

INDEX.

ABATEMENT. See **Bankruptcy**, 3; **Parties**, 4.

ACCRETION. See **Boundaries**, 4.

ACQUIESCENCE. See **Claims**, 1-7.

ADEQUATE REMEDY AT LAW. See **Injunctions**.

ADMIRALTY:

| | Page. |
|---|-------|
| 1. <i>Collision</i> , damaging piles in navigable waters. <i>D. & W. Co. v. U. S.</i> | 33 |
| 2. <i>Id.</i> , action in tort for, not authorized against Director General of Railroads. <i>Standard Oil Co. v. So. Pac. Co.</i> | 146 |
| 3. <i>Id.</i> <i>Settlement</i> between Director General and owner whose vessel he operated, did not release owner's claim against owner of other vessel in collision. <i>Id.</i> | |
| 4. <i>Appeal</i> , tried <i>de novo</i> . <i>Id.</i> | |
| 5. <i>Damages</i> , how calculated, for loss of vessel, to ascertain value during period of war prices. <i>Id.</i> | |
| 6. <i>Personal Injuries</i> . Liability of ship-owner to employee not regulated by First Employers Liability Act. <i>S. S. Co. v. McHugh</i> | 23 |

ADMISSIONS. See **Evidence**, 5; **Procedure**, II, 3.

AGENCY. See **Interstate Commerce Acts**, 3; **Labor Unions**.

ALIENS. See **Constitutional Law**, IX, 9; **Trading with the Enemy Act**; **Treaties**.

| | |
|---|-----|
| 1. <i>Chinese Merchants</i> , wives and children of entitled to enter under treaty of 1880. <i>Cheung Sum Shee v. Nagle</i> ... | 336 |
| 2. <i>Id.</i> <i>Immigration Law</i> , of 1924, does not repeal this right. <i>Id.</i> | |
| 3. " <i>Non-Immigrant</i> ". Interpretation of in Immigration Law. <i>Id.</i> | |
| 4. <i>Chinese Women</i> , not naturalized by marrying American citizens. <i>Chang Chan v. Nagle</i> | 346 |
| 5. <i>Id.</i> Barred from entry by Immigration Act. <i>Id.</i> | |
| 6. <i>Id.</i> Visa does not qualify. <i>Id.</i> | |

ALIENS—Continued.

Page.

7. *Japanese*. Cannot be naturalized, in view of racial distinction made by Rev. Stats. 2169. *Toyota v. U. S.*..... 402
8. *Id.* Terms “any alien” and “any person of foreign birth” in statutes dispensing with formalities in case of aliens who rendered war service, not meant to do away with this distinction. *Id.*
9. *Filipinos*. Relation of to citizenship, and naturalization under acts referred to. *Id.*

AMENDMENTS. See **Interstate Commerce Acts**, 4-6; **Procedure**, II, 1.

ANCILLARY JURISDICTION. See **Jurisdiction**, III, 15.

ANTI-TRUST ACTS:

1. *Builders and Dealers Combination*, to escape trade union domination by limiting certain supplies to employers operating on open shop basis, *held*, local in intent and result, affecting interstate commerce only incidentally and indirectly. *Indus. Assn. v. U. S.*..... 64
2. *Abandoned Activities*, rejected as evidence of present violation of Sherman Act. *Id.*
3. *Id.*—as evidence of present illegal combination. *Maple Flooring Assn. v. U. S.*..... 563
Cement Manufacturers Assn. v. U. S...... 588
4. *Trade Associations*, not illegal combination. *Id. Id.*
5. *Gathering and Sharing of Information*, not unlawful. *Id. Id.*
6. *Judicial Decisions*. Effect of as precedents determined by facts of particular case. *Maple Flooring Mfrs. Assn. v. U. S.*..... 563
7. *Striking Coal Miners*. Conspiracy to stop coal production in order to prevent nonunion competition in interstate market and protect union wage scale. *Coronado Coal Co. v. United Mine Workers*..... 295
8. *Id.* *Evidence*, of production of mines relevant. *Id.*

APPOINTMENTS. See **Officers**.

ARMY. See **Officers**.

- Longevity Pay*. Officer can not count service in military academy. *United States v. Noce*..... 613

ASSESSMENTS.

Page.

Under Reclamation Act. See **Waters.**

ASSIGNMENTS. See **Bankruptcy**, 9; **Claims**, 9; **Guaranty.**

Book Accounts, assignment of as security for a debt, fraudulent in law if control left with debtor. *Benedict v. Ratner*.. 353

AUTOMOBILES. See **Public Lands**, 2.

BAILMENTS. See **Taxation**, I, 2.

BANKRUPTCY:

1. *General Orders and Forms*, authority of this court to make. *Meek v. Centre County Banking Co.*..... 426
2. *Id.* General Order 8 and Form 2 unauthorized—and revoked. *Id.*
3. *Revivor*, of involuntary proceeding by substitution of personal representative. *Id.*
4. *Partnership*, can not be adjudged bankrupt on petition of one of its members. *Id.*
5. *Id.* Section 5c relates only to venue or territorial jurisdiction. *Id.*
6. *Id.* *Voluntary Petition*, requisites of to bind partnership. *Id.*
7. *Act of Bankruptcy*, must be alleged. *Id.*
8. *Partners.* Petition by one partner against partnership, not maintainable against other partners individually. *Id.*
9. *Summary Proceeding.* Assignee for creditors, compellable summarily to pay trustee in bankruptcy amount of trust funds paid creditor by preference in fraud of assignment and creditors' agreement. *May, Trustee v. Henderson*..... 111
10. *Assignment*, of book accounts to secure debt, when void as fraud on creditors. *Benedict v. Ratner*..... 353
11. *Preferences.* *Id.*
12. *United States*, debts due, have no priority. *Borland v. U. S.*..... 315
13. *Preferred Claims.* Wages inferior to taxes, unless specifically preferred by some law. *Oliver v. U. S.*..... 1

BANKS. See **Guaranty**; **Negotiable Instruments.**

BILLS OF LADING. See **Interstate Commerce Acts**, 1, 3.

BONDHOLDERS. See **Railroads.**

BONDS. See **Public Lands**, 1.

BOOK ACCOUNTS. See Assignments.

Page.

BOUNDARIES:

1. State Boundary, decree. *New Mexico v. Colorado*..... 108
2. "Up the River." *Oklahoma v. Texas*..... 252
3. *Natural Boundary*, controls courses and distances. *Id.*
4. *River Bank Boundary*, public or private, changes with erosion and accretion. *Id.*
5. *Estoppel*. None where both parties know or have same means of knowing true location. *Id.*

BURDEN OF PROOF. See Evidence.

BROKERS. See Constitutional Law, IX, 12, 13.

CARRIERS. See Constitutional Law, IX, 1-8; **Employers Liability Act**; Interstate Comm. Acts; Railroads.

