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Distinguished by [Lloyd A. Fry Roofing Co. v. Wood](#), U.S.Arkt., December 8, 1952

45 S.Ct. 324

Supreme Court of the United States

BUCK

v.

KUYKENDALL, State Director of Public Works of Washington.

No. 345.

Argued Nov. 25, 1924.

Decided March 2, 1925.

Synopsis

Appeal from the District Court of the United States for the Western District of Washington.

Suit by [A. J. Buck](#) against [E. V. Kuykendall](#), Director of Public Works of the State of Washington. Motion for preliminary injunction was denied by the District Court (295 F. 197, 203), and plaintiff appeals. Reversed.

West Headnotes (3)

[1] Estoppel

[Acceptance of Benefits](#)

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k89 Acquiescence

156k92 Acceptance of Benefits

156k92(1) In General

(Formerly 92k43(2))

One cannot assail and rely on statute in same proceeding.

[15 Cases that cite this headnote](#)

[2] Constitutional Law

[Reliance on Statute or Availment of Statutory Benefits](#)

92 Constitutional Law

92VI Enforcement of Constitutional Provisions

92VI(B) Estoppel, Waiver, or Forfeiture

92k951 Reliance on Statute or Availment of Statutory Benefits

(Formerly 92k43(2))

One who applied for certificate of public convenience for operation of bus under statute, but was denied certificate, was not estopped to question constitutionality of statute.

[128 Cases that cite this headnote](#)

[3] Estoppel

[Acceptance of Benefits](#)

156 Estoppel

156III Equitable Estoppel

156III(B) Grounds of Estoppel

156k89 Acquiescence

156k92 Acceptance of Benefits

156k92(1) In General

(Formerly 92k43(2))

One who avails himself of the benefits conferred by a statute cannot deny its validity.

[8 Cases that cite this headnote](#)

Attorneys and Law Firms

****324 *308** Mr. Merrill Moores, of Indianapolis, Ind., for appellant.

***311** Mr. John H. Dunbar, of Olympia, Wash., for appellee.

Opinion

***312** Mr. Justice BRANDEIS delivered the opinion of the Court.

****325** This is an appeal, under section 238 of the Judicial Code (Comp. St. § 1215), from a final decree of the federal court for Western Washington, dismissing a bill brought to enjoin the enforcement of section 4 of chapter 111 of the Laws of Washington of 1921. That section prohibits common carriers for

hire from using the highways by auto vehicles between fixed termini or over regular routes, without having first obtained from the director of public works a certificate declaring that *313 public convenience and necessity require such operation. The highest court of the state has construed the section as applying to common carriers engaged exclusively in interstate commerce. [Northern Pacific Ry. Co. v. Schoenfeldt](#), 123 Wash. 579, 213 P. 26; [Schmidt v. Department of Public Works](#), 123 Wash. 705, 213 P. 31. The main question for decision is whether the statute so construed and applied is consistent with the federal Constitution and the legislation of Congress.

Buck, a citizen of Washington, wished to operate an auto stage line over the Pacific Highway between Seattle, Wash., and Portland, Or., as a common carrier for hire exclusively for through interstate passengers and express. He obtained from Oregon the license prescribed by its laws. Having complied with the laws of Washington relating to motor vehicles, their owners and drivers ([Carlsen v. Cooney](#), 123 Wash. 441, 212 P. 575), and alleging willingness to comply with all applicable regulations concerning common carriers, Buck applied there for the prescribed certificate of public convenience and necessity. It was refused. The ground of refusal was that, under the laws of the state, the certificate may not be granted for any territory which is already being adequately served by the holder of a certificate, and that, in addition to frequent steam railroad service, adequate transportation facilities between Seattle and Portland were already being provided by means of four connecting auto stage lines, all of which held such certificates from the state of Washington.¹ [In re Buck](#), P. U. R. 1923E, 737. To enjoin interference by its officials with the operation of the projected *314 line, Buck brought this suit against Kuykendall, the director of public works. The case was first heard, under section 266 of the Judicial Code, before three judges, on an application for a preliminary injunction. They denied the application. 295 F. 197. A further application for the injunction made after amending the bill was likewise denied. 295 F. 203. Then the case was heard by the District Judge upon a motion to dismiss the amended bill. The final decree dismissing the bill was entered without further opinion. See, also, [Interstate Motor Transit Co. v. Kuykendall](#), 284 F. 882.

That part of the Pacific Highway which lies within the state of Washington was built by it with federal aid pursuant to Act July 11, 1916, c. 241, 39 Stat. 355, as amended by Act Feb. 28, 1919, c. 69, 40 Stat. 1189, 1200 (Comp. St. Ann. Supp. 1919, § 7477bb), and Federal Highway Act Nov. 9, 1921, c. 119, 42 Stat. 212 (Comp. St. Ann. Supp. 1923, § 7477 ¼ et seq). Plaintiff claimed that the action taken by the Washington officials, and threatened, violates rights conferred by these federal acts and guaranteed both by the Fourteenth Amendment and the commerce clause. In support of the decree dismissing the bill this argument is made. The right to travel interstate by auto vehicle upon the public highways may be a privilege or immunity of citizens of the United States. Compare [Crandall v. Nevada](#), 6 Wall. 35, 18 L. Ed. 745. A citizen may have, under the Fourteenth Amendment, the right to travel and transport his property upon them by auto vehicle. But he has no right to make the highways his place of business by using them as a common carrier for hire. Such use is a privilege which may be granted or withheld by the state in its discretion, without violating either the due process clause or the equal protection clause. [Packard v. Banton](#), 264 U. S. 140, 144, 44 S. Ct. 257, 68 L. Ed. 596. The highways belong to the state. It may make provision appropriate for securing the safety and convenience of the public in the use of them. [Kane v. New Jersey](#), 242 U. S. 160, 37 S. Ct. 30, 61 L. Ed. 222. It may impose fees with a *315 view both to raising funds to defray the cost of supervision and maintenance and to obtaining compensation for the use of the road facilities provided. [Hendrick v. Maryland](#), 235 U. S. 610, 35 S. Ct. 140, 59 L. Ed. 385. See, also, [Pierce Oil Corporation v. Hopkins](#), 264 U. S. 137, 44 S. Ct. 251, 68 L. Ed. 863. With the increase in number and size of the vehicles used upon a highway, both the danger and the wear and tear grow. To exclude unnecessary vehicles—particularly the large ones commonly used by carriers for hire—promotes both safety and economy. State regulation of that character is valid even as applied to interstate commerce, in the absence of legislation by Congress which deals specifically with the subject. [Vandalia R. Co. v. Public Service Commission](#), 242 U. S. 255, 37 S. Ct. 93, 61 L. Ed. 276; [Missouri Pacific Ry. Co. v. Larabee Flour Mills Co.](#), 211 U. S. 612, 29 S. Ct. 214, 53 L. Ed. 352. Neither the recent federal highway acts, nor the earlier post road acts (Rev. Stat. § 3964

[Comp. St. § 7456]; Act March 1, 1884, c. 9, 23 Stats. 3 [Comp. St. § 7457]), do that. The state statute **326 is not objectionable because it is designed primarily to promote good service by excluding unnecessary competing carriers. That purpose also is within the state's police power.

