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2. *Admiralty Cases*. District Court's exercise of discretion in refusing to retain jurisdiction of suit between foreigners will not be disturbed unless abused. *Canada Malting Co. v. Paterson Steamships*, 413.
3. *Administrative Decisions*. Court properly awarded trial *de novo* on issue of employment in proceeding under Longshoremen's and Harbor Workers' Compensation Act. *Crowell v. Benson*, 22.

JURY. See **Constitutional Law, VIII.**

1. *Questions of Fact*. In action on policy of fire insurance, question whether business of operating still was more hazardous than bottling automobile oils was for jury. *St. Paul Fire & M. Ins. Co. v. Bachmann*, 112.
2. *Instructions*. Failure to request proper instructions does not cure error in those given and to which exceptions were taken. *Id.*

JUST COMPENSATION. See **Constitutional Law**, VII, 8.

LAND GRANT ACTS. See **Public Lands**.

LEASE. See **Constitutional Law**, I, 9.

LIBERTY. See **Constitutional Law**, IX, (A), 2.

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See *Lamb v. Cramer*, 217.

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Conveyance to Attorney. Attorney receiving property involved in pending suit as fee for services to defendant takes subject to equities alleged in the bill and to the decree. *Lamb v. Cramer*, 217.

LOAN COMPANIES. See **Insurance**, 1; **Taxation**, IV, 1-2.

LONGSHOREMEN'S ACT. See **Constitutional Law**, III, 1-2; VII, 2.

Construction. Procedural Requirements. Trial *de novo* on issue of employment. *Crowell v. Benson*, 22.

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Presumption of Delivery. Mailing of letter properly directed creates presumption of delivery, though receipt subject sender to penalty. *Hagner v. United States*, 427.

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MASTER AND SERVANT. See **Administration Decisions**; **Admiralty**, 4; **Agency**; **Carriers**; **Constitutional Law**, VII, 2; **Longshoremen's Act**.

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- NAVIGABLE WATERS.** See Admiralty, 1-4.
- NAVIGATION.** See Admiralty, 4.
- NE EXEAT.** See Bankruptcy, 1.
- NEGLIGENCE.** See Admiralty, 2, 4; Agency; Carriers.
Evidence. Finding of negligence on part of railroad in derailment of train held unwarranted. *Atlantic Coast Line v. Temple*, 143.
- NEGOTIABLE INSTRUMENTS.** See Banks, 2.
- NEW SOUTH WALES.** See Taxation, II, 2.
- NEWSPAPERS.** See Constitutional Law, IX, (B), 4.
- NOTICE.** See Agency; Insurance, 5.
- NUISANCE.** See Prohibition Act, 1-2.
- OBSCENITY.** See Criminal Law, 1.
- PARTIES.** See Admiralty, 3; Interstate Commerce Acts, 2; Jurisdiction, I, 1.
- PARTNERSHIP.** See Constitutional Law, VII, 4; Taxation, II, 1, 3.
New Members. Consent. Agreement between partner and wife could not make her member of partnership without consent of other partners. *Burnet v. Leininger*, 136.
- PAYMENT.** See Constitutional Law, VII, 8.
- PENALTIES.** See Evidence.
- PHILIPPINE ISLANDS.** See Constitutional Law, II, 2; Jurisdiction, II, 2; Trade-Marks, 1-2.
- PIPE-LINE COMPANIES.** See Constitutional Law, IV, 2; Public Utilities.
- PLEADING.** See Criminal Law, 2; Indictment; Insurance, 5.
- POLICE POWER.** See Constitutional Law, IX.
- POSTER ADVERTISING.** See Constitutional Law, IV, 3; IX, (A), 6; IX, (B), 4.
- POST OFFICE.** See Criminal Law, 1-2; Mails.

PRESUMPTIONS. See **Constitutional Law**, VII, 5-7; **Evidence**; **Mails**.

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1. *Immunity from Service. Attendance at Court.* Rule of immunity while in attendance at court is founded upon convenience not of individuals but of court itself, and should be applied only as judicial necessities require. *Lamb v. Schmitt*, 222.

2. *Id.* Nonresident attorney not exempt under supplemental bill seeking to restore to court property transferred to him by client while main suit involving property was pending. *Id.*

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1. *What Constitutes Nuisance.* Use of room merely to solicit orders for liquor and make collections therefor did not constitute maintenance of nuisance. *United States v. Lefkowitz*, 452.

2. *Id. Evidence.* Facts alleged held insufficient to sustain charge that conspiracy or nuisance was being committed. *Id.*

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Transportation of Troops. Deductions under land grant acts and agreements do not apply to engineer officers of War Department on duty in connection with rivers and harbors and California Debris Commission. *Southern Pacific Co. v. United States*, 240.

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Rates. Costs. Affiliated Companies. Local gas company which bought supply in interstate commerce from affiliated pipe-line company held not to have made prima facie showing as to reasonableness of latter's charge for service, and therefore not entitled to rate increase. *Western Distributing Co. v. Public Service Comm.*, 119.