CHINESE. See Aliens, 4-6.

CITIZENS. See Aliens, 4-9; **Employers Liability Act**, 2.

CLAIMS:

1. *Discharge*, of other claims involved by payment of judgment of Court of Claims for part. Jud. Code § 178. *St. L., B. & M. Ry. v. U. S.*..... 169
2. *Acquiescence*, definition of. *Id.*
3. *Acceptance*, without protest of part allowed by accounting officers, not acquiescence preventing suit for disallowed part in Court of Claims. *Id.*
4. *Waiver* by United States of right to reject defective goods, by failure to act and give notice within reasonable time. *Reading Steel Casting Co. v. U. S.*..... 186
5. *Sales*. Contracts of with United States construed like private contracts. *Id.*
6. *Land Grant Rates; Acquiescence*. Where land grant rates claimed and accepted, railroad waives right to higher tariff rate. *Southern Pacific Co. v. U. S.*..... 263
Western Pacific R. R. Co. v. U. S...... 271
7. *Id. Protest*, endorsed on land grant rate bills saves right to claim more in Court of Claims. *Id.*
8. *Limitations* 6 years in Court of Claims. *Western Pacific R. R. Co. v. U. S.*..... 271
9. *Assignment*, of claim by court process not forbidden by R. S. § 3477. *Id.*
10. *Pay of de facto Officer*—equity of claim. *U. S. v. Royer*. 394

COMBINATIONS. See Anti-Trust Acts. Page.

COMITY. See Trading with the Enemy Act.

COMPROMISE. See Admiralty, 3; Parties, 1.

CONDEMNATION. See Constitutional Law, IX, 10, 11.

CONDITIONS. See Public Lands, 1.

CONFLICT OF LAWS. See Trading with the Enemy Act.

CONSTITUTIONAL LAW. See Search Warrant.

I. General, p. 719.

II. Judiciary, p. 719.

III. States, p. 719.

IV. Commerce Clause, p. 720.

V. Taxing Power, p. 720.

VI. First Amendment, p. 721.

VII. Fourth Amendment, p. 721.

VIII. Fifth Amendment, p. 721.

IX. Fourteenth Amendment, p. 721

X. Sixteenth Amendment, p. 722.

XI. Eighteenth Amendment, p. 722.

I. General.

1. *Construction of Statute*, to avoid unconstitutionally.
Linder v. U. S...... 5
Lewellyn v. Frick..... 238
2. *Unconstitutional Statute*. Status of party to attack.
Pierce v. Society of Sisters..... 510
3. *Separable Statute*. Constitutional part sustained without
passing on others not involved. *Weller v. New York*..... 319

II. Judiciary. See Jurisdiction.

Compensation. Duty of Congress to fix, and protection
against diminution. *Miles v. Graham*..... 501

III. States. See IV, IX, *infra*.

1. *Tax on Federal Lands*, for special improvements, void.
Lee v. Road Dist...... 643
2. *Transfer Taxation*, on legacy from resident decedent void
so far as measured by tangible personal property situate in
other States. *Frick v. Pennsylvania*..... 473
3. *Id.* Concurrence of taxing power of federal and state
governments. *Id.*

CONSTITUTIONAL LAW—Continued.

Page.

4. *Inheritance Laws* of State, have no extraterritorial operation. *Id.*
5. *Highways*. Assertion of state rights in by suit to enjoin federal officer from controlling traffic in National Park. *Colorado v. Toll*..... 228
See IX, 10, 11, *infra*.
6. *Federal Agency*. State statute authorizing action against by amendment of pleadings, contrary to federal law, void. *Davis v. Cohen Co.*..... 638

IV. Commerce Clause.

1. *Opium*. Power to prevent importation and penalize concealment. *Yee Hem v. U. S.*..... 178
2. *Grain Grading Act*, of North Dakota, regulating and supervising grading and buying of grain, unconstitutional interference with interstate commerce. *Shafer v. Grain Co.*.. 189
3. *Id.* Not sustainable as aid to federal Grain Standards Act. *Id.*
4. *State Corporation Excise Tax*, invalid where business wholly interstate. *Cement Co. v. Massachusetts*..... 203
5. *Salesman's License*, invalid where orders taken for goods to be shipped on partial credit from another State, though licensing statute applies only to cases where advance payments from customers constitute salesman's only compensation from employer. *Hosiery Mills v. Portland*..... 325
6. *Fraud*. Expressed purpose of state license law to prevent does not excuse interference with interstate commerce. *Id.*
7. *Production of Goods*, when conspiracy to prevent amounts to obstruction of interstate commerce. *Coronado Co. v. Mine Workers*..... 295
8. *Builders' Combination*, to withhold supplies from employers not operating "open shop", not direct interference with interstate commerce when local in purpose and confined to supplies produced or localized in State. *Indust. Ass'n. v. U. S.*..... 64

V. Taxing Power. See III, *supra*; IX, X, *infra*.

1. *Scope*. Does not extend to matters inappropriate to enforcement of revenue measure. *Linder v. U. S.*..... 5
2. *Narcotics*. Taxation of no basis for controlling medical practice. *Id.*

CONSTITUTIONAL LAW—Continued.

Page.

VI. First Amendment.

- Liberty of Press.* Right to print data from income tax returns. See *U. S. v. Dickey*..... 378
U. S. v. Baltimore Post..... 388

VII. Fourth Amendment.

1. *Search and Seizure*, of unlawfully possessed wine on premises licensed by United States for sale for sacramental use. *Dumbra v. U. S.*..... 435
 2. *Id. Probable Cause. Id.*

VIII. Fifth Amendment.

1. *Due Process and Self-Incrimination.* Presumptions created by act penalizing concealment of illegally imported opium, constitutional. *Yee Hem v. U. S.*..... 178
 2. *Statute of Limitations*, when it enters into and destroys cause of action, can not be suspended retroactively. *Danzer & Co. v. G. & S. I. R. R. Co.*..... 633

IX. Fourteenth Amendment.

1. *Railroad Rates*, State order fixing, lacks due process when made arbitrarily without support of evidence. *Nor. Pac. Ry. Co. v. Dept. of Public Works*..... 39
 2. *Id.* Order arbitrarily lowering inadequate rates not saved by being limited to experimental period. *Id.*
 3. *Street Railway Rates and Transfers.* Order regulating held confiscatory. *Banton v. Belt Line Ry. Corp.*..... 413
 4. *Id.* Effect of accepting rate and putting in effect. *Id.*
 5. *Id. Cost of Transfer Business.* How computed. *Id.*
 6. *Id. Service and Facilities.* Power of State to regulate without adequate compensation. *Id.*
 7. *Id. Contract*, binding both public utility and city remains valid though rates become inadequate. *Sou. Utilities Co. v. Palatka*..... 232
 8. *Id. Mutuality*, of contract notwithstanding power to change rates retained by legislature. *Id.*
 9. *Alien Land Law.* Statutory presumption that taking title for inhibited alien in another's name is to avoid escheat—consistent with due process and equal protection of law. *Cockrill v. California*..... 258
 10. *Condemnation of Road.* Notice and opportunity for hearing on damages, when adequate. *Land Co. v. Hoffman.* 276

CONSTITUTIONAL LAW—Continued.