[1] The argument is not sound. It may be assumed that section 4 of the state statute is consistent with the Fourteenth Amendment; and also, that appropriate state regulations adopted primarily to promote safety upon the highways and conservation in their use are not obnoxious to the commerce clause, where the indirect burden imposed upon interstate commerce is not unreasonable. Compare [Michigan Public Utilities Commission v. Duke](#), No. 283, 266 U. S. 570, 45 S. Ct. 191, 69 L. Ed. 445, decided January 12, 1925. The provision here in question is of a different character. Its primary purpose is not regulation with a view to safety or to conservation of the highways, but the prohibition of competition. It determines, not the manner of use, but the persons by whom the highways may be used. It prohibits such use to some persons, while *316 permitting it to others for the same purpose and in the same manner. Moreover, it determines whether the prohibition shall be applied by resort, through state officials, to a test which is peculiarly within the province of the federal action—the existence of adequate facilities for conducting interstate commerce. The vice of the legislation is dramatically exposed by the fact that the state of Oregon had issued its certificate which may be deemed equivalent to a legislative declaration that, despite existing facilities, public convenience and necessity required the establishment by Buck of the auto stage line between Seattle and Portland. Thus, the provision of the Washington statute is a regulation, not of the use of its own highways, but of interstate commerce. Its effect upon such commerce is not merely to burden, but to obstruct, it. Such state action is forbidden by the commerce clause. It also defeats the purpose of Congress, expressed in the legislation giving federal aid for the construction of interstate highways.

Footnotes

- 1 An additional ground for refusing the certificate was that the applicant did not appear to have financial ability. This ground of rejection does not require separate consideration, among other reasons, because the plaintiff later asserted, in his bill, that he possessed the requisite financial ability, and the motion to dismiss admitted the allegation.

[2] [3] [4] By motion to dismiss filed in this court, the state makes the further contention that Buck is estopped from seeking relief against the provisions of section 4. The argument is this: Buck's claim is not that the department's action is unconstitutional because arbitrary or unreasonable. It is that section 4 is unconstitutional because use of the highways for interstate commerce is denied unless the prescribed certificate shall have been secured. Buck applied for a certificate. Thus he invoked the exercise of the power which he now assails. One who invokes the provisions of law may not thereafter question its constitutionality. The argument is unsound. It is true that one cannot in the same proceeding both assail a statute and rely upon it. [Hurley v. Commissioner of Fisheries](#), 257 U. S. 223, 225, 42 S. Ct. 83, 66 L. Ed. 206; Compare [Wall v. Parrot Silver & Copper Co.](#), 244 U. S. 407, 411, 37 S. Ct. 609, 61 L. Ed. 1229. Nor can one who avails himself of the benefits conferred by a statute deny its validity. [Pierce Oil Co. v. Phoenix Refining Co.](#), 259 U. S. 125, 42 S. Ct. 440, 66 L. Ed. 855; *317 [St. Louis Co. v. Prendergast Co.](#), 260 U. S. 469, 472, 43 S. Ct. 178, 67 L. Ed. 351. But in the case at bar Buck does not rely upon any provision of the statute assailed; and he has received no benefit under it. He was willing, if permitted to use the highways, to comply with all laws relating to common carriers. But the permission sought was denied. The case presents no element of estoppel. Compare [Arizona v. Copper Queen Mining Co.](#), 233 U. S. 87, 94 et seq., 34 S. Ct. 546, 58 L. Ed. 863.

Reversed.

Mr. Justice McREYNOLDS dissents. See, [267 U. S. 325](#), 45 S. Ct. 327, 69 L. Ed. 627.

All Citations

267 U.S. 307, 45 S.Ct. 324, 69 L.Ed. 623, 38 A.L.R. 286, P.U.R. 1925C 483

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Negative Treatment


Negative Citing References (7)

The KeyCited document has been negatively referenced by the following events or decisions in other litigation or proceedings:



Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by	1. Haselton v. Interstate Stage Lines ” 133 A. 451 , N.H. Transferred from Superior Court, Hillsborough County; Sawyer, Judge. Information in equity by George I. Haselton, County Solicitor, against the Interstate Stage Lines,...	May 04, 1926	Case		—
Distinguished by	2. Prater v. Department of Public Service of Washington 60 P.2d 238 , Wash. En Banc. Appeal from Superior Court, Spokane County; William A. Hunek, Judge. Injunction suit by Harry Prater and Floyd Prater, copartners doing business under the name and style...	Aug. 20, 1936	Case		—
Distinguished by	3. Com. v. Kennedy 195 A. 770 , Pa.Super. Appeal No. 252, October term, 1937, from judgment of Court of Quarter Sessions, Northampton County, No. 27, February term, 1937; Wm. M. McKeen, Judge. Robert B. Kennedy was...	Dec. 17, 1937	Case		—
Distinguished by	4. Lloyd A. Fry Roofing Co. v. Wood MOST NEGATIVE 73 S.Ct. 204 , U.S.Ark. Action brought in an Arkansas state court to enjoin a state commission from seeking to enforce permit provisions of the Arkansas Motor Act against interstate motor carriers. To...	Dec. 08, 1952	Case		—
Distinguished by	5. Matson Navigation Co., Inc. v. Hawaii Public Utilities Com'n ” 742 F.Supp. 1468 , D.Hawai'i Carrier brought action challenging Hawaii Public Utilities Commission's authority to regulate interisland shipping. On cross motions for summary judgment, the District Court,...	July 19, 1990	Case		—
Distinguished by	6. General Motors Corp. v. State Motor Vehicle Review Bd. 836 N.E.2d 903 , Ill.App. 4 Dist. TRANSPORTATION - Motor Vehicles. Review Board applied correct good-cause standard when considering whether to allow establishment of additional franchise.	Oct. 03, 2005	Case		—
Distinguished by	7. General Motors Corp. v. State Motor Vehicle Review Bd. 862 N.E.2d 209 , Ill. BUSINESS ORGANIZATIONS - Franchises and Dealerships. Motor Vehicle Franchise Act does not violate equal protection or Special Legislation Clause.	Jan. 08, 2007	Case		—