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- REAPPORTIONMENT.** See Constitutional Law, II, 1; Elections, 1-4.
- RECORD.** See Costs.
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- REPEAL.** See Constitutional Law, V, 2; Statutes, 5.
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- REVENUE ACTS.** See Criminal Law, 4-5; Taxation.
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- RULES OF DECISION.** See Constitutional Law, IX, (A), 4.
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1. *Administrative Construction.* Where not uniform and consistent, will be taken into account only to extent supported by valid reasons. *Burnet v. Chicago Portrait Co.*, 1.
 2. *Id.* Ambiguous departmental regulations are of little value as aid to interpretation. *Id.*
 3. *Saving Clause.* Effect of. *Crowell v. Benson*, 22.
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5. *Repeal*. Does not destroy rights previously vested. *Coombes v. Getz*, 434.

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Subrogation. Bank's relinquishment of right against depositor relieved indemnitor of liability arising out of payment of forged check; burden was on it to show that relinquished right was unsubstantial. *Aetna Casualty & S. Co. v. Phoenix Nat. Bank & T. Co.*, 209.

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II. Income Tax, p. 581.

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I. In General.

Construction of Tax Statutes. Exemptions. Grants of immunity from taxation are strictly construed; where no decisions of state court applicable, extent of exemption determined by general principles of construction. *Pacific Co. v. Johnson*, 480.

II. Income Tax.

1. *Partnership Income*. Distributive share of partner taxable to him individually though wife had derivative interest. *Burnet v. Leininger*, 136.

TAXATION—Continued.

2. *Credits. Taxes Paid to Foreign Country.* New South Wales as "foreign country" within § 238 (a) and (e) of Act of 1921, permitting credit of income taxes paid "to any foreign country." *Burnet v. Chicago Portrait Co.*, 1.
3. *Reductions Under 1924 Act.* Partner making individual return for calendar year 1924 not entitled to 25% reduction, though distributive share attributable in part to 1923 portion of partnership fiscal year. *Shearer v. Burnet*, 228.

III. Estate Tax.

Deductions. State Taxes. Tax imposed by Massachusetts statute was succession tax in effect, and not deductible as "charge against the estate" under Revenue Act of 1916. *Leach v. Nichols*, 165.

IV. Special Taxes.

1. *Capital Stock Tax.* Corporation in whose business during tax years insurance was only incidental held subject to capital stock tax and not taxable as "insurance company" under § 246 of 1921 Act. *Bowers v. Lawyers Mortgage Co.*, 182.
2. *Insurance Companies.* Corporation deriving more than three-fourths of income from title insurance and mortgage guaranty business and services incident thereto, held exempt from capital stock tax and taxable as "insurance company" under 1921 and 1924 Acts. *United States v. Home Title Ins. Co.*, 191.

TAX-EXEMPT BONDS. See **Constitutional Law**, I, 8; V, 1; **Taxation**, I.

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TRADE MARKS. See **Constitutional Law**, II, 2.

As to general effect of Act of 1905, see *American Trading Co. v. H. E. Heacock Co.*, 247.

1. *Philippine Act. Registration. Validity and Effect.* Registration under Philippine Act of name "Rogers," which had acquired secondary meaning in local trade in connection with flatware, was valid to prevent local selling of similar goods imported from the United States and bearing the name "Rogers,"

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although manufacturer of latter goods had name registered under Federal Act. *American Trading Co. v. H. E. Heacock Co.*, 247.
2. *Id.* Philippine Act No. 666 of 1903 not superseded by Trade Mark Act of 1905; continued in force by Organic Act of 1916.
Id.

TRIAL. See **Constitutional Law**, VIII; **Jurisdiction**, IV, 3; **Jury**, 1-2; **Lis Pendens**.