Page.

11. *Id.* *Necessity* for taking, legislative question; hearing unessential. *Id.*
 12. *Ticket Brokers.* Licensing of. *Weller v. New York*... 319
 13. *Id.* *Separable Statute.* Licensing valid independently of provision restricting prices. *Id.*
 14. *Taxation.* State can not tax property beyond borders in guise of taxing intrastate business of foreign corporation. *Cement Co. v. Massachusetts*..... 203
 15. *Inheritance Taxes.* Both transmittal and reception of estate subject to taxation. *Stebbins v. Riley*..... 137
 16. *Id.* *Inequalities,* among residuary legatees resulting from statute not allowing deduction of federal estate tax in valuing estate for fixing state tax, are not unconstitutional. *Id.*
 17. *Inheritance Tax.* Void in so far as measured by tangible personalty outside of State. *Frick v. Pennsylvania*..... 473
 18. *Id.* *Stock Transfer Tax,* imposed by other States, must be deducted in measuring state transfer tax at decedent's domicil. *Id.*
 19. *Id.* *Federal Estate Tax.* Need not be deducted. *Id.*
 20. *Special Assessment,* for improvements of federal lands, void as applied to subsequent grantee of Government. *Lee v. Road Imp. Dist.*..... 643
 21. *Freedom of Speech and Press,* protection of by due process clause. *Gitlow v. New York*..... 652
 22. *Seditious Publications,* advocating overthrow of organized government by force, punishable by State. *Id.*
 23. *Public Instruction of Children.* Act compelling exceeds power of States. *Pierce v. Society of Sisters*..... 510
 24. *Id.* *Liberty,* of parents and guardians. *Id.*
 25. *Id.* *Private Schools,* right to have patrons protected. *Id.*
 26. *Corporations,* "liberty" of. *Id.*
- X. **Sixteenth Amendment.** See V, *supra*.
1. *Legacy,* of income from fund in trust, taxable to legatee, under Act 1913, as income, and not exempted as "property acquired by gift or bequest." *Irwin v. Gavit*..... 161
 2. *Subsidies* granted railroad by foreign government not income. *Edwards v. Cuba R. R. Co.*..... 628
- XI. **Eighteenth Amendment.** See VII, *supra*.
- Undrinkable Alcohol.* Implied power to regulate or prevent sale. *Selzman v. U. S.*..... 466

CONSTRUCTION. See **Contracts**, 1, 2; **Statutes**. Page.

CONTRACTS. See **Constitutional Law**, IX, 7, 8; **Negotiable Instruments**; **Trading with Enemy Act**.

1. *With United States.* Determined like private contracts. *Reading Steel Casting Co. v. U. S.*..... 186

2. *Id. Sales.* Government's right to reject goods must be exercised in reasonable time. *Id.*

3. *Public Service Rates.* Acceptance of not agreement to abide by when confiscatory. *Banton v. Belt Line Ry.*..... 413
See **Const. Law**, IX, 7, 8.

4. *Id. Successor Corporation,* through foreclosure, not bound by rates in force at date of purchase if they become confiscatory. *Id.*

5. *Party in Pari Delicto,* can not recover money paid in violation of foreign law. *Insurance Co. v. Miller.*..... 552

CORPORATIONS. See **Constitutional Law**, IX, 23-26; **Injunctions**, 2; **Parties**, 3, 7; **Taxation**, I, 6-8, 10, 11, 14, 15; *Id.* II, 3, 5, 10.

Regulation of Rates. See **Constitutional Law**, IX.

"Capital Stock," meaning of in tax act. *Ray Copper Co. v. U. S.*..... 373

COURT OF CLAIMS. See **Claims**, 1, 7, 8.

CRIMINAL LAW. See **Habeas Corpus**; **Narcotics**; **Parties**, 4.

1. *Certiorari.* *U. S. v. Gulf Ref. Co.*..... 542

2. *Embezzlement,* as ground for extradition to Mexico. *Fernandez v. Phillips.*..... 311

3. *Id.* Not committed by failure to pay admissions fees tax. *U. S. v. Johnston.*..... 220

4. *Nonpayment of Tax,* on such fees punishable under Revenue Act. *Id.*

5. *Removal Proceedings.* Discharge by Commissioner not controlling on subsequent application to District Judge. *U. S. v. Levy.*..... 390

CUSTOMS. See **Jurisdiction**, V; **Narcotics**.

Remission of Duties, grounds for under Tariff Act. *U. S. v. Fish* 607

DAMAGES. See **Admiralty**; **Equity**, 1, 2; **Interstate Commerce Acts**, 1-8; **Labor Unions**.

DEBTS. See **Bankruptcy**, 12, 13.

- DEMURRER.** See *Habeas Corpus*, 2. Page.
- DEPOSITS.** See *Equity*, 5.
- DIRECTOR GENERAL OF RAILROADS.** See *Admiralty*, 2-5; *Interstate Commerce Acts*, 4-6.
- DIVIDENDS.** See *Taxation*, I, 8.
- DOMICIL.** See *Aliens; Jurisdiction*, III, 1, 4; *Taxation*, II, 8-10.
- DUTIES.** See *Customs*.
- EDUCATION.** See *Constitutional Law*, IX, 23-26.
- EJUSDEM GENERIS.** See *Statutes*, 1, 6.
- ELKINS ACT:**
Burden of Proof under. *U. S. v. Gulf Refining Co.*..... 542
- EMBEZZLEMENT.** See *Criminal Law*, 3, 4; *Extradition*.
- EMINENT DOMAIN.** See *Const. Law*, IX, 10, 11.
- EMPLOYERS LIABILITY ACT:**
 1. *Basis of Action*, tort. *N. Y. Central R. R. Co. v. Chisholm* 29
 2. *Injury in Canada*, not within statute, though both parties United States citizens. *Id.*
 3. *Shipowners.* First Employers Liability Act inapplicable to. *Alaska Steamship Co. v. McHugh*..... 23
- ENEMIES.** See *Trading with Enemy Act*.
- EQUITY.** See *Injunction; Laches*.
 1. *Fraudulent lease by Guardian.* Right of ward to pursue property, or proceeds, in hands of donees or purchasers with notice, without regard to actual damage. *U. S. v. Dunn*... 121
 2. *Id.* In suit for the specific property relief may be granted against proceeds. *Id.*
 3. *Specific Performance*, cannot be maintained in federal court by assignee. *Realty Holding Co. v. Donaldson*..... 398
 4. *Relation*, doctrine of not applied to defeat collateral rights of third parties. *U. S. F. & G. Co. v. Wooldridge*..... 234
 5. *Depository*, wrong payment by from fund, does not divest right of beneficiary. *Russian Ins. Co. v. Miller*..... 552