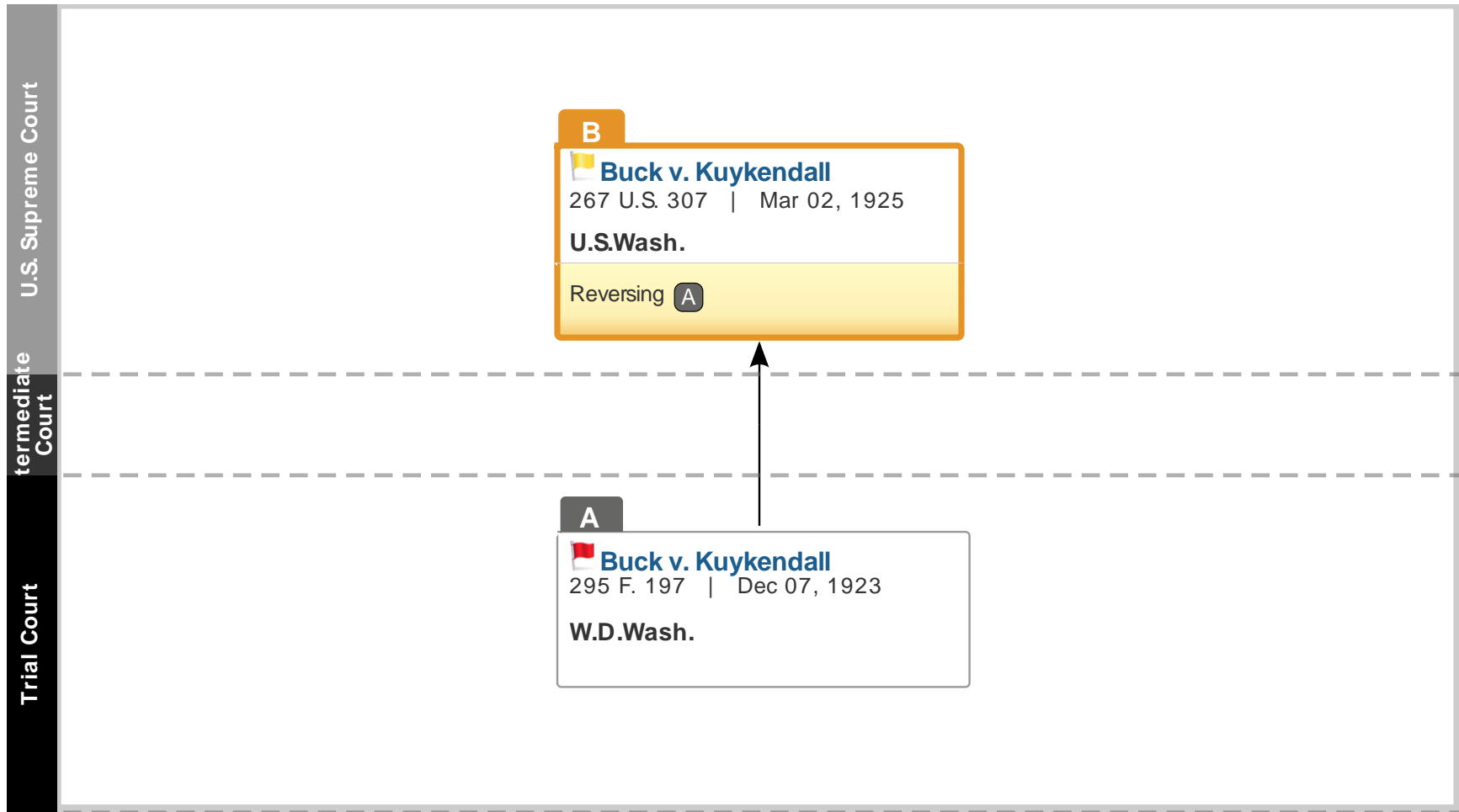
History (2)

Direct History (2)










 1. [Buck v. Kuykendall](#)
295 F. 197 , W.D.Wash. , Dec. 07, 1923

Reversed by

 2. [Buck v. Kuykendall](#) 
267 U.S. 307 , U.S.Wash. , Mar. 02, 1925



Citing References (442)

Treatment	Title	Date	Type	Depth	Headnote(s)
Distinguished by NEGATIVE	1. Matson Navigation Co., Inc. v. Hawaii Public Utilities Com'n ¶ 742 F.Supp. 1468, 1482+ , D.Hawai'i Carrier brought action challenging Hawaii Public Utilities Commission's authority to regulate interisland shipping. On cross motions for summary judgment, the District Court,...	July 19, 1990	Case		—
Examined by	 2. Kleenwell Biohazard Waste and General Ecology Consultants, Inc. v. Nelson ¶ 48 F.3d 391, 395+ , 9th Cir.(Wash.) Medical waste collection company filed § 1983 action against officials from Washington Utilities and Transportation Commission (WUTC), asserting that certification scheme for solid...	Feb. 09, 1995	Case		—
Examined by	 3. American Motors Sales Corp. v. Division of Motor Vehicles of Com. of Va. ¶ 445 F.Supp. 902, 905+ , E.D.Va. Manufacturer and distributor of motor vehicles and motor vehicle dealership brought action challenging constitutionality of statute providing that no additional franchise for a...	Feb. 13, 1978	Case		—
Examined by	4. Harper v. Public Service Com'n of West Virginia ¶ 416 F.Supp.2d 456, 463+ , S.D.W.Va. TRANSPORTATION - Carriers. Under Commerce Clause, Pike balancing test applied to statute requiring motor carriers to have certificate of convenience and necessity.	Feb. 27, 2006	Case		—
Examined by	 5. Medigen of Kentucky, Inc. v. Public Service Com'n of West Virginia 787 F.Supp. 590, 597+ , S.D.W.Va. Transporters of medical waste brought action challenging state requirement that they obtain certificate of necessity and convenience. The District Court, Copenhagen, J., held...	Aug. 09, 1991	Case		—
Distinguished by NEGATIVE	6. General Motors Corp. v. State Motor Vehicle Review Bd. 862 N.E.2d 209, 227+ , Ill. BUSINESS ORGANIZATIONS - Franchises and Dealerships. Motor Vehicle Franchise Act does not violate equal protection or Special Legislation Clause.	Jan. 08, 2007	Case		—
Distinguished by NEGATIVE	 7. Lloyd A. Fry Roofing Co. v. Wood 73 S.Ct. 204, 206+ , U.S.Ark. Action brought in an Arkansas state court to enjoin a state commission from seeking to enforce permit provisions of the Arkansas Motor Act against interstate motor carriers. To...	Dec. 08, 1952	Case		—

