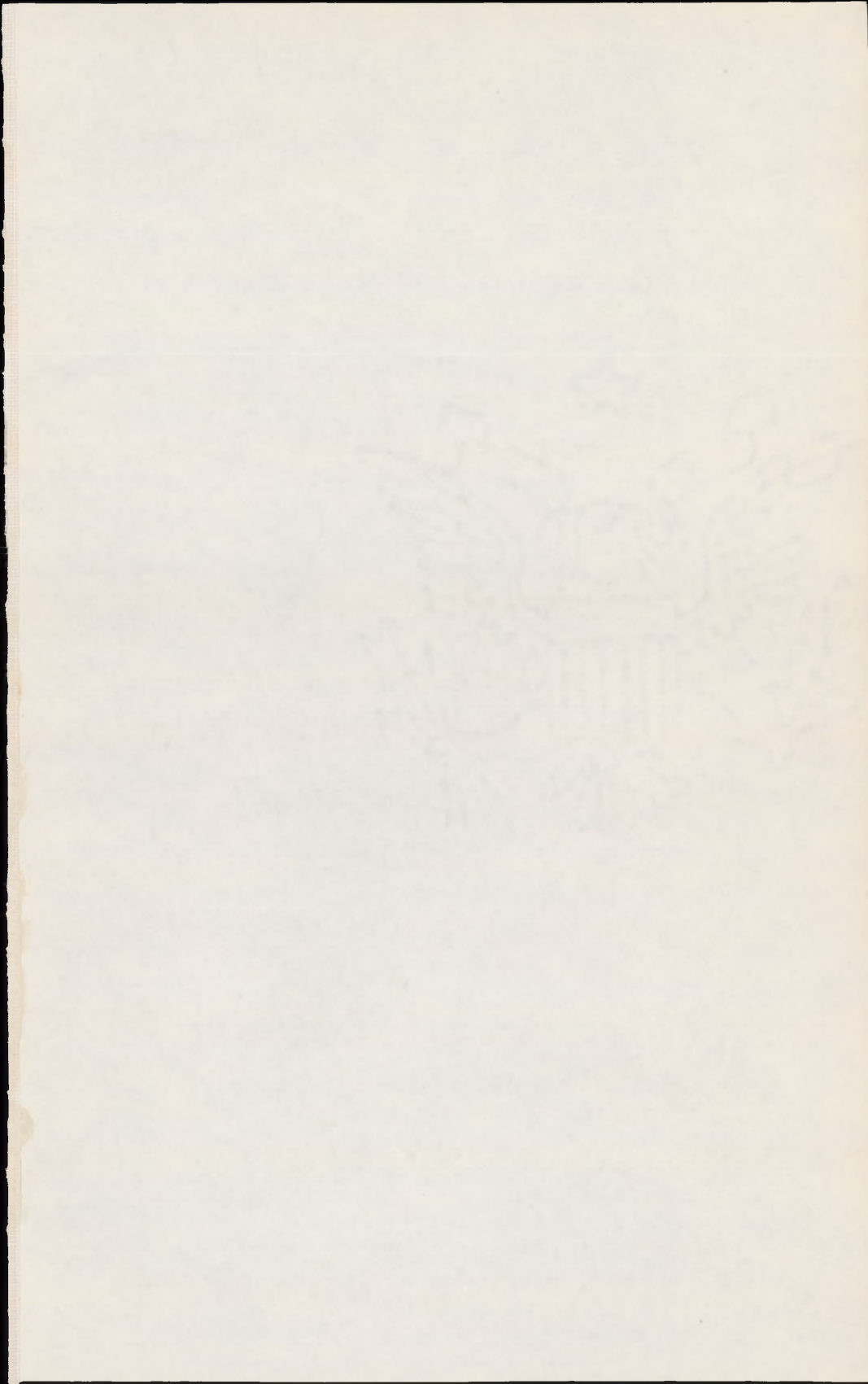
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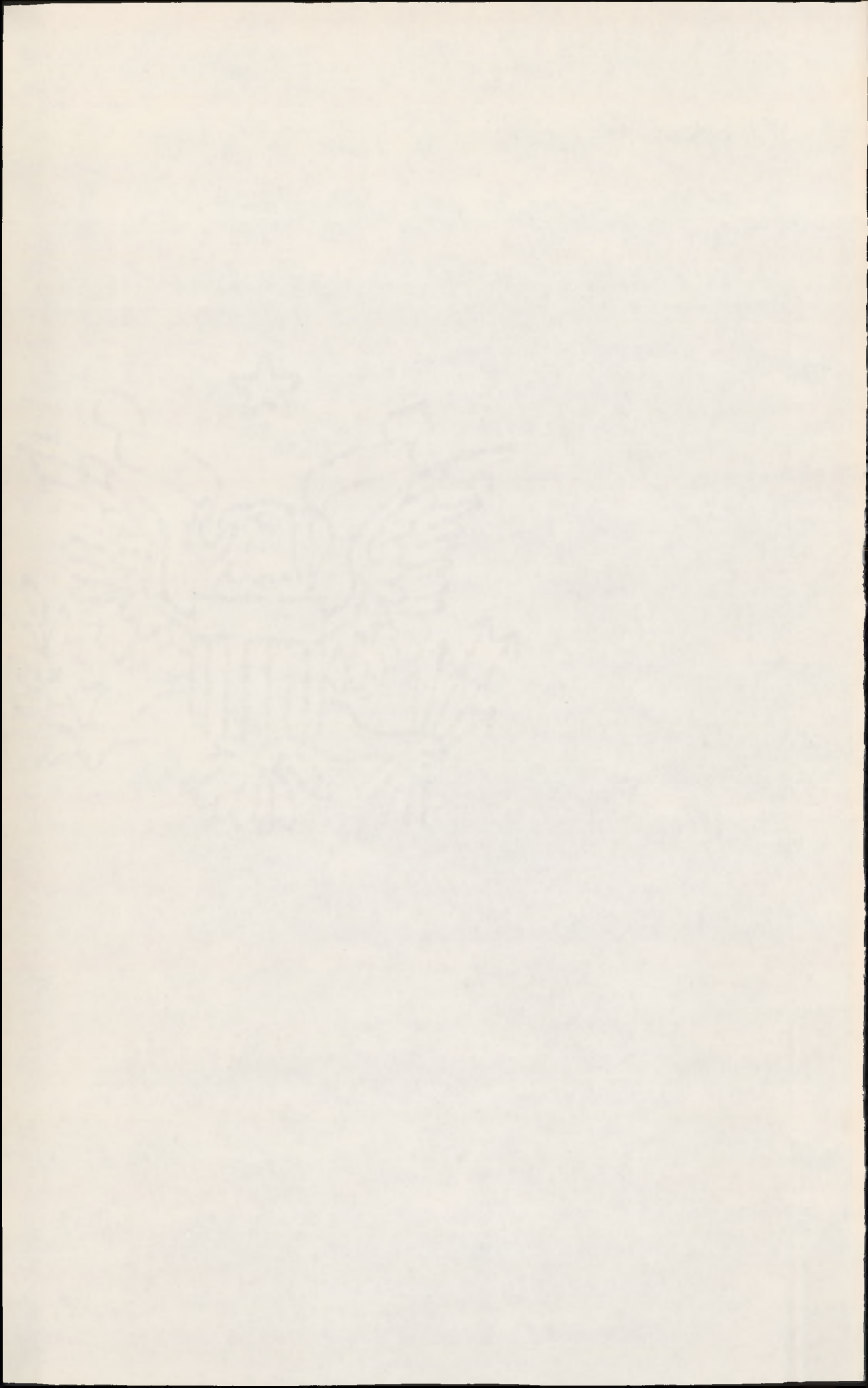
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2. "*Use*."—18 U. S. C. § 1953. *United States v. Fabrizio*, p. 263.