| | | |
|---|--|-------|
| EROSION. | See Boundaries , 4. | Page. |
| ESCHEAT. | See Constitutional Law , IX, 9; Taxation , II, 8; Treaties . | |
| ESTOPPEL. | See Boundaries , 5; Claims , 1-7. | |
| EVIDENCE. | See Anti-Trust Acts ; Narcotics ; Taxation , I, 15; Witnesses . | |
| 1. <i>Burden of Proof</i> , on shipper to show delay of goods caused by carrier's negligence. <i>Barrett v. Van Pelt</i> | 85 | |
| 2. <i>Id.</i> Cession of state rights in national park not assumed in face of State's bill to contrary. <i>Colorado v. Toll</i> | 228 | |
| 3. <i>Id.</i> <i>Presumption</i> . In rate case. <i>Banton v. Belt Line Ry. Corp.</i> | 413 | |
| 4. <i>Id.</i> Under Elkins Act. <i>U. S. v. Gulf Refining Co.</i> | 542 | |
| 5. <i>Admissions</i> . Shipment of product as "gasoline," and describing it so under regulations respecting transportation of explosives, not admission that "unrefined naphtha" tariff was inapplicable between other points. <i>Id.</i> | | |
| 6. <i>Restraint of Interstate Commerce</i> . Evidence of held insufficient and in part subject to maxim <i>de minimis non curat lex</i> . <i>Industrial Assn. v. U. S.</i> | 64 | |
| 7. <i>Id.</i> Evidence of held insufficient. <i>Maple Flooring Assn. v. U. S.</i> | 563 | |
| <i>Cement Mfrs. Assn. v. U. S.</i> | 588 | |
| EXECUTION. | See Interstate Commerce Acts , 9. | |
| EXPLOSIVES. | See Transportation of Explosives Act . | |
| EXPRESS COMPANIES. | See Interstate Commerce Acts , 1, 2. | |
| EXTRADITION: | | |
| 1. <i>Informality</i> of, and degree of proof. <i>Fernandez v. Phillips</i> | 311 | |
| 2. <i>Complaint and Warrant</i> . <i>Id.</i> | | |
| 3. <i>Habeas Corpus</i> . Application to extradition proceedings. <i>Id.</i> | | |
| 4. <i>Embezzlement</i> , as ground for extradition to Mexico. <i>Id.</i> | | |
| FEDERAL CONTROL ACT. | See Admiralty , 2, 3; Interstate Commerce Acts , I, 4-9. | |
| FEDERAL TRADE COMMISSION: | | |
| Immunity of witness. <i>Sherwin v. U. S.</i> | 369 | |

- FILIPINOS.** See Aliens, 9. Page.
- FORECLOSURE.** See Railroads.
- FRAUD.** See Assignment; Bankruptcy, 9, 10; Constitutional Law, IV, 6; Equity, 1, 2.
- FREEDOM OF SPEECH.** See Constitutional Law, VI; IX, 21, 22.
- GRAIN STANDARDS ACT.** See Const. L., IV, 3.
- GUARANTY:**
1. *Set-Off; Subrogation.* Guarantor of bank deposit can not set off assignment from depositor against liability to bank under guaranty of fidelity of its officer. *U. S. F. & G. Co. v. Wooldridge* 234
 2. *Doctrine of Relation*, inapplicable. *Id.*
- GUARDIAN AND WARD.** See Equity, 1.
- HABEAS CORPUS.** See Parties, 4.
1. *Extradition Proceedings*, how far reëxaminable in *habeas corpus*. *Fernandez v. Phillips*..... 311
 2. *After Criminal Conviction.* Inapplicable to review sufficiency of information as pleading, defective allegation of venue, or constitutionality of state law that defect is waived by failure to demur. *Knewel v. Egan*..... 442
- HARRISON LAW.** See Narcotics, 2.
- HIGHWAYS.** See Constitutional Law, IX, 10, 11; Public Lands, 2.
- HUSBAND AND WIFE.** See Aliens, 1-6.
- IMMIGRANTS.** See Aliens.
- IMMUNITY.** See Federal Trade Commission.
- INCOME TAX.** See Taxation, I, 3-12.
- INDIANS:**
- Fraudulent Lease*, by Indian's guardian; right of United States to regain property or proceeds for ward. *U. S. v. Dunn*..... 121
- INHERITANCE.** See Taxation, I, 4, 13; II, 6-11.

| | | |
|-------------------------------------|---|-------|
| INJUNCTIONS. | See Parties, 2. | Page. |
| 1. <i>Inadequate Legal Remedy.</i> | Restraint of public service commission order fixing confiscatory street car fares need not await decision of commission on rehearing. <i>Banton v. Belt Line Ry.</i> | 413 |
| 2. <i>Parties.</i> | Corporation deprived of property by confiscatory rate proper plaintiff, though controlling corporation benefited by same regulation does not sue. <i>Id.</i> | |
| 3. <i>Unconstitutional Statute,</i> | enjoining anticipated action under. <i>Pierce v. Soc. of Sisters</i> | 510 |
| INSOLVENCY. | See Assignment; Bankruptcy. | |
| INSURANCE. | See Trading with Enemy Act. | |
| INTERNATIONAL LAW. | See Aliens; Boundaries; Employers Liability Act, 1, 2; Extradition; Trading with the Enemy Act; Treaties. | |
| INTERSTATE COMMERCE ACTS. | See Anti-Trust Acts; Employers Liability Act; Evidence, 4, 5; Federal Trade Commission. | |
| 1. <i>Damages,</i> | due to delay—notice of claim for may be required by Express Company unless caused by carelessness or negligence. <i>Barrett v. Van Pelt</i> | 85 |
| 2. <i>Id.</i> | <i>Burden of Proof</i> on shipper to show carelessness or negligence. <i>Id.</i> | |
| 3. <i>Id.</i> | <i>Final Carrier,</i> named in through bill of lading responsible for negligence of carrier employed as its agent to switch car over latter's tracks to consignees warehouse in city of destination. <i>Missouri Pac. R. R. Co. v. Reynolds-Davis Co.</i> | 366 |
| 4. <i>Id.</i> | <i>Action for Damages,</i> accruing during federal control, against Director General of Railroads exclusively. <i>Davis v. Cohen Co.</i> | 638 |
| 5. <i>Id.</i> | <i>Amendment,</i> of action against railroad substituting Director General or Federal Agent, begins new action. <i>Id.</i> | |
| 6. <i>Id.</i> | <i>Limitations.</i> State statute allowing such amendment after two years from date of Transportation Act, repugnant to that act and void. <i>Id.</i> | |
| 7. <i>Reparation.</i> | <i>Award. Limitation.</i> Failure to apply in two years not only bars remedy but destroys cause of action. <i>Danzer & Co. v. Gulf & Ship Island R. R. Co.</i> | 633 |

INTERSTATE COMMERCE ACTS—Continued.