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Distinguished by NEGATIVE	8. Com. v. Kennedy 195 A. 770, 780+ , Pa.Super. Appeal No. 252, October term, 1937, from judgment of Court of Quarter Sessions, Northampton County, No. 27, February term, 1937; Wm. M. McKeen, Judge. Robert B. Kennedy was...	Dec. 17, 1937	Case		—
Distinguished by NEGATIVE	9. Haselton v. Interstate Stage Lines ¶¶ 133 A. 451, 455+ , N.H. Transferred from Superior Court, Hillsborough County; Sawyer, Judge. Information in equity by George I. Haselton, County Solicitor, against the Interstate Stage Lines,...	May 04, 1926	Case		—
Discussed by	10. Panhandle Eastern Pipe Line Co. v. Michigan Public Service Commission ¶¶ 71 S.Ct. 777, 783+ , U.S.Mich. Proceeding by Panhandle Eastern Pipe Line Company against the Michigan Public Service Commission, to set aside and to enjoin enforcement of order of the Commission requiring...	May 14, 1951	Case		—
Discussed by	11. H. P. Hood & Sons, Inc. v. Du Mond ¶¶ 69 S.Ct. 657, 665+ , U.S.N.Y. Proceeding in the matter of the application of H. P. Hood & Sons, Inc., to review determination of C. Chester DuMond, as Commissioner of Agriculture and Markets of the State of New...	Apr. 04, 1949	Case		—
Discussed by	12. Morris v. Duby ¶¶ 47 S.Ct. 548, 550+ , U.S.Or. Appeal from the District Court of the United States for the District of Oregon. Suit by R. B. Morris, doing business as Morris & Lowther, and others, against Wm. Duby and others. ...	Apr. 18, 1927	Case		—
Discussed by	13. Daniels v. U.S. 210 F.Supp. 942, 948+ , D.Mont. Action to review an order of the Interstate Commerce Commission. A three-judge District Court held that a motor carrier was not authorized, under exemption provision of the...	Oct. 19, 1962	Case		—
Discussed by	14. TV Pix, Inc v. Taylor ¶¶ 304 F.Supp. 459, 462+ , D.Nev. Suit to determine constitutionality of Nevada statute regulating community antenna television systems within state as public utilities. The three-judge District Court, Thompson,...	Dec. 02, 1968	Case		—
Discussed by	15. Stephenson v. Binford 53 F.2d 509, 511+ , S.D.Tex. KENNERLY, District Judge, dissenting in part. In Equity. Suit by J. H. Stephenson against T. Binford and others, in which W. S. Finnegan and others intervened. Temporary injunction...	Oct. 26, 1931	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	16. Cobb v. Department of Public Works of State of Washington 60 F.2d 631, 634+ , W.D.Wash. In Equity. Suit by R. C. Cobb and others against the Department of Public Works of the State of Washington and others. Decree for plaintiffs.	July 11, 1932	Case		—
Discussed by	17. Territory v. Fung ¶¶ 1936 WL 4430, *2+ , Hawai'i Terr. Within constitutional limitations common carriers of passengers by automobile who are also public utilities as defined by section 7940, R. L. 1935, are subject to reasonable...	Dec. 23, 1936	Case		—
Discussed by	18. Tober Foreign Motors, Inc. v. Reiter Oldsmobile, Inc. ¶¶ 381 N.E.2d 908, 915+ , Mass. Automobile manufacturer and company to which the manufacturer had recently granted a new dealership franchise brought suit in the Supreme Judicial Court for Suffolk County to...	Sep. 07, 1978	Case		—
Discussed by	19. Motor Transport & Truck Co. v. Public Utilities Commission of Ohio ¶¶ 181 N.E. 665, 666+ , Ohio Error to Public Utilities Commission. Application by the Motor Transport & Truck Company for certificate to do interstate trucking business was denied by the Public Utilities...	June 08, 1932	Case		—
Discussed by	20. Pierce Auto Freight Lines v. Flagg ¶¶ 159 P.2d 162, 182+ , Or. Appeal from Circuit Court, Marion County; George R. Duncan, Judge. Action by Pierce Auto Freight Lines, Inc., and others against Ormond R. Bean, Public Utilities Commissioner of...	May 22, 1945	Case		—
Discussed by	21. Newport Elec. Corp. v. Oakley ¶¶ 129 A. 613, 614+ , R.I. Appeal from Superior Court, Newport County; Chester W. Barrows, Judge. Suit by the Newport Electric Corporation against William M. Oakley. From a decree granting temporary...	June 24, 1925	Case		—
Discussed by	22. Southwestern Greyhound Lines v. Railroad Commission of Tex. 99 S.W.2d 263, 267+ , Tex. Error to Court of Civil Appeals of Third Supreme Judicial District. Suit by the Southwestern Greyhound Lines, Incorporated, to set aside an order of the Railroad Commission of...	Nov. 25, 1936	Case		—
Discussed by	23. Williams v. Denney 276 P. 858, 859+ , Wash. Department 1. Appeal from Superior Court, King County; Robert M. Jones, Judge. Action by George B. Williams and another against John C. Denney, Director of Public Works of...	Apr. 22, 1929	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Discussed by	24. West Central Producers Co-op. Ass'n v. Commissioner of Agriculture ¶ 20 S.E.2d 797, 801+ , W.Va. Appeal from Commissioner of Agriculture. Proceeding on an application by the West Central Producers Co-Operative Association, filed with the Commissioner of Agriculture for a...	Feb. 24, 1942	Case		—
Discussed by	25. In the Matter of ALL COUNTY DISPOSAL SERVICES, INC. 1985 WL 1205823, *1+ , Wash.U.T.C. NATURE OF PROCEEDING: This is a proceeding to determine whether the operations of All County Disposal Services, Inc., should properly be classified as those of a common carrier...	Aug. 28, 1985	Administrative Decision		—
Distinguished by NEGATIVE	26. General Motors Corp. v. State Motor Vehicle Review Bd. 836 N.E.2d 903, 916 , Ill.App. 4 Dist. TRANSPORTATION - Motor Vehicles. Review Board applied correct good-cause standard when considering whether to allow establishment of additional franchise.	Oct. 03, 2005	Case		—
Cited by	27. C & A Carbone, Inc. v. Town of Clarkstown, N.Y. ¶ 114 S.Ct. 1677, 1684+ , U.S.N.Y. Interstate Commerce. Town's solid waste ordinance violated interstate commerce clause.	May 16, 1994	Case		—
Cited by	28. Raymond Motor Transp., Inc. v. Rice 98 S.Ct. 787, 796 , U.S.Wis. Interstate trucking companies brought action seeking declaratory and injunctive relief on ground that Wisconsin regulations barring proposed operation of 65-foot doubles burdened...	Feb. 21, 1978	Case		—
Cited by	29. City of Chicago v. Atchison, T. & S. F. Ry. Co. 78 S.Ct. 1063, 1068+ , U.S.Ill. Railroads and transfer company brought action against City of Chicago for declaratory judgment and injunctive relief against enforcement of certain ordinance, wherein a...	June 16, 1958	Case		—
Cited by	30. Public Service Commission of Utah v. Wycoff Co., Inc. 73 S.Ct. 236, 244 , U.S.Utah Action for declaratory judgment and for injunction. The United States District Court for the District of Utah, rendered judgment for defendant and complainant appealed. The...	Dec. 22, 1952	Case		—
Cited by	31. People of State of Cal. v. Zook 69 S.Ct. 841, 846+ , U.S.Cal. Berl B. Zook and Wilmer K. Craig were convicted of selling interstate transportation of persons over state highways by a carrier not holding a permit from the Interstate Commerce...	Apr. 25, 1949	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	<p> 32. Eichholz v. Public Service Commission of State of Missouri 59 S.Ct. 532, 535 , U.S.Mo.</p> <p>Appeal from the District Court of the United States for the Western District of Missouri. Suit by Frank Eichholz against the Public Service Commission of the State of Missouri and...</p>	Feb. 27, 1939	Case		—