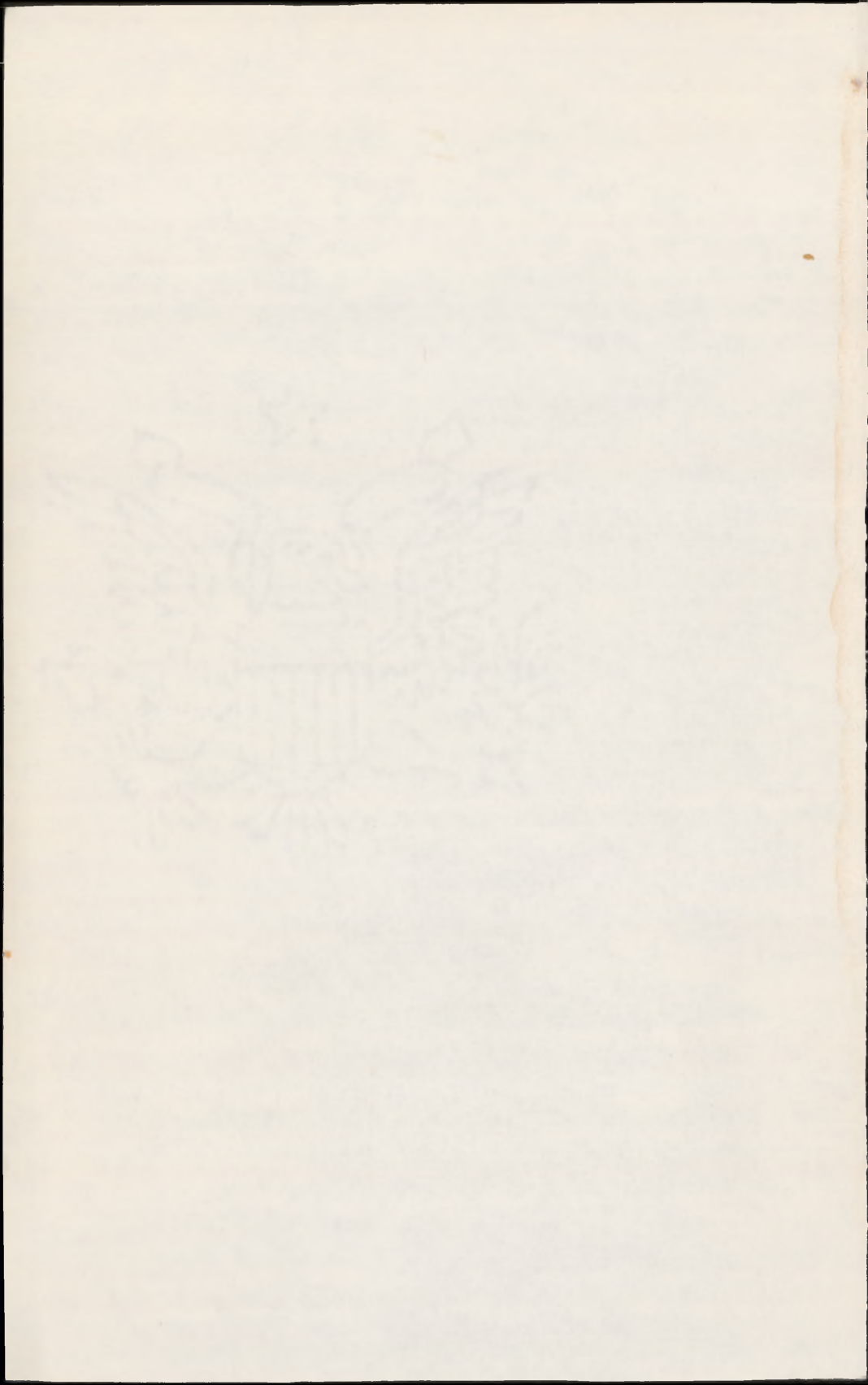
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