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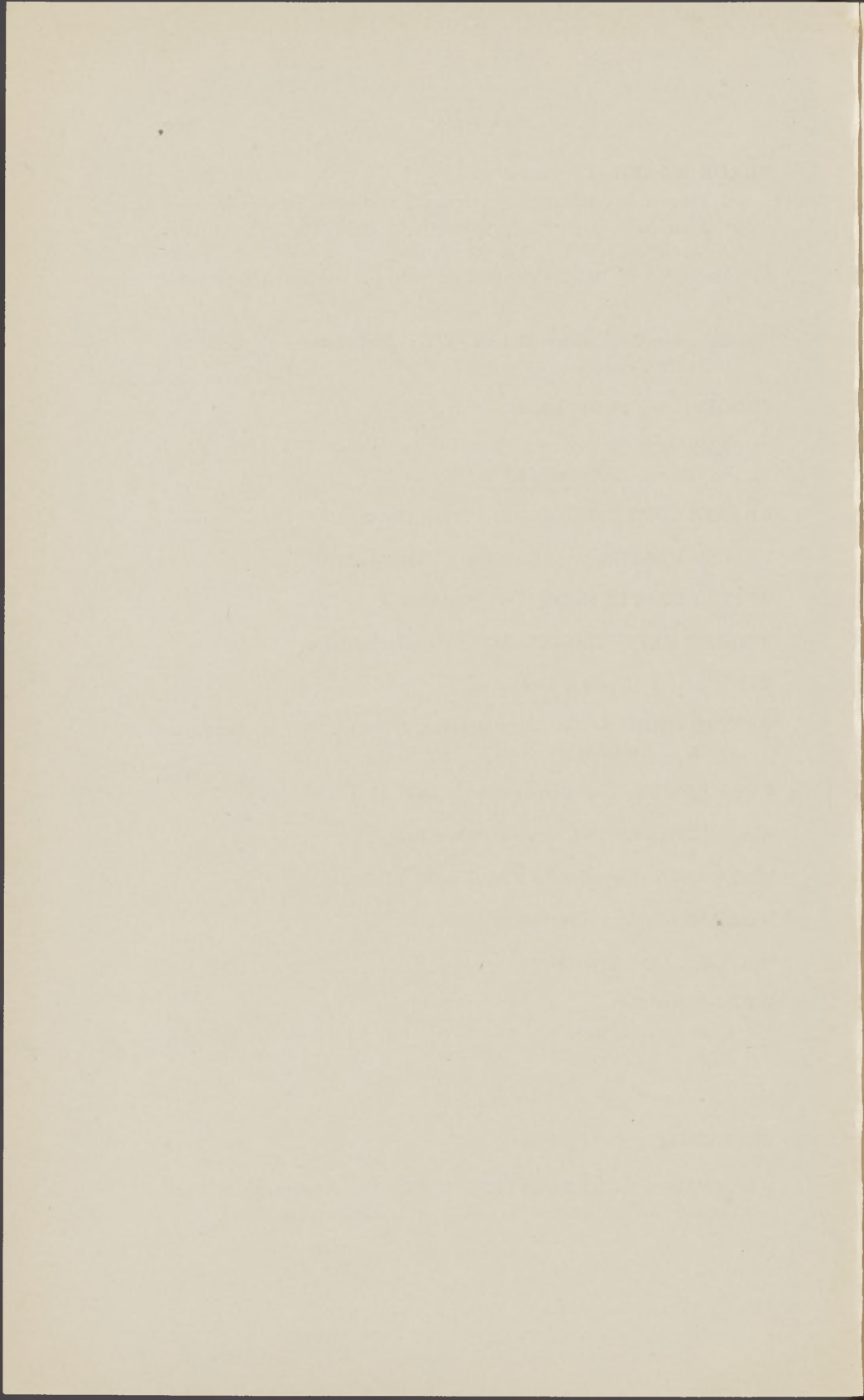
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