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2. *Id. Domestic Corporations.* State tax on all income of local corporations from business done outside and within State, which exempts entirely income derived from outside the State by local corporations which do no local business, violates equal protection clause. *Royster Guano Co. v. Virginia*. 412

3. *Domestic Corporations; Intangible Property.* Subject to tax although corporation does no business within State and has there no tangible property nor any papers by which intangible property is customarily evidenced; immaterial whether tax be considered a franchise or property tax. *Cream of Wheat Co. v. Grand Forks*. 325

4. *Id. Situs.* Limitation of Fourteenth Amendment upon power of State to tax property of residents which has acquired permanent situs outside the State does not apply to intangible property even though it has acquired a business situs and is taxable in another State. *Id.*

5. *Id. Double Taxation.* Fourteenth Amendment does not prevent double taxation. *Id.*

6. *Interstate Railroads; Assessment,* upon track mileage basis, invalid where cost of construction per mile is less within than without taxing State. *Wallace v. Hines*. 66

7. *Id. Property Beyond State,* cannot be taken into account unless it adds to value of road and rights exercised within taxing State. *Id.*

8. *Id.* Hence, possession of bonds secured by mortgage of lands in other States, or of a land grant elsewhere, affords no ground for increasing tax in taxing State, whether tax be a property or excise tax. *Id.*

- TAXATION—Continued.** PAGE
9. *Id.* North Dakota law, as administered, *held* an interference with interstate commerce and a taking of property without due process of law. *Id.*
10. *Public or Private Purpose.* Legislation which provides for engaging State in businesses of manufacturing and marketing farm products, and of providing homes for the people, and which appropriates money, creates a state banking system and authorizes bond issues and taxation for carrying scheme into effect, *held* not unconstitutional as respects taxpayers. *Green v. Frazier*. 233
11. *Id.* *Presumption* that purpose of tax is public; judgments of people, legislature and court of State accepted unless clearly unfounded. *Id.*
12. *Id.* *Policy of State*, or wisdom of legislation, not considered by this court in passing on constitutionality. *Id.*
13. *Tax-exempt Indian Allotments.* Right to refund of county taxes, paid under protest to avoid sales and imposition of penalties, in absence of statutory authority. *Ward v. Love County*. 17
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14. *Id.* Obligation not affected by fact that part of money paid over to State and absence of statute making county liable for taxes so paid. *Id.*
- TELEGRAPH COMPANIES.** See **Contracts**, 7, 8.
Negligence; Damages. One who, in repudiation of contract, sends telegram to stop payment on his draft, cannot recover amount from telegraph company for failure to deliver telegram in time. *Western Union Tel. Co. v. Brown*. 101
- TEXAS.** See **Procedure**, I.
- TIME.** See **Claims**, 4; **Limitations**.
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- TITLE.** See **Equity**, 1, 3; **Indians**, 7; **Public Lands**, II.
- TORTS.** See **Claims**, 3; **Contracts**, 1-3; **Equity**, 2; **Negligence**.

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TRANSPORTATION. See **Anti-Trust Act; Carriers; Interstate Commerce Acts.**

TRANSPORTATION ACT, 1920. See **Interstate Commerce Acts, IV, 1.**

TREATIES. See **Indians, 3-11.**

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TRUSTS AND TRUSTEES. See **Taxation, II, 1.**

1. *Expense of Defending Suit.* Surety on bail bond who had prior right of indemnity out of fund otherwise belonging to United States, held not entitled to reimbursement out of it for expense of defending proceedings by United States to enforce payment of bond. *Leary v. United States.* 94

2. *Id. United States; Costs.* Expense of protecting indemnity claim of surety in suit by which United States impounded fund may be charged against fund only as costs, which is inadmissible, the United States not being liable to costs directly or indirectly. *Id.*

3. *Id. Clerk's Poundage; Rev. Stats., § 828.* In allowing surety amount paid on judgment on bail bond, with interest, District Court properly deducted clerk's poundage. *Id.*

UNFAIR COMPETITION. See **Anti-Trust Act; Interstate Commerce Acts, I; Jurisdiction, III, 7.**

1. *Federal Trade Commission; Act Sept. 26, 1914; Sufficiency of Complaint.* Order to desist from unfair competition must correspond with complaint which Commission is required to issue and serve as basis for proceedings. *Federal Trade Comm. v. Gratz.* 421

2. *Id.* Where complaint, liberally construed, is plainly insufficient to show unfair competition, order will be annulled by the court. *Id.*

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3. *Id.* Commission's complaint, alleging sale in interstate commerce of steel ties for binding bales of cotton and of bagging, and refusal to sell ties unless purchaser bought from respondents bagging to be used with ties proposed to be bought, *held* insufficient to show unfair method of competition. *Id.*

UNIFORM BILL OF LADING. See **Interstate Commerce Acts**, II, 1.

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UNITED STATES. See **Army; Claims; Contracts**, 1-5; **Indians; Public Lands; Taxation**, I.
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