Page.

8. *Suspension of Limitation*, by Transportation Act, during period of federal control, does not, and could not constitutionally, apply to claims barred when act was passed. *Id.*
9. *Federal Control*. Execution of process, on carrier's property, forbidden by Transportation Act, but not entry of judgment. *North Carolina R. R. Co. v. Story*..... 288
10. *Alternative Rates*. Right of shipper to choose lower. *U. S. v. Gulf Refining Co.*..... 542
11. *Unfinished Products*, lower rates for. *Id.*
12. "*Gasoline*"; "*Naphtha*." Rates on. *Id.*
13. *Elkins Act*. Burden of proof. *Id.*

INTOXICATING LIQUORS. See **Prohibition.****IRRIGATION.** See **Waters.****JAPANESE.** See **Aliens, 7-9.****JUDGES.** See **Constitutional Law, II.****JUDGMENTS.** See **Anti-Trust Acts, 6; Claims, 1; Interstate Commerce Acts, 9; Jurisdiction; Procedure.**

1. *Res Judicata*. Effect of erroneous judgment. *North Carolina R. R. Co. v. Story*..... 288
2. *Id.* Construction of judgment; effect of reasoning in opinion. *Id.*
3. *Id.* Effect of discharge in removal proceedings. *U. S. v. Levy*..... 390
4. *Certiorari*, to interlocutory judgment in criminal case. *U. S. v. Gulf Refining Co.*..... 542

JURISDICTION. See **Admiralty; Bankruptcy; Procedure.**

I. Generally, p. 729.

II. Jurisdiction of this Court:

- (1) Generally, p. 729.
- (2) Over Circuit Court of Appeals, p. 729.
- (3) Over District Court, p. 729.
- (4) Over Territorial Courts, p. 729.
- (5) Over State Courts, p. 729.

III. Jurisdiction of District Court, p. 730.

IV. Jurisdiction of Court of Claims, p. 731.

V. Jurisdiction of Court of Customs Appeals, p. 731.

Appeal, error and certiorari. See II, (2); II, (4); II, (5), 1, 2, 4.

Final judgments. II, (2); II, (5); V, 2.

Federal and local questions. II, (5), 5, 6, 7; III, 7, 8.

JURISDICTION—Continued.

Page.

I. Generally.

1. *Trial de novo*, on appeal in Admiralty. *Standard Oil Co. v. So. Pac. Co.*..... 146
2. *Parties; Compromise* with some, when consistent with prosecution of appeal against others. *U. S. v. Dunn.*..... 121
3. *Rule of Property*. Federal courts follow state court decisions determining title to land. *Hines Trustees v. Martin.*.. 458
4. *Interlocutory Appeal*. Power to dismiss bill. *R. R. Co. v. Story.*..... 288

II. Jurisdiction of this Court.

(1) In General.

1. *Bankruptcy General Orders and Forms*, cannot add to substantive provisions of statute. *Meek v. Banking Co.*... 426
2. *Stare Decisis* peculiarly applicable to decisions of this Court affecting business interests of country. *U. S. v. Flannery.*..... 98
McCaughn v. Ludington...... 106
3. *Amendment*, of defective allegation of residence. *Realty Holding Co. v. Donaldson.*..... 398

(2) Over Circuit Court of Appeals.

1. *Certiorari*, in criminal case, where judgment not final. *U. S. v. Gulf Ref. Co.*..... 542
2. *Appeal or Certiorari*. Latter alone where jurisdiction of District Court depends solely on diverse citizenship. *B. & O. R. R. v. Parkersburg.*..... 35

(3) Over District Court.

1. *Suit by State*, to enjoin federal officer from interference with reserved powers, appealable directly. *Colorado v. Toll.* 228
2. *Findings*, in action on claim against United States. *Reading Steel Casting Co. v. U. S.*..... 186
3. *Id.* Admissions of parties also considered. *Id.*

(4) Over Territorial Courts.

Certiorari; Porto Rico. *Certiorari* not ordinarily granted to review local questions. *Cami v. Central Victoria.*..... 469

(5) Over State Courts.

1. *Error or Certiorari*. Judgment enforcing special assessment over constitutional objection to underlying statute, reviewable by error. *Lee v. Road Imp. Dist.*..... 643

JURISDICTION—Continued.

Page.

2. *Id.* Error to judgment sustaining administrative order fixing confiscatory railroad rates. *Nor. Pac. Ry. v. Dept. of Public Works*..... 39
3. *Inferior State Court.* When writ of error directed to. *Davis v. Cohen & Co.*..... 638
4. *Final Judgment; Certiorari.* Judgment affirming refusal to grant injunction on pleadings and leaving nothing to be done but dismiss petition to restrain tax collection, final and reviewable by certiorari. *North Carolina R. R. v. Story*... 288
5. *Federal Question*, must be raised in State Court. *Realty Co. v. Kleinert*..... 646
6. *Id.* *Assignment of Error*, and specification in brief, requisite. *Id.*
7. *State Statute.* Construction of by state court binding. *Land Co. v. Hoffman*..... 276

III. Jurisdiction of District Court. See **Admiralty; Bankruptcy.**

1. *In Personam.* Jurisdiction limited to district in which defendant inhabitant or can be found. *Robertson v. Labor Board* 619
2. *Subpoena under Transportation Act*, in suit by Railroad Labor Board to compel attendance of witness, does not run out of district. *Id.*
3. *Diverse Citizenship.* Necessary party plaintiff must be aligned as such. *B. & O. R. R. v. Parkersburg*..... 35
4. *Id.* "Resident" not equivalent to "citizen" in alleging. *Realty Holding Co. v. Donaldson*..... 398
5. *Id.* *Amendment* of allegation. *Id.*
6. *Assignee Clause.* Applies to suit for specific performance of lease covenant. *Id.*
7. *Id.* Inapplicable where cause arises under law of United States. *Sowell v. Fed. Reserve Bank*..... 449
8. *Action by Federal Reserve Bank*, is one arising under laws of United States. Judicial Code § 24—"first." *Id.*
9. *Id.* Such banks not national banks subject to restriction of Judicial Code § 24, Sixteenth. *Id.*
10. *Admiralty.* Collision damaging piles in navigable waters. *Doullut & Williams Co. v. U. S.*..... 33
11. *Bankruptcy.* Sec. 5c of Act relates only to venue or territorial jurisdiction. *Meek v. Banking Co.*..... 426

JURISDICTION—Continued.