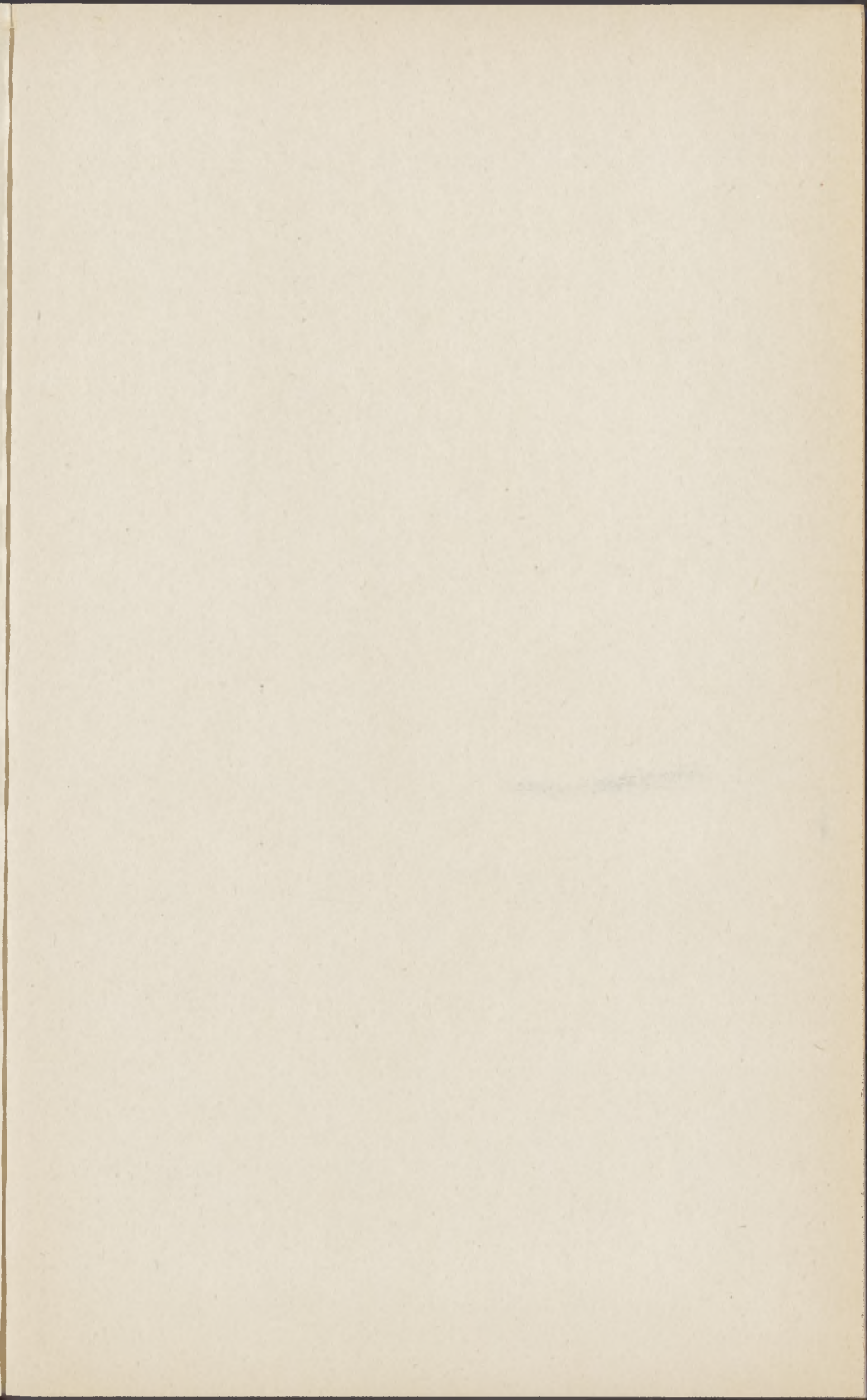
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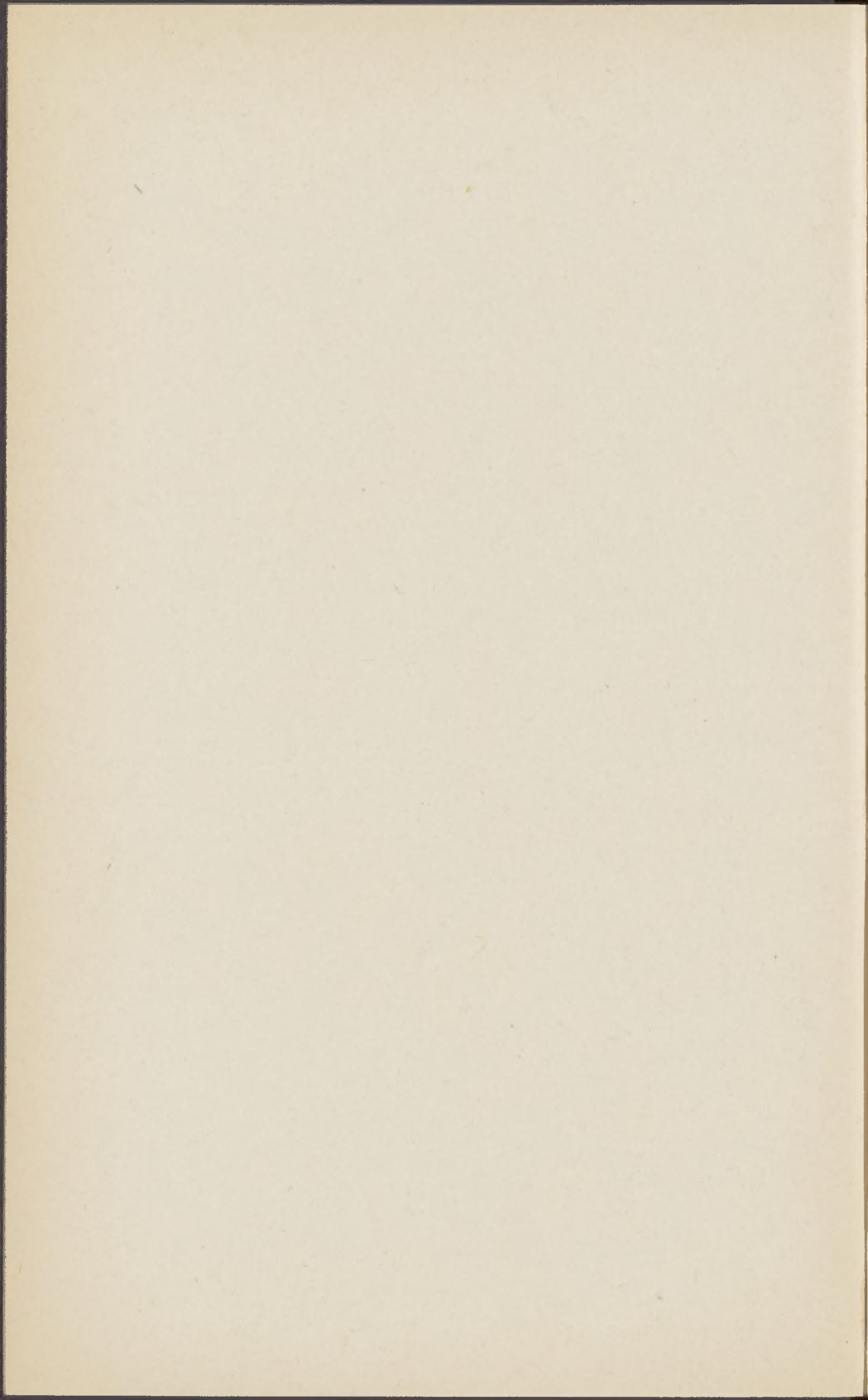