Cited by	<p> 33. Bradley v. Public Utilities Commission of Ohio 53 S.Ct. 577, 578 , U.S.Ohio</p> <p>Application by C. A. Bradley, doing business as Wolverine Motor Freight Lines, for a certificate of public convenience and necessity to operate by motor as a common carrier of...</p>	Apr. 10, 1933	Case		—
Cited by	<p>34. Stephenson v. Binford 53 S.Ct. 181, 185 , U.S.Tex.</p> <p>Suit by J. H. Stephenson against T. Binford and others, wherein W. S. Finnegan and others intervened. The statutory District Courts of three judges denied an interlocutory...</p>	Dec. 05, 1932	Case		—
Cited by	<p> 35. Sprout v. City of South Bend, Ind. 48 S.Ct. 502, 505 , U.S.Ind.</p> <p>On Writ of Error to the Supreme Court of the State of Indiana. Action by the City of South Bend, Ind., against Otis Sprout. Judgment for plaintiff was affirmed by the Indiana...</p>	May 14, 1928	Case		—
Cited by	<p> 36. Clark v. Poor 47 S.Ct. 702, 702+ , U.S.Ohio</p> <p>Appeal from the District Court of the United States for the Southern District of Ohio. Suit by Benjamin H. Clark and others against George T. Poor and others, constituting the...</p>	May 31, 1927	Case		—
Cited by	<p>37. Interstate Busses Corp. v. Holyoke St. Ry. Co. 47 S.Ct. 298, 299 , U.S.Mass.</p> <p>Appeal from the United States District Court for the District of Massachusetts. Suit by the Interstate Busses Corporation against the Holyoke Street Railway Company and others. ...</p>	Jan. 03, 1927	Case		—
Cited by	<p> 38. George W. Bush & Sons Co. v. Maloy 45 S.Ct. 326, 327+ , U.S.Md.</p> <p>In Error to the Court of Appeals of Maryland. Suit by George W. Bush & Sons Company against Wm. M. Maloy and others, constituting the Public Service Commission of Maryland. Order...</p>	Mar. 02, 1925	Case		—
Cited by	<p>39. City of Newark v. Central R. Co. of New Jersey 45 S.Ct. 328, 331 , U.S.N.J.</p> <p>Appeal from the United States Circuit Court of Appeals, Third Circuit. Suit by the City of Newark against the Central Railroad Company of New Jersey and another, in which the City...</p>	Mar. 02, 1925	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 40. Walgreen Co. v. Rullan 405 F.3d 50, 57 , 1st Cir.(Puerto Rico) GOVERNMENT - Territories. Puerto Rico's certificate of need law, as applied to retail pharmacies, violated dormant Commerce Clause.	Apr. 22, 2005	Case		—
Cited by	41. Hudson Transit Lines, Inc. v. U.S.I.C.C. 765 F.2d 329, 331 , 2nd Cir. Appeals were taken from decisions of ICC granting applications for certificates of public convenience and necessity to provide commuter service and finding bus service to Atlantic...	June 17, 1985	Case		—
Cited by	 42. Medigen of Kentucky, Inc. v. Public Service Com'n of West Virginia 985 F.2d 164, 166+ , 4th Cir.(W.Va.) Interstate transporter of infectious medical waste brought action against the Public Service Commission of West Virginia, seeking to enjoin enforcement of Commission's requirement...	Feb. 05, 1993	Case		—
Cited by	 43. U.S. v. Appalachian Elec. Power Co. 107 F.2d 769, 791 , C.C.A.4 (Va.) PARKER, Circuit Judge, dissenting. Appeal from the District Court of the United States for the Western District of Virginia, at Roanoke; John Paul, Judge. Suit by the United States...	Nov. 06, 1939	Case		—
Cited by	 44. Blease v. Safety Transit Co. ¶¶ 50 F.2d 852, 855+ , C.C.A.4 (S.C.) Appeal from the District Court of the United States for the Eastern District of South Carolina, at Charleston; Ernest F. Cochran, Judge. Suit by Sam C. Blease and others,...	June 17, 1931	Case		—
Cited by	 45. American Trucking Associations, Inc. v. I. C. C. 659 F.2d 452, 457 , 5th Cir. Petition was filed seeking review of Interstate Commerce Commission rules and policy statements dealing with removal of restrictions from existing motor carrier authority and the...	Oct. 01, 1981	Case		—
Cited by	 46. Price v. Wirtz 412 F.2d 647, 656 , 5th Cir.(Tex.) Labor relations case wherein an appeal was taken from a judgment of the United States District Court for the Northern District of Texas, Leo Brewster, J. The Court of Appeals,...	May 26, 1969	Case		—
Cited by	47. McNeely v. City of Natchez 4 F.2d 899, 900 , C.C.A.5 (Miss.) Appeal from the District Court of the United States for the Southern District of Mississippi; Edwin R. Holmes, Judge. Bill for injunction by S. B. McNeely against the Mayor and...	Mar. 31, 1925	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 48. McNeilus Truck and Mfg., Inc. v. Ohio ex rel. Montgomery 226 F.3d 429, 443 , 6th Cir.(Ohio) TRANSPORTATION - Motor Vehicles. Ohio statute governing licensing of vehicle remanufacturers violated dormant Commerce Clause.	Aug. 31, 2000	Case		—
Cited by	49. Owner-Operator Independent Drivers Association, Inc. v. United States Department of Transportation 840 F.3d 879, 884 , 7th Cir. TRANSPORTATION — Motor Vehicles. Final rule requiring electronic logging devices in commercial trucks satisfied statutory mandate for devices capable of recording driver's hours.	Oct. 31, 2016	Case		—
Cited by	50. Atchison, T. & S. F. Ry. Co. v. City of Chicago 240 F.2d 930, 940+ , 7th Cir.(Ill.) Railroads and transfer company brought action against the City of Chicago for a declaratory judgment and injunctive relief against enforcement of certain ordinance. The United...	Jan. 17, 1957	Case		—
Cited by	 51. Waste Systems Corp. v. County of Martin, Minn. ¶¶ 985 F.2d 1381, 1388 , 8th Cir.(Minn.) Landfill operator brought action challenging constitutionality of county ordinances requiring all compostable solid waste generated in counties to be delivered to counties' waste...	Feb. 18, 1993	Case		—
Cited by	52. Central Neb. Public Power & Irr. Dist. v. Federal Power Commission 160 F.2d 782, 785+ , C.C.A.8 On Petition for Review of Orders of the Federal Power Commission. Petition by the Central Nebraska Public Power and Irrigation District to review orders of the Federal Power...	Apr. 18, 1947	Case		—
Cited by	 53. Powers v. Harris 379 F.3d 1208, 1219 , 10th Cir.(Okla.) CIVIL RIGHTS - Equal Protection. Oklahoma Funeral Services Licensing Act did not violate substantive due process or equal protection.	Aug. 23, 2004	Case		—
Cited by	54. Texas-Empire Pipe Line Co. v. Commissioner of Internal Revenue 127 F.2d 220, 226 , C.C.A.10 HUXMAN, Circuit Judge, Dissenting. On Petition to Review the Decision of the United States Board of Tax Appeals. Petition by the Texas-Empire Pipe Line Company to review a decision...	Mar. 23, 1942	Case		—
Cited by	 55. Capital Tel. Co., Inc. v. F.C.C. 498 F.2d 734, 740 , D.C.Cir. The Federal Communications Commission denied corporate applicant's application for authority to construct and operate a one-way radio-paging station and the corporate applicant...	May 24, 1974	Case		—


Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	56. U.S. v. Rogge 1941 WL 1325, *16 , D.Alaska Terr. Action by the United States of America against Lawrence J. Rogge and another, copartners doing business under the firm name and style of Sourdough Express, and William Miller and...	1941	Case		—
Cited by	57. Baltimore Shippers & Receivers Ass'n v. Public Utilities Commission of State of Cal. 268 F.Supp. 836, 842+ , N.D.Cal. Action by nonprofit cooperative shippers' associations and motor carriers challenging validity of the imposition of minimum rate tariffs by California Public Utilities Commission...	May 23, 1967	Case		—
Cited by	58. U.S. v. Golden Gate Bridge and Highway Dist. of Cal. 37 F.Supp. 505, 510 , N.D.Cal. Action under the Federal Declaratory Judgment Act, Jud.Code Section 274d, 28 U.S.C.A. § 400, by the United States of America against the Golden Gate Bridge and Highway District of...	Mar. 11, 1941	Case		—
Cited by	59. Asher v. Ingels 13 F.Supp. 654, 660 , S.D.Cal. In Equity. Suit by Lou Asher and another, copartners, doing business under the firm name and style of Asher & Ponder, against Ray Ingels, as Director of the Department of Motor...	Feb. 08, 1936	Case		—
Cited by	60. Interstate Busses Corp. v. Blodgett 19 F.2d 256, 258 , D.Conn. In Equity. Suit by the Interstate Busses Corporation against William H. Blodgett, Tax Commissioner of the State of Connecticut, and others, to restrain the defendants, as...	Jan. 04, 1927	Case		—
Cited by	61. CSX Transp., Inc. v. Williams 2005 WL 902130, *21 , D.D.C. Plaintiff CSX Transportation Inc. ("CSXT"), a freight railroad and the exclusive rail carrier of hazardous materials through the District of Columbia, seeks to enjoin enforcement...	Apr. 18, 2005	Case		—
Cited by	62. Lowe v. City Council of Augusta 45 F.Supp. 143, 148 , S.D.Ga. Action by H. A. Lowe and others against the City Council of Augusta and another to enjoin the enforcement of a municipal ordinance of the city, regulating the business of taxicabs...	Apr. 27, 1942	Case		—
Cited by	63. Southern Motorways v. Perry 39 F.2d 145, 148 , N.D.Ga. In Equity. Suit by the Southern Motorways, Incorporated, against James A. Perry and others, individually, and as Georgia Public Service Commission and another. Interlocutory...	Mar. 24, 1930	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	64. U.S. v. Union Pac. R. Co. 20 F.Supp. 665, 667 , D.Idaho The Union Pacific Railroad Company and another were indicted for violation of the Motor Carrier Act. On demurrer and motion to quash the information. Demurrer and motion to quash...	Sep. 21, 1937	Case		—
Cited by	65. Atchison, T. & S. F. Ry. Co. v. City of Chicago 136 F.Supp. 476, 482+ , N.D.Ill. Action for a declaratory judgment to determine the validity and application of a Chicago ordinance respecting the licensing of vehicles for transporting through passengers between...	Dec. 12, 1955	Case		—
Cited by	66. Dohrn Transfer Co. v. Hoegh 116 F.Supp. 177, 187 , S.D.Iowa Action by motor carrier against certain officials of the state of Iowa for declaratory judgment as to validity of state statute requiring carriers which operated between Iowa...	Nov. 03, 1953	Case		—
Cited by	67. Louis v. Boynton 53 F.2d 471, 473+ , D.Kan. In Equity. Suit by Roy Louis, doing business as the Louis Transport Company, and others against Roland Boynton, as Attorney General of the State of Kansas, and others. On...	Oct. 01, 1931	Case		—
Cited by	68. Magnuson v. Kelly 35 F.2d 867, 869 , E.D.Ky. In Equity. Suit by Thomas Magnuson, doing business as the Ohio-Kentucky Interstate Bus Company, against Griffin Kelly, Commissioner of Motor Transportation of the Commonwealth of...	Dec. 02, 1927	Case		—
Cited by	69. McNeely v. Town of Vidalia 6 F.2d 21, 23 , W.D.La. In Equity. Suit by S. B. McNeely against the Mayor and Board of Aldermen of the Town of Vidalia, for injunction. Preliminary writs, as modified, made perpetual.	Apr. 28, 1925	Case		—
Cited by	70. Schwartzman Service v. Stahl 60 F.2d 1034, 1037+ , W.D.Mo. In Equity. Suit by the Schwartzman Service, Incorporated, against Milton R. Stahl and others, Public Service Commissioners of the State of Missouri, and another. On application...	July 26, 1932	Case		—
Cited by	71. Butler-Newark Bus Line v. Sinclair	Sep. 07, 1929	Case		—
Cited by	72. Goodman v. Albany Transport, Inc. 103 F.Supp.2d 112, 118 , N.D.N.Y. LABOR AND EMPLOYMENT - Discrimination. Fact issues remained as to whether employee leasing agency or its client was "employer" under ADA.	Mar. 22, 2000	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	73. Visceglia v. U.S. 24 F.Supp. 355, 359 , S.D.N.Y. In Equity. Suit under the Urgent Deficiency Act of October 22, 1913 (Title 28, U.S.C., § 41, subd. 28, and sections 43— 48, 28 U.S.C.A. §§ 41(28), 43— 48), by Frank Visceglia,...	June 10, 1938	Case		—
Cited by	74. Cannonball Transp. Co. v. American Stages 53 F.2d 1051, 1053 , S.D.Ohio In Equity. Proceeding by the Cannonball Transportation Company against American Stages, Inc., and others. Case dismissed.	Nov. 16, 1931	Case		—
Cited by	75. Red Ball Transit Co. v. Marshall 8 F.2d 635, 639+ , S.D.Ohio In Equity. Suit by the Red Ball Transit Company against Charles C. Marshall and others, constituting the Public Utilities Commission of Ohio. Case dismissed.	Oct. 19, 1925	Case		—
Cited by	 76. Maher v. U.S. 23 F.Supp. 810, 817 , D.Or. HANEY, Circuit Judge, dissenting. Suit by Dan E. Maher, doing business as Interstate Busses, against the United States and the Interstate Commerce Commission to set aside an order...	June 16, 1938	Case		—