Page.

12. *Id.* No authority to adjudge partnership on petition against it by one of its members. *Id.*
13. *Habeas Corpus*, inapplicable to review questions of pleading, venue and waiver arising in state criminal prosecution. *Knewel v. Egan*. 442
14. *Enjoining Confiscatory Rates*. When state administrative procedure not yet exhausted. *Banton v. Belt Line Ry.* 413
15. *Ancillary Jurisdiction*, to restrain assertion of unfounded claims against railroad, when suit to foreclose railroad mortgage is pending on behalf of bondholders. *Central Trust Co. v. Anderson County*. 93

IV. Jurisdiction of Court of Claims. See **Claims**.

1. *Rejection by Accounting Officers*, can not bar action on contract. *St. L. B. & M. Ry. v. U. S.*. 169
2. *Dockery Act*, making acceptance of payment under auditor's settlement conclusive, inapplicable to action in Court of Claims. *Id.*

V. Jurisdiction of Court of Customs Appeals.

1. *Remission of Duties*. Jurisdiction to review denial of by Board of General Appraisers. *U. S. v. Fish*. 607
2. *Id.* *Final Decision*, of Board, precedes liquidation. *Id.*

LABOR UNIONS:

1. *Strikes*. Responsibility of general union for strikes called by subsidiary union determined by its constitution and principles of agency. *Coronado Co. v. Mine Workers*. . . . 295
2. *Anti-Trust Act*, violation of through strikes. *Id.*

LACHES:

- Breach of Trust*. Remediable after 6 years delay of suit. *U. S. v. Dunn*. 121

LEASE. See **Equity**, 2, 3; **Taxation**, I, 6, 7; *Id.* II, 3, 4; **Indians**.

1. *Estoppel*, of lessee to deny validity of lease. *U. S. v. Dunn*. 121
2. *Fraud*. Recourse of beneficiary when lease made by trustee in own interest. *Id.*

LEGACY. See **Taxation**, I, 4, 13; II, 6-11.**LIBERTY.** See **Constitutional Law**, VI; *Id.* IX, 21-26.

- LIBERTY OF PRESS.** See **Constitutional Law**, VI. Page.
- LICENSE.** See **Constitutional Law**, IV, 2-6; *Id.* VII; *Id.* IX, 12, 13.
- LIMITATIONS.** See **Claims**, 8; **Const. Law**, VIII; **Interstate Commerce Acts**, 4-8; **Laches**.
- MARRIAGE.** See **Aliens**, 4-6.
- MARSHALING.** See **Negotiable Instruments**.
- MEDICINE.** See **Constitutional Law**, V, 2.
- MEXICO.** See **Extradition**.
- MORTGAGE.** See **Railroads**.
- MUNICIPALITIES.** See **Constitutional Law**, IX, 7, 8.
- NARCOTICS.** See **Constitutional Law**, V.
1. *Opium.* Act penalizing concealment of illegally imported opium and making possession presumptive evidence of illegality and guilty knowledge, constitutional. *Yee Ham v. U. S.* 178
 2. *Physician*, may dispense drugs to addict, in bona fide practice. *Linder v. U. S.*..... 5
- NATIONAL PARKS.** See **Public Lands**, 2.
- NATURALIZATION.** See **Aliens**, 4-9.
- NEGLIGENCE.** See **Admiralty**, 6; **Employers Liability Act**; **Interstate Commerce Acts**.
- NEGOTIABLE INSTRUMENTS:**
1. *Presentment and Notice of Dishonor.* Waiver of by stipulation in note. *Sowell v. Fed. Reserve Bank*..... 449
 2. *Set-Off and Marshaling.* Maker not entitled to stay of action on note until endorsee suing has exhausted other collateral given by payee bank, not party to the action, as to which maker has equitable right to set off the amount of his bank deposit. *Id.*
- NOTICE.** See **Claims**, 4; **Constitutional Law**, IX, 10; **Interstate Commerce Acts**, 1; **Negotiable Instruments**, 1.
- OFFICERS.** See **Army**.
1. *De Facto.* Attempted exercise of competent appointing power not essential. *U. S. v. Royer*..... 394

OFFICERS—Continued.

Page.

2. *Vacancy*. Evidence of in acts of superior officer and acceptance and performance by incumbent. *Id.*
3. *Pay*. *De Facto* officer not required to refund. *Id.*
4. *Prohibition Agent*. Authority to execute search warrant. *Dumbra v. U. S.*..... 435

OIL LANDS. See **Taxation**, II, 4.

OPIUM. See **Narcotics**.

PARENT AND CHILD. See **Aliens**, 1, 2.

PARI DELICTO. See **Contracts**, 5.

PARTIES. See **Interstate Commerce Acts**, 4-6; **Negotiable Instruments**; **Trading with the Enemy Act**.

1. *Abandonment of Appeal*, as to some parties, by agreement—effect on prosecution as to others. *U. S. v. Dunn*... 121
2. *Injunction against Federal Officer*, in suit by state, without joining superiors or United States as parties. *Colorado v. Toll*..... 228
3. *Necessary*. Corporation indispensable party in suit by sole stockholder asserting its rights. *B. & O. R. R. v. Parkersburg*..... 35
4. *Substitution*. Right of successor in office to be substituted and maintain appeal taken by predecessor from order discharging prisoner in *habeas corpus*. *Knewel v. Egan*... 442
5. *Id.* Of Director General of Railroads. See **Pleading**, 3.
6. *Id.* Of representative of deceased petitioner in bankruptcy. *Meek v. Banking Co.*..... 426
7. *Unconstitutional Statute*, may be assailed by corporation whose business will be destroyed as result of unlawful effects on customers. *Pierce v. Hill Military Academy*..... 510

PARTNERSHIP. See **Bankruptcy**, 3-8.

PASSPORT. See **Aliens**, 6.

PAY. See **Army**; **Const. Law**, II; **Officers**.

PAYMENT. See **Claims**, 1; **Contracts**, 5; **Equity**, 6.

PERSONAL INJURIES. See **Admiralty**, 6; **Employers Liability Act**.

PHYSICIANS. See **Constitutional Law**, V.

PLEADING. See Bankruptcy 6, 7; Habeas Corpus. Page.

1. *Residence*, allegation of in District Court. *Realty Co. v. Donaldson* 398
2. *Id.* Amendment of. *Id.*
3. *Amendment*, substituting Director General of Railroads as defendant, begins new action and subject to two years limitation of Transportation Act. *Davis v. Cohen Co.*..... 638

PORTO RICO. See Taxation, II, 12.**PRESUMPTION.** See Constitutional Law, VIII; IX, 9; Evidence, 2-4; Narcotics; Treaties.**PRINCIPAL AND AGENT.** See Interstate Commerce Acts, 3; Labor Unions.**PROBABLE CAUSE.** See Search Warrant.**PROCEDURE OF THIS COURT.** See Jurisdiction.