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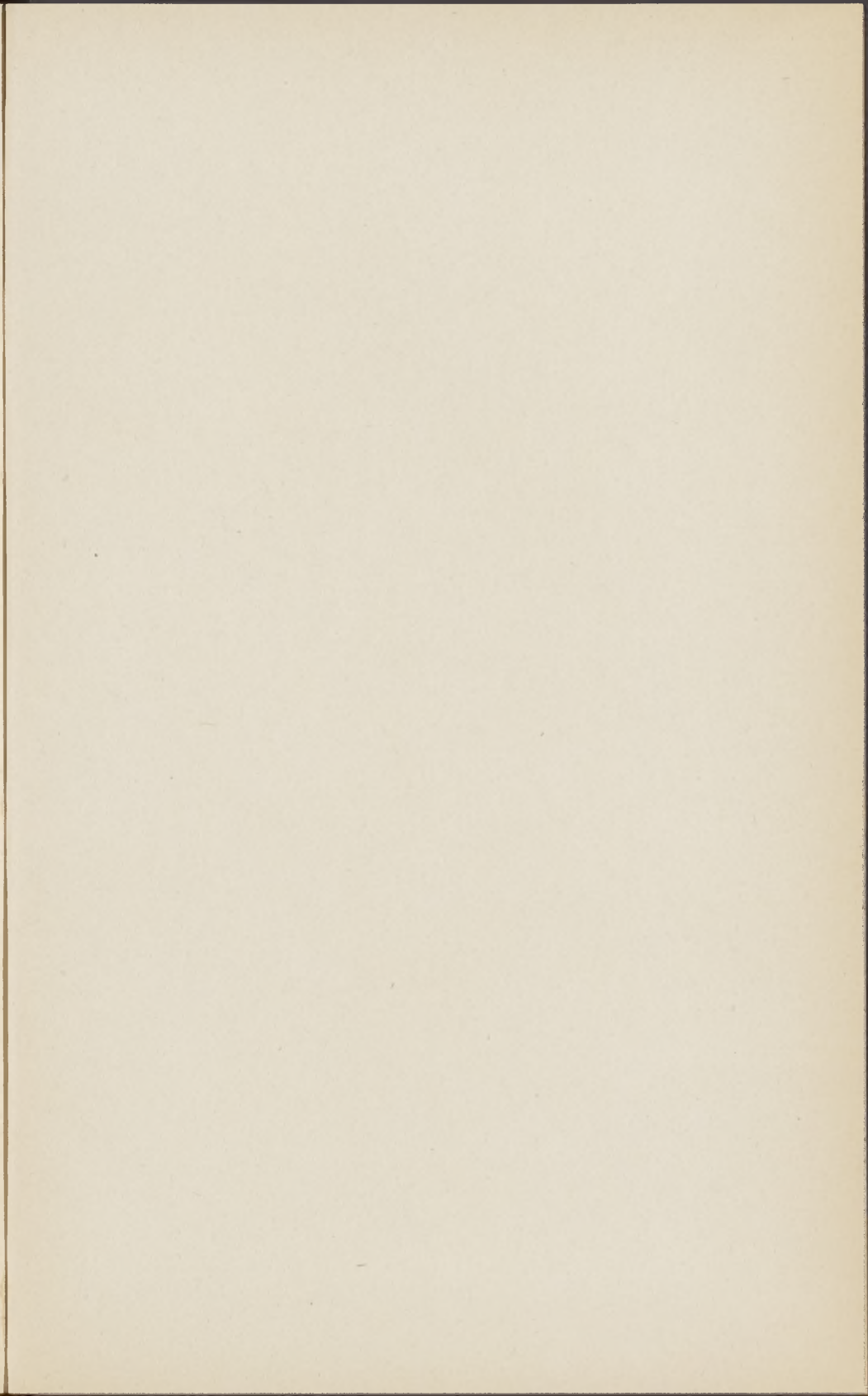
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