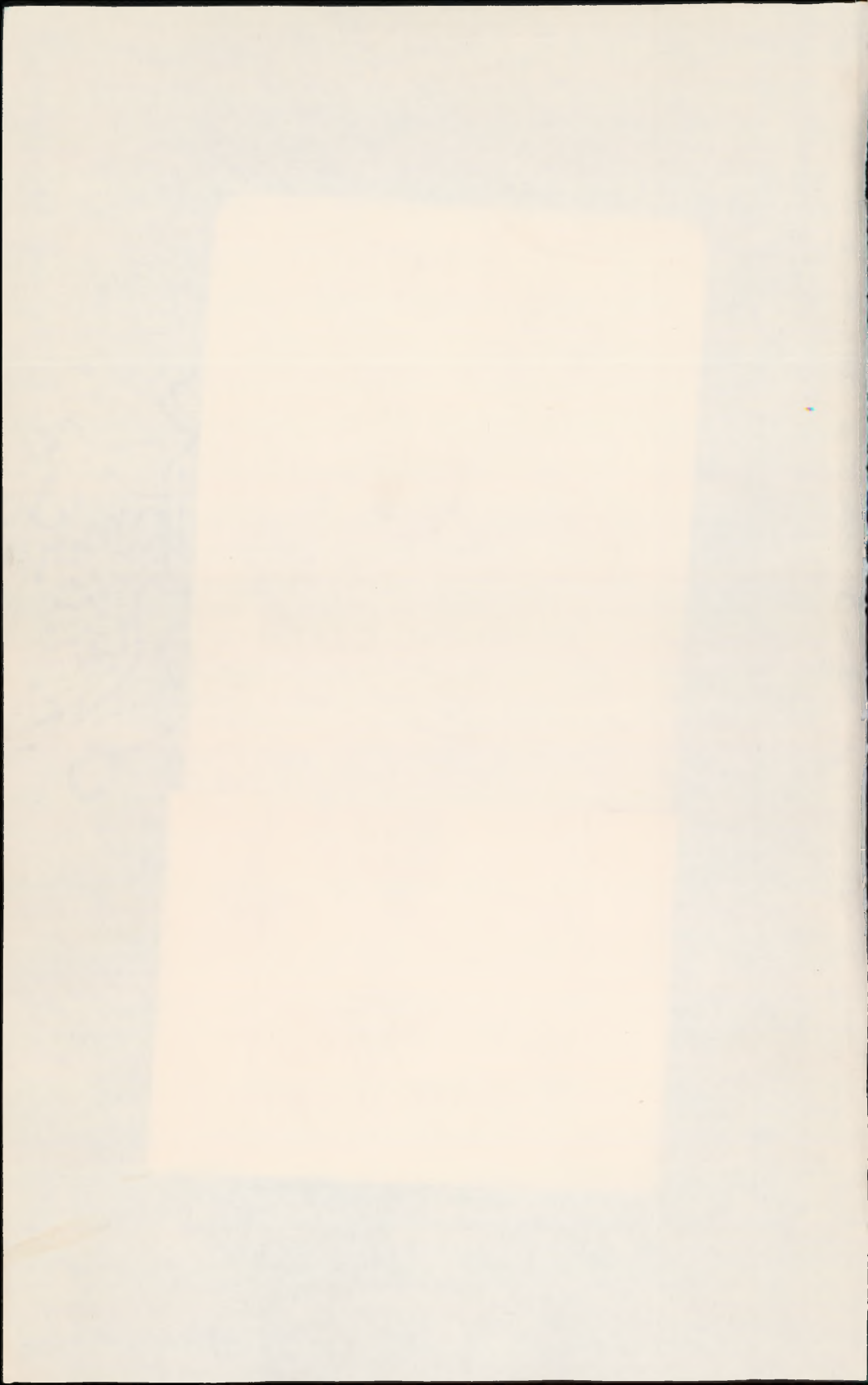












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