Cited by	77. Phillips v. Moulton 54 F.2d 119, 121 , D.R.I. In Equity. Suit by Bessie Phillips and others against Benjamin P. Moulton and others. Decree in accordance with opinion.	Dec. 08, 1931	Case		—
Cited by	78. Inter-City Coach Co. v. Atwood 21 F.2d 83, 85 , D.R.I. In Equity. Suit by The Inter-City Coach Company against Abram L. Atwood and others. On motion for preliminary injunction. Denied.	Aug. 13, 1927	Case		—
Cited by	 79. Barnwell Bros. v. South Carolina State Highway Department 17 F.Supp. 803, 813 , E.D.S.C. Suit by Barnwell Brothers, Incorporated, and others, against the South Carolina State Highway Department and others, wherein the Interstate Commerce Commission and others were...	Jan. 20, 1937	Case		—
Cited by	80. Gulf Coast Motor Freight Lines v. U.S. 35 F.Supp. 136, 137 , S.D.Tex. Action by the Gulf Coast Motor Freight Lines, Incorporated, against the United States and the Interstate Commerce Commission and others, with respect to complainant's application...	Apr. 17, 1940	Case		—
Cited by	81. J.H. McLeaish & Co. v. Binford 52 F.2d 151, 153+ , S.D.Tex. Suit by J. H. McLeaish & Co. against T. Binford and others. Temporary injunction granted.	Aug. 06, 1931	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	82. Hi-Ball Transit Co. v. Railroad Commission of Tex. 27 F.2d 425, 426 , N.D.Tex. In Equity. Suit by the Hi-Ball Transit Company against the Railroad Commission of Texas and others. Bill dismissed without prejudice.	June 19, 1928	Case		—
Cited by	83. U.S. v. Scott ¶¶ 10 F.Supp. 453, 459 , W.D.Wash. In Equity. Suit by United States against Orr K. Scott and Viret Scott, operating under the trade-name of Union Stages. On defendants' demurrer to plaintiff's complaint and...	Feb. 11, 1935	Case		—
Cited by	84. Arneson v. Denny 25 F.2d 988, 990+ , W.D.Wash. In Equity. Suit by E. A. Arneson against John C. Denny and others, as the Department of Public Works of the State of Washington. On defendants' motion to dismiss the bill. ...	Apr. 18, 1928	Case		—
Cited by	85. U.S. v. Hansen 52 F.Supp. 693, 695 , E.D.Wis. Actions by the United States of America against Gordon Hansen and against Roman Kaczmarek for possession of leased premises and for eviction of defendants. On plaintiff's motions...	Dec. 03, 1943	Case		—
Cited by	86. Harper v. Public Service Com'n of W.V. 427 F.Supp.2d 707, 712 , S.D.W.Va. ENVIRONMENTAL LAW - Solid Waste. Statute requiring certification of solid waste haulers violated Commerce Clause.	Apr. 11, 2006	Case		—
Cited by	87. Harper v. Public Service Commission of West Virginia 2005 WL 8159370, *1+ , S.D.W.Va. Currently pending before the court is "Plaintiffs' Motion for Summary Judgment," filed May 11, 2005. (Docket sheet document # 78.) On May 31, 2005, intervenors-defendants Stewart's...	July 08, 2005	Case		—
Cited by	88. In re Cole 13 B.R. 258, 259 , Bkrcty.D.Mass. Upon credit union's motion to dismiss debtor's complaint for relief to reclaim exempt property, the Bankruptcy Court, Paul W. Glennon, J., held that debtor had standing to proceed...	Aug. 10, 1981	Case		—
Cited by	89. Consolidated Freight Lines, Inc. v. C.I.R. 1938 WL 272, *1 , B.T.A. Prior to 1934 the petitioner purchased certificates of public convenience and necessity permitting transportation of freight by truck over certain highways in the State of...	Mar. 29, 1938	Case		—
Cited by	90. Bateman v. C.I.R. 1936 WL 355, *1 , B.T.A. 1. Where taxpayer signed a waiver after the expiration of the statutory period of limitations and claims that he signed such waiver under a mistake due to lack of knowledge that...	Apr. 17, 1936	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	91. Miller Transporters, Inc. v. Alabama Public Service Com'n 454 So.2d 1373, 1374 , Ala. A judgment of the Circuit Court, Montgomery County, William R. Gordon, J., affirmed an order of the Public Service Commission. On appeal by certain carriers, the Supreme Court,...	July 27, 1984	Case		—
Cited by	92. State v. Bundrant 546 P.2d 530, 540 , Alaska Defendants were charged with violation of various statutes and regulations of the State of Alaska relating to crabbing in the Bering Sea. Their motions to dismiss were granted by...	Jan. 19, 1976	Case		—
Cited by	93. In re Petersen 331 P.2d 24, 27 , Cal. Habeas corpus proceeding involving a city ordinance regulating taxicab stands. The Supreme Court, Gibson, C. J., held inter alia, that habeas corpus was available to the...	Oct. 31, 1958	Case		—
Cited by	94. Meyers v. Railroad Commission 23 P.2d 26, 26 , Cal. Petition by Alex Meyers, doing business as the Western Transportation Company, to review a decision of the Railroad Commission of the State of California, finding that petitioner...	June 01, 1933	Case		—
Cited by	95. Holmes v. Railroad Commission of Cal. 242 P. 486, 488+ , Cal. In Bank. Application by Henry E. Holmes and others for certiorari to review a decision and order of the Railroad Commission of California. Decision and order affirmed, and writ...	Dec. 23, 1925	Case		—
Cited by	96. Frost v. Railroad Commission of Cal. 240 P. 26, 32 , Cal. In Bank. Application by Marion L. Frost and Wesley H. Frost, copartners doing business under the name and style of Frost & Frost Trucking Company, for a writ of certiorari to...	Oct. 01, 1925	Case		—
Cited by	97. People v. Yahne 235 P. 50, 51 , Cal. In Bank. Melville Yahne was convicted of operating an auto stage as a common carrier without having obtained a certificate of public convenience and necessity, and the appeals....	Mar. 28, 1925	Case		—