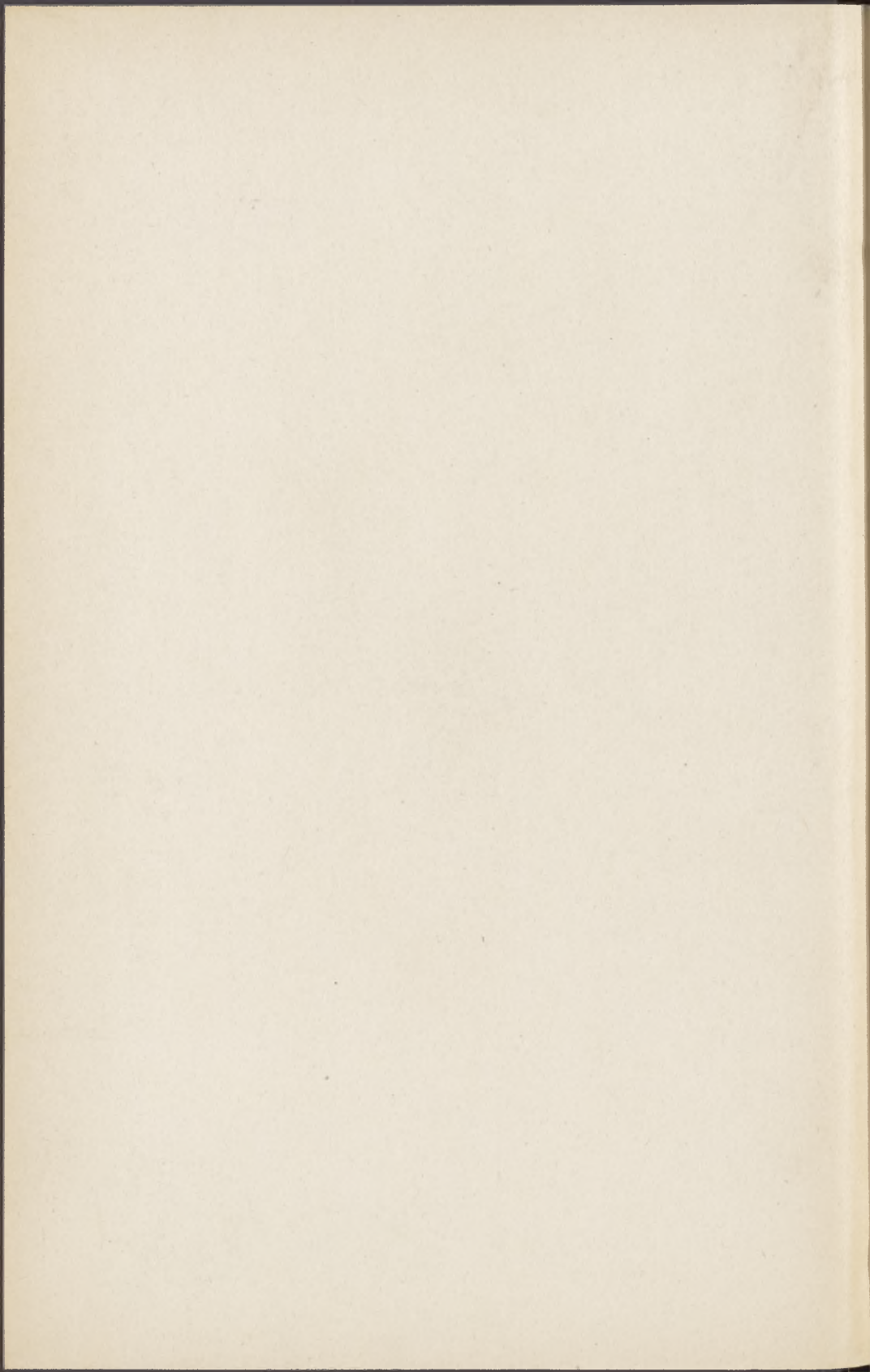
WORKMEN'S COMPENSATION ACTS. See **Admiralty**, 4; **Carriers**, 2; **Constitutional Law**, IV, 4; **Longshoremen's Act**.