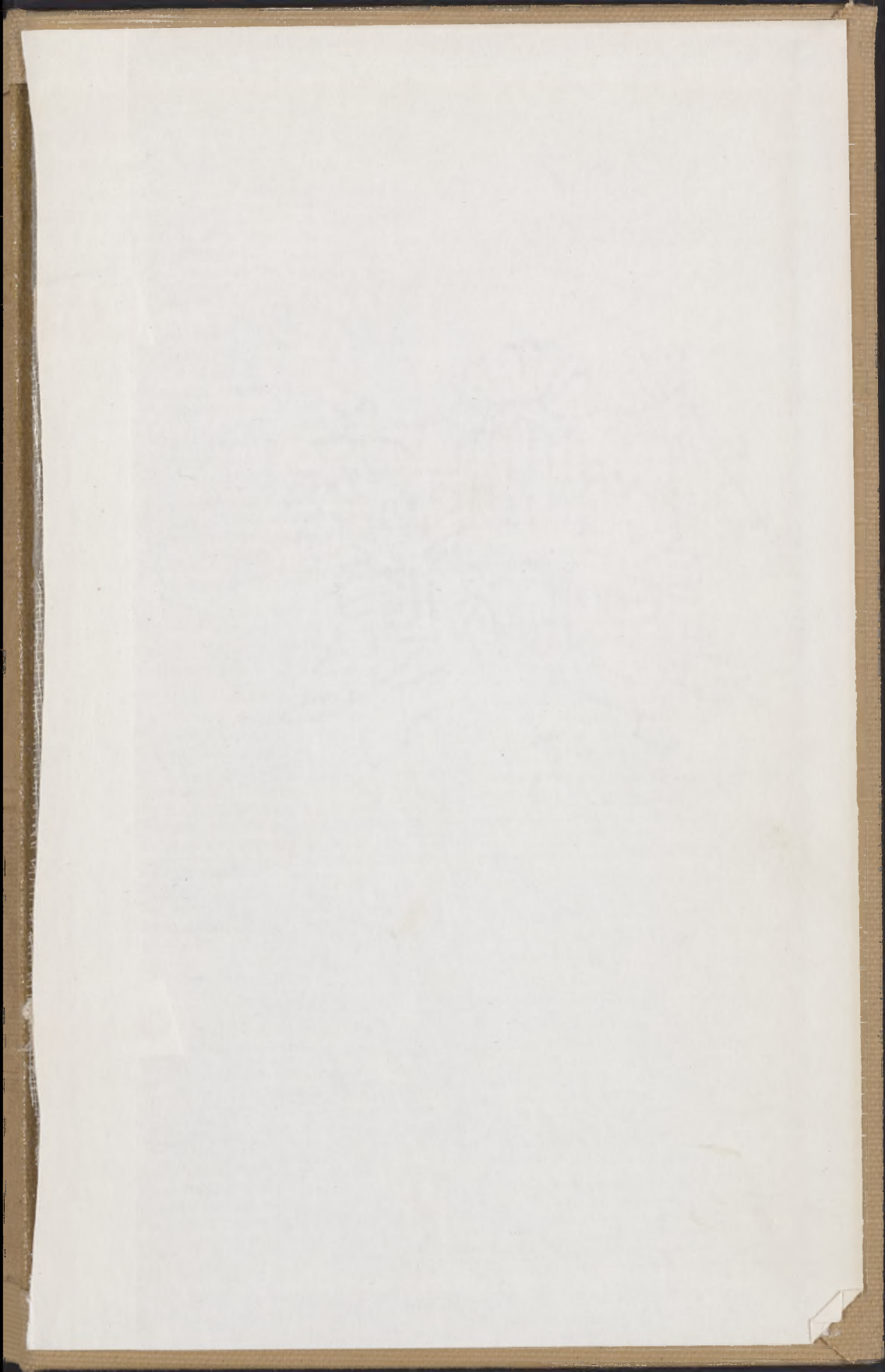
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