For other matters appertaining to Procedure, see: Admiralty; Anti-Trust Acts; Bankruptcy; Constitutional Law; Criminal Law; Equity; Evidence; Extradition; Habeas Corpus; Injunctions; Interstate Commerce Acts; Judgments; Laches; Lease; Narcotics; Negotiable Instruments; Parties; Pleading; Railroads; Statutes.

I. Original Cases.

1. *State Boundary*. Decree defining. *New Mexico v. Colorado*..... 108
2. *Receivership*. Final report approved and receivership ended. *Oklahoma v. Texas*..... 472

II. Appellate Cases.

1. *Amendment*, of jurisdictional averment, when allowable. *Realty Holding Co. v. Donaldson*..... 398
2. *Certiorari*, to interlocutory judgment in criminal case. *U. S. v. Gulf Ref. Co.*..... 542
3. *Findings of District Court*, and admissions of parties, considered on error to judgment on claim against United States. *Reading Steel Casting Co. v. U. S.*..... 186
4. *Inferior State Court*. When writ of error directed to. *Davis v. Cohen & Co.*..... 638
5. *Federal Question*, must be raised in state Court. *Rosevale Realty Co. v. Klienert*..... 646

PROCEDURE OF THIS COURT—Continued.

Page.

6. *Id.* Assignment of Error and specification in brief, requisite. *Id.*
7. *Local Question.* Construction of state statute by state court, binding. *Land Co. v. Hoffman*..... 276
8. *Local Question.* When certiorari granted to review, from Porto Rico. *Cami v. Central Victoria*..... 469
9. *Stare Decisis.* Peculiarly applicable to decisions of this Court affecting business interests of country. *U. S. v. Flannery*..... 98
McCaughn v. Ludington..... 106
10. *Substitution.* Right of successor in office to be substituted and maintain appeal taken by predecessor from order discharging prisoner in *habeas corpus*. *Knewel v. Egan*.... 442

PROHIBITION:

1. *Denatured Alcohol.* Implied power to regulate sale. *Selzman v. U. S.*..... 466
2. *Search Warrant* and Probable Cause. *Dumbra v. U. S.* 435
3. *Permit,* to sell sacramental wine, does not prevent search of premises for illegal drinking wine. *Id.*

PROTEST. See **Claims**, 3, 7.

PUBLIC LANDS. See **Boundaries**, 1; **Claims**, 6, 7; **Taxation**, II, 1, 4; **Waters**.

1. *Land Grant; Condition Precedent.* Bond filed as security under Mississippi statute must be joined in by corporate grantee. *Hines Trustees v. Martin*..... 458
2. *National Park.* Regulation of automobiles on state roads, under Act 1915, can not abridge state rights. *Colorado v. Toll* 228

PURCHASERS. See **Equity**, 1, 2.

RAILROADS. See **Claims**; **Constitutional Law**, IX, 1-8; **Employers Liability Act**; **Taxation**, I, 6, 7, 11.

Offices, Shops and Round houses. Jurisdiction of District Court to enjoin assertion of claim that they must be kept at certain place, upheld as ancillary to suit to foreclose railroad mortgage. *Trust Co. v. Anderson County*..... 93

RATES. See **Claims**, 6, 7; **Constitutional Law**, IX, 1-8; **Interjunctions**, 1; **Interstate Commerce Acts**, 10-13.

- Page.
- REAL PROPERTY.** See **Boundaries; Constitutional Law, IX,**
9; **Public Lands.**
- RECLAMATION.** See **Waters.**
- RELATION, DOCTRINE OF.** See **Equity, 4.**
- REMOVAL.** See **Criminal Law, 5.**
- RENTS.** See **Taxation, 6, 7.**
- REPARATION.** See **Interstate Commerce Acts, 4-8.**
- RES JUDICATA.** See **Judgments.**
- REVIVOR.** See **Bankruptcy, 3; Parties, 4.**
- ROADS.** See **Const. Law, IX, 10; Public Lands, 2.**
- SALES.** See **Claims, 4, 5; Constitutional Law, IV.**
- SEARCH WARRANT:**
1. *Authority to Issue and Serve*, under Prohibition Act.
Dumbra v. U. S...... 435
 2. *Probable Cause. Id.*
 3. *Motion to Quash*, and for return of liquor seized, on
ground of insufficient statement of probable cause in affidavit,
does not present question whether Government entitled to
condemn liquor. *Id.*
- SEDITION.** See **Const. Law, IX, 21, 22.**
- SET-OFF.** See **Guaranty; Negotiable Instruments.**
- STATES.** See **Boundaries; Constitutional Law; Jurisdiction;**
Parties, 2.
- SPECIFIC PERFORMANCE.** See **Equity, 3.**
- STATUTES.** See **Admiralty; Aliens; Anti-Trust Acts; Bank-**
ruptcy; Constitutional Law; Corporations; Criminal Law;
Customs; Elkins Act; Employers Liability Act; Injunc-
tions; Interstate Commerce Acts; Jurisdiction; Narcotics;
Parties; Procedure; Prohibition; Public Lands; Search
Warrant; Taxation; Trading with the Enemy Act; Trans-
portation of Explosives Act; Waters.
- Consult titles indicative of subject matter, and table at
beginning of volume.
1. *Ejusdem Generis*, applied to ascertain, not subvert intent.
Mid-Northern Oil Co. v. Montana..... 45

STATUTES—Continued.

Page.

2. *Expressed Purpose*, will not save state law interfering with interstate commerce. *Real Silk Mills v. Portland*..... 325
3. *Mistake*, not ground for incorporating exception. *Chang Chan v. Nagle*..... 347
4. *Hardship*, does not justify departure from plain statute. *Id.*
5. Presumptively territorial. *N. Y. Cent. R. R. Co. v. Chisholm*..... 29
6. "Rentals or other payments", in income tax act; application of *ejusdem generis* rule. *Duffy v. Central R. R.*.... 55
7. *Separability*. *Weller v. New York*..... 319
8. *Tax Laws*, construed favorably to taxpayer but not by exaggerating doubts. *Irwin v. Gavit*..... 161
9. *Unconstitutionality*, to be avoided by construction. *Lewellyn v. Frick*..... 238
Linder v. U. S...... 5
10. *Retroactivity*, to be avoided by construction. *Id.*..... 238
11. *Id.* Later act declaring provision retroactive shows same provision in earlier act was not so. *Id.*
12. *Id.* Statute suspending limitation period on claims before Interstate Commerce Commission, construed prospectively. *Danzer & Co. v. G. & S. I. R. R. Co.*..... 633

STAY. See Negotiable Instruments.