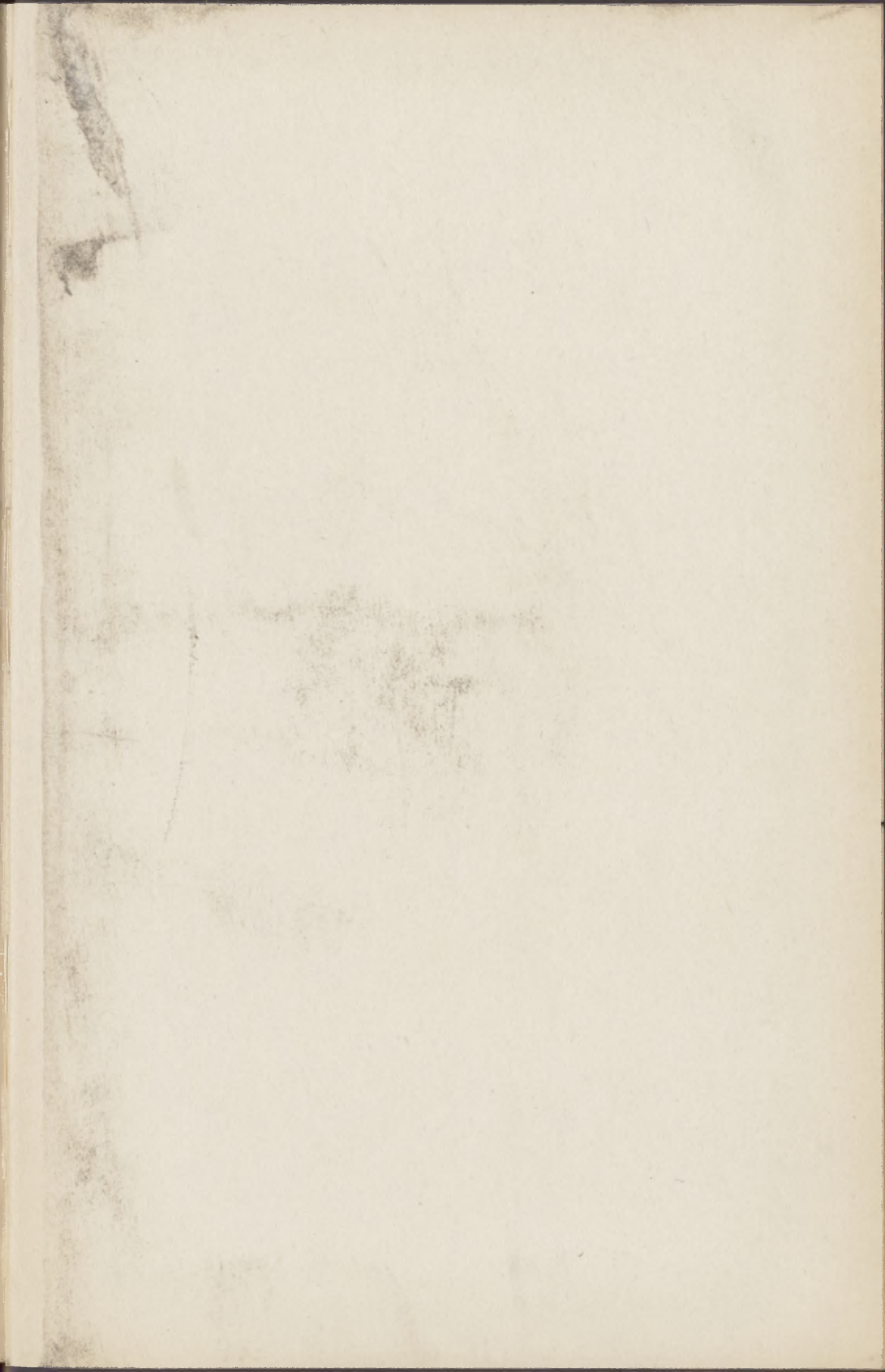


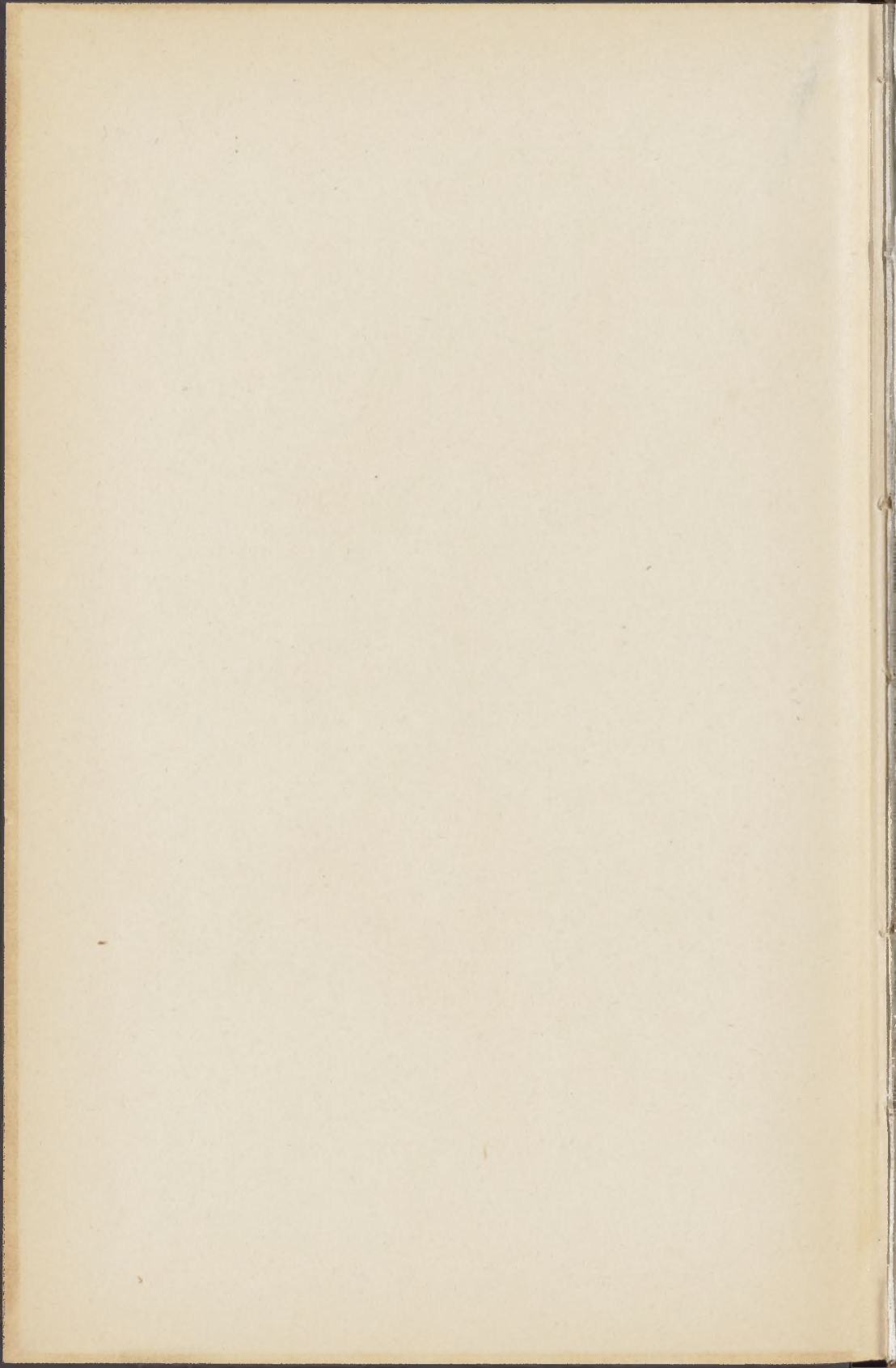


