

conduct for the Commission. But the appellant's rights, as respects procedure, depend not alone on the alleged requirements of the Act, but on the adequacy of the hearing in fact afforded him; and his substantive rights under the statute depend upon the public interest, convenience or necessity in view of all the facts adduced and circumstances appearing before the Commission. We are not advised what sort of hearing was held, nor what facts were proved. If the proceeding was an unfair one, as lacking adequate notice, full hearing, or development of all relevant facts, appellant had a remedy provided by the statute, which in the orderly processes of the administration of the law he was bound to pursue. To answer the question as framed we should have to treat the proceedings before the Commission as irrelevant; to hold that body's interpretation of the language of the act as applied to appellant in all the circumstances of his case as of no moment; and to ignore his admitted failure to avail himself of the right of review conferred by the statute. The question need not be answered.

*The certificate is dismissed.*

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AMERICAN BOND AND MORTGAGE COMPANY  
ET AL. v. UNITED STATES.

CERTIFICATE FROM THE CIRCUIT COURT OF APPEALS FOR THE  
SEVENTH CIRCUIT.

No. 210. Argued December 5, 1930.—Decided January 5, 1931.

Certificate presenting substantially the same questions as in *White v. Johnson*, ante, p. 367, dismissed on the authority of that case.

CERTIFICATE from the Circuit Court of Appeals, on an appeal from a decree of the District Court enjoining the operation of a broadcasting station in violation of the provisions of the Radio Act.

*Mr. George W. Swain*, with whom *Messrs. Frank H. Scott* and *Edward B. Hayes* were on the brief, for American Bond and Mortgage Company et al.

*Solicitor General Thacher*, with whom *Messrs. Charles H. Weston* and *William G. Davis*, Special Assistants to the Attorney General, were on the brief, for the United States.

MR. JUSTICE ROBERTS delivered the opinion of the Court.

The same Circuit Court of Appeals which certified questions in *White v. Johnson*, *ante*, p. 367, also certified six questions in this case. While they are differently phrased, they are in substance the same.

Here a suit in equity was brought by the United States to restrain the proprietor of a broadcasting station from disregarding an order of the Federal Radio Commission, revoking its license, and from operating in defiance of the provisions of the Radio Act. As in the other case, the appellants admittedly failed to avail themselves of the right of appeal afforded by the Act.

The reasons stated in the *White* case for not answering the questions therein certified apply here.

*The certificate is dismissed.*

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FAWCUS MACHINE COMPANY v. UNITED STATES.

CERTIORARI TO THE COURT OF CLAIMS.

No. 40. Argued December 12, 1930.—Decided January 5, 1931.

1. Administrative regulations contemporaneously construing a statute and made for its enforcement under an express general authorization contained therein, and which are not unreasonable or inconsistent with the statute, will not be overruled except for weighty reasons. P. 378.