STOCK. See Taxation, I, 8; II, 10.

STOCKHOLDERS. See Parties, 3; Taxation, I, 8.

STREET RAILWAYS. See Constitutional Law, IX, 3-8.

STRIKES. See Labor Unions.

SUBROGATION. See Guaranty.

SUBSTITUTION. See Bankruptcy, 3; Interstate Commerce Acts, 5; Parties, 4-6.

SURETIES. See Guaranty.

TARIFF. See Customs.

TAXATION. See **Bankruptcy**, 13; **Customs**.

Page.

I. Federal Taxation. See **II**, 11, *infra*.

1. *Admission Fees*, federal tax on, by whom payable. *U. S. v. Johnston* 220
2. *Id.* Person who collects is debtor, not bailee. *Id.*
3. *Construction* of tax laws should be reasonable. *Irwin v. Gavit* 161
4. *Income Tax*. Legacy of income from trust fund, is income taxable to legatee, under Act 1913, and not exempted as a gift or bequest. *Id.*
5. *Id.* *Losses Deductible*, how measured under Act 1918, when incurred through sale of property acquired before March 1, 1913. *United States v. Flannery* 98
McCaughn v. Ludington 106
6. *Id.* Deductions of expenses of "maintenance and operation" and "rentals and other payments," inapplicable to betterments made by lessee railroad though required by the lease. *Duffy v. Central R. R.* 55
7. *Id.* "Rentals or Other Payments." Meaning of in statute. *Id.*
8. *Id.* *Stock Dividend*. New securities issued in corporate reorganization held not stock dividend, but their increased value taxable as income. *Marr v. United States* 536
9. *Id.* *Publicity* of names of taxpayers and amounts paid, under Revenue Act, 1924. *U. S. v. Dickey* 378
U. S. v. Baltimore Post 388
10. "*Income*," means same in Corporation Excise and Income Tax Laws. *Edwards v. Cuba R. R. Co.* 628
11. *Subsidies*, granted railroad company by foreign government, not income. *Id.*
12. *Federal Judges*. Revenue Act 1918 not construed as delimiting compensation but as unconstitutional diminution by tax. *Miles v. Graham* 501
13. *Estate Tax*. Act of 1919, including life insurance in decedent's estate, not retroactive. *Lewellyn v. Frick* 238
14. *Corporation Excise*. Meaning of "capital stock", and discretion of Commissioner of Internal Revenue in valuing. *Ray Copper Co. v. U. S.* 373
15. *Id.* *Corporate Assets*, value of relevant to value of capital stock. *Id.*

TAXATION—Continued.

Page.

II. State and Territorial Taxation.

1. *Federal Lands*, not subject to state improvement tax. *Lee v. Road Imp. Dist.*..... 643
2. *Id.* Tax can not be shifted to Government's grantee. *Id.*
3. *Federal Agency.* See *Mid-Northern Co. v. Montana.*.... 45
4. *Oil Production Tax*, of federal lessee, permitted to state by Federal Leasing Act. *Id.*
5. *Corporation Excise*, invalid under Commerce Clause and Fourteenth Amendment where business wholly interstate. *Cement Co. v. Massachusetts.*..... 203
6. *Inheritance Taxes.* Both transmittal and reception of estate subject to taxation. *Stebbins v. Riley.*..... 137
7. *Id.* *Inequalities*, among residuary legatees resulting from statute not allowing deduction of Federal Estate Tax in valuing estate for fixnig state tax, are not unconstitutional. *Id.*
8. *Inheritance Tax.* Law of Pennsylvania not an escheat law. *Frick v. Pennsylvania.*..... 473
9. *Id.* Void as measured on tangible personalty outside of State. *Id.*
10. *Id.* Deduction of Stock Transfer Taxes, imposed by other states, necessary in valuing estate for transfer tax at decedent's domicile. *Id.*
11. *Id.* *Federal Estate Tax.* Need not be deducted in measuring state transfer tax. *Id.*
12. *Porto Rico.* Municipal tax on sugar. *Cami v. Central Victoria.*..... 469

TORT FEASORS. Compromise with. See **Admiralty**, 2, 3.

TRADE ASSOCIATIONS. See **Anti-Trust Acts.**

TRADE UNIONS. See **Anti-Trust Acts.**

TRADING WITH THE ENEMY ACT:

1. *Foreign Law.* Russian ukase forbidding contracts with enemies, did not control agreement in New York, valid there and in Germany, whereby commissions granted by Russian Insurance Co. to American agent were held for German subjects. *Russian Ins. Co. v. Miller.*..... 552
2. *Id.* *Comity*, does not affix extraterritorial effect to such prohibition. *Id.*
3. *Party in Pari Delicto* can not recover money paid in violation of foreign law. *Id.*

- Page.
- TRANSPORTATION ACT.** See *Interstate Commerce Acts*, 6-9.
- TRANSPORTATION OF EXPLOSIVES ACT:**
- Purpose of Regulations. *U. S. v. Gulf Ref. Co.*..... 542
- TREATIES.** See *Extradition*.
1. *Equal Privileges Treaty*, with Japan, not inconsistent with state law raising presumption of intent to avoid escheat when land paid for by inhibited alien and title taken by another person. *Cockrill v. California*..... 258
2. *Chinese Merchants*, wives and children of entitled to enter under treaty of 1880. *Cheung Sum v. Nagle*..... 336
- TRUSTS AND TRUSTEES.** See *Bankruptcy*, 9; *Equity*; *Laches*; *Taxation*, I, 4.
- UNITED STATES.** See *Bankruptcy*, 12; *Claims*, 4, 5; *Contracts*, 1, 2; *Jurisdiction*, II, (3), 2; *Parties*, 2; *Procedure*, II, 3.
- VENUE.** See *Bankruptcy*, 5; *Habeas Corpus*.
- VISA.** See *Aliens*, 6.
- WAGES.** See *Bankruptcy*, 12, 13.
- WAIVER.** See *Claims*, 1-7; *Habeas Corpus*; *Negotiable Instruments*.
- WAR DEPARTMENT.** See *Officers*.
- WARRANT.** See *Search Warrant*.
- WATERS.** See *Admiralty*, 1; *Boundaries*.
1. *Irrigation. Assessments for Drainage*, attributable to maintenance and operation, not construction, under Reclamation Extension Act. *Irrigation Dist. v. Bond*..... 50
2. *Id. State Irrigation District.* Liability of under contract with Government, for pro rata cost of drainage outside district but within reclamation project in which district lands included. *Id.*
- WITNESSES.**
- Immunity from Prosecution*, under Federal Trade Commission Act. *Sherwin v. U. S.*..... 369
- ZONING LAW.**
- See *New York v. Klienert*..... 646















