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5. *Id. Presumption from Patent.* In absence of adverse suit, no presumption that anything was considered by Land Department, in patenting claim, except question of right to the surface. *Id.*

6. *Id. Duty to Adverse.* An application to patent a lode mining claim invites only such contests as affect surface; and where no surface conflict involves the apex, a prior locator of adjacent unpatented claim is not obliged to adverse to protect his right to follow his vein extralaterally on the dip. *Id.*

7. *Id. Conveyance.* Quitclaim of undivided interest in claim, held to pass only rights appertaining to that claim and not to affect extralateral rights appertaining to adjoining claim owned by grantor. *Id.*

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2. *Strict Construction.* Law should not be construed to tax same income twice, unless intent to do so clearly expressed. *Id.*

3. *Extra Tax; Purpose.* *Semble*, that purpose in taxing corporations and joint stock companies upon dividends of corporations that themselves pay tax was to discourage concentration of corporate power through holding companies and share ownership. *Id.*

4. *Suit against Collector.* Where tax sustained by Commissioner of Internal Revenue and invalidity under statute not clear, there is probable cause for its exaction by collector, and under Rev. Stats., § 989, in action against him, recovery will be from United States. *Id.*

5. *Id. Satisfaction; Set-off.* Where collector, with probable cause, collects excessive tax, amount due United States should be deducted from recovery, in action against him, and such deduction will conclude United States. *Id.*

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7. *Id. Valuation.* Valuation need not be limited to mere worth of articles taken separately, but may include intangible value due to organic relation of property in State to whole system. *Id.*
8. *Id. Methods.* Where tangibles constitute part of going concern operating in many States, and where absolute accuracy is impossible, court has sustained methods producing results approximately correct, *e. g.*, mileage basis in case of telegraph company, and average amount of property habitually brought in by car company. *Id.*
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