Cited by	98. Sacramento County v. City of Sacramento 171 P.2d 477, 485+ , Cal.App. 3 Dist. Appeal from Superior Court, Sacramento County; Dal M. Lemmon, Judge. Action by Sacramento County, a body politic and corporate and political subdivision of the State of California,...	July 19, 1946	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 99. In re Graham 269 P. 183, 185 , Cal.App. 2 Dist. Application, by Orville Graham, for a writ of habeas corpus to the Chief of Police of the City of Los Angeles. Writ discharged, and petitioner remanded.	July 06, 1928	Case		—
Cited by	100. McKay v. Public Utilities Com'n  91 P.2d 965, 970 , Colo. En Banc. Error to District Court, City and County of Denver; Stanley H. Johnson, Judge. Action by Oren L. McKay against the Public Utilities Commission of the State of Colorado and...	May 29, 1939	Case		—
Cited by	101. Western Transp. Co. v. People  261 P. 1, 4+ , Colo. En Banc. Error to District Court, Denver County; Geo. F. Dunklee, Judge. Suit for injunction by the People against the Western Transportation Company. To review a decree in favor...	Oct. 31, 1927	Case		—
Cited by	 102. Carofano v. City of Bridgeport  495 A.2d 1011, 1014 , Conn. City police officers brought action challenging enforcement of arbitration award which imposed residency requirement on the officers. The Superior Court, Judicial District of...	July 09, 1985	Case		—
Cited by	103. Strain v. Zoning Bd. of Appeals of Town of Greenwich 74 A.2d 462, 464 , Conn. William Strain and others appealed from an order of the Zoning Board of Appeals of the Town of Greenwich denying appellants' application for authorization to erect a garage on their...	June 20, 1950	Case		—
Cited by	104. University Overland Express v. Alsop  189 A. 458, 461 , Conn. Case Reserved from Superior Court, Hartford County; John Rufus Booth, Judge. Appeal by the University Overland Express, Incorporated, from an order and decision of J. W. Alsop and...	Dec. 01, 1936	Case		—
Cited by	 105. Berger v. Board of Psychologist Examiners for Dist. of Columbia  313 A.2d 602, 604 , D.C. Petition for review of a decision of the Board of Psychologist Examiners for the District of Columbia. The Court of Appeals, Hood, C. J., Retired, held that petitioner, who went...	Dec. 11, 1973	Case		—
Cited by	106. State ex rel. R.C. Motor Lines v. Florida Railroad Com'n 166 So. 840, 842 , Fla. En Banc. Mandamus proceeding by the State, on the relation of the R. C. Motor Lines, against the Florida Railroad Commission. Peremptory writ of mandamus awarded. BROWN, J.,...	Mar. 28, 1936	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	107. Louisville & N.R. Co. v. Matthews 140 So. 469, 469 , Fla. En Banc. Certiorari to the Railroad Commission of Florida. Certiorari by the Louisville & Nashville Railroad Company and others to review an order of Eugene S. Matthews and others,...	Mar. 31, 1932	Case		—
Cited by	108. General GMC Trucks, Inc. v. General Motors Corp., GMC Truck and Coach Division 237 S.E.2d 194, 197 , Ga. After the Georgia Motor Vehicle Franchise Practices Commission denied a license to engage in business as a manufacturer's franchised truck dealer, the Superior Court, Fulton...	June 23, 1977	Case		—
Cited by	109. Dean v. Georgia Public Service Commission 18 S.E.2d 756, 758 , Ga. Error from Superior Court, Fulton County; Walter C. Hendrix, Judge. Suit by J. L. Dean against the Georgia Public Service Commission and others to enjoin the Commission from...	Jan. 16, 1942	Case		—
Cited by	110. Wong v. Public Utilities Commission 1936 WL 4408, *2+ , Hawai'i Terr. Rights and privileges guaranteed by the Constitution of the United States or by the Organic Act of the Territory may be waived or the right to claim them barred by conduct...	June 10, 1936	Case		—
Cited by	111. In re Garrett Transfer & Storage Co. 23 P.2d 739, 741 , Idaho Appeal from Public Utilities Commission. Application to the Public Utilities Commission by Garrett Transfer & Storage Company, Incorporated, for permit to extend the operations of...	May 26, 1933	Case		—
Cited by	112. General Tel. Co. of Ind. v. Public Service Commission 150 N.E.2d 891, 894+ , Ind. See 154 N.E.2d 372. Action to review Public Service Commission's order granting certificate of territorial authority to one of the two telephone companies seeking such certificate....	June 12, 1958	Case		—
Cited by	113. Sprout v. City of South Bend 154 N.E. 369, 369+ , Ind. Appeal from St. Joseph Circuit Court; W. A. Funk, Judge. On petition for rehearing. Petition overruled.	Dec. 16, 1926	Case		—
Cited by	114. State ex rel. Fatzer v. Sinclair Pipe Line Co. 304 P.2d 930, 938 , Kan. Original proceeding in mandamus by the State on the relation of the Attorney General and the State Corporation Commission for a writ compelling certain pipe line companies to ask...	Dec. 08, 1956	Case		—

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Cited by	 115. Ash v. Gibson 67 P.2d 1101, 1108 , Kan. Appeal from District Court, Franklin County; Hugh Means, Judge. Action by Everett Ash and others against E. V. Gibson and other. Judgment for plaintiffs, and defendants appeal....	Apr. 10, 1937	Case		—
Cited by	116. Whitney v. Fife 109 S.W.2d 832, 834+ , Ky. Appeal from Circuit Court, Hardin County. Suit by A. M. Whitney and others for writs of prohibition against H. B. Fife, Judge of the Hardin County Court, and another. From a...	Oct. 29, 1937	Case		—
Cited by	117. Ashland Transfer Co. v. State Tax Commission 56 S.W.2d 691, 694+ , Ky. Appeal from Circuit Court, Franklin County. Consolidated actions by the Ashland Transfer Company and others and by the Aetna Oil Service against the State Tax Commission and...	Dec. 16, 1932	Case		—
Cited by	118. Shorty's Bus Line v. Gibbs Bus Line 