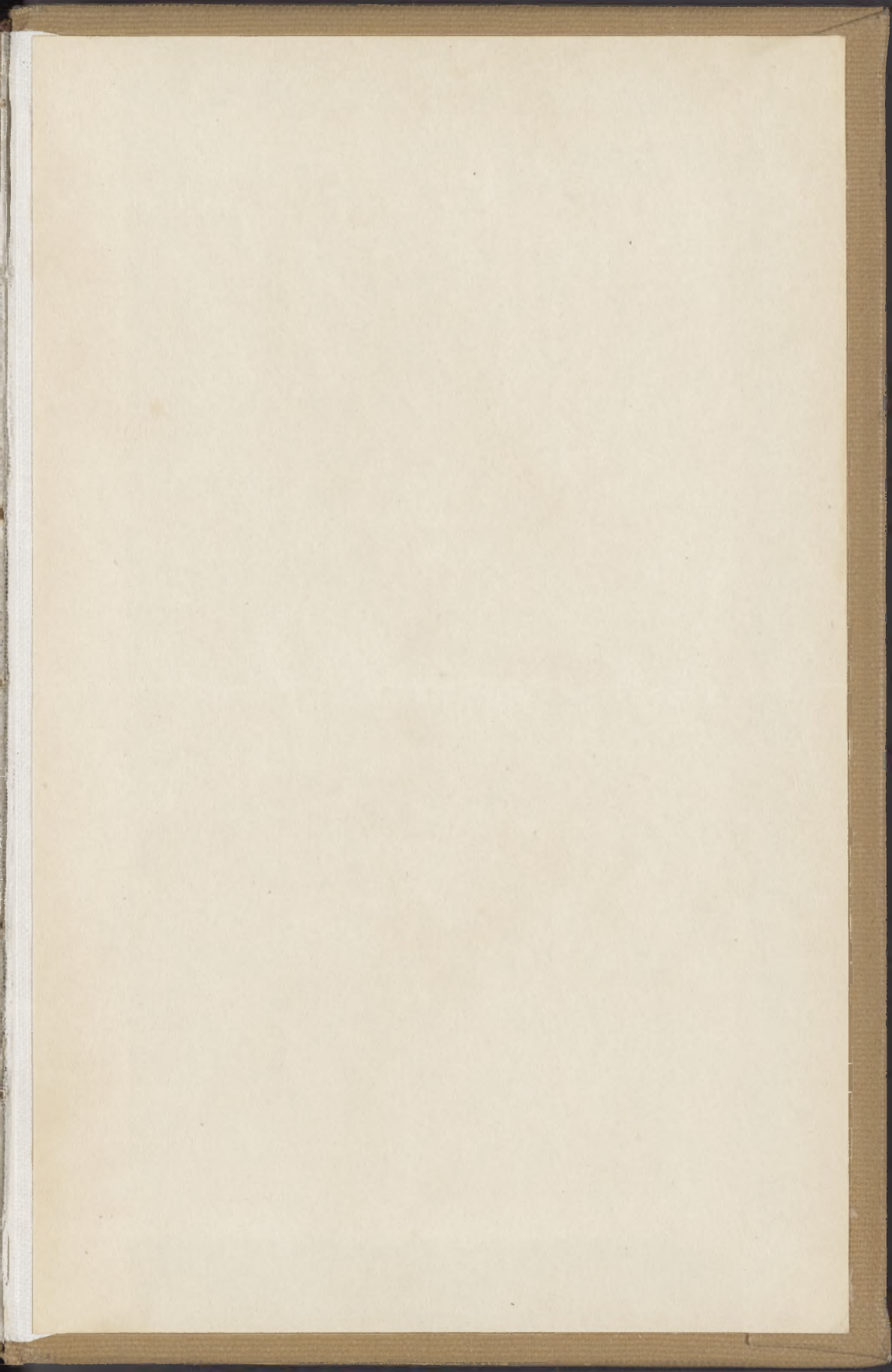














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