Fair hearing. One in which authority is fairly exercised; that is, consistently with the fundamental principles of justice embraced within the conception of due process of law. Contemplated in a fair hearing is the right to present evidence, to cross examine, and to have findings supported by evidence.

Fair hearing of an alien's right to enter the United States means a hearing before the immigration officers in accordance with the fundamental principles that inhere in due process of law, and implies that alien shall not only have a fair opportunity to present evidence in his favor, but shall be apprised of the evidence against him, so that at the conclusion of the hearing he may be in a position to know all of the evidence on which the matter is to be decided; it being not enough that the immigration officials meant to be fair.

The test of a "fair hearing" before the National Labor Relations Board is whether the issues were clearly defined, so that the employer could address itself to the charges made against it. National Labor Relations Board v. Air Associates, C.C.A.N.Y., 121 F.2d 586, 591.

See also **Fair trial.**

Fair and impartial jury. Means that every member of the jury must be a fair and impartial juror. City of San Antonio v. McKenzie Const. Co., 136 Tex. 315, 150 S.W.2d 989, 993. See **Fair and impartial trial.**

Fairly. Equitably, honestly, impartially, reasonably. Looney v. Elliott, Tex.Civ.App., 52 S.W.2d 949, 952. Justly; rightly. With substantial correctness. "Fairly merchantable" conveys the idea of mediocrity in quality, or something just above it. See also **Equitable; Fair.**

Fair play. Equity, justice and decency in dealings with another. See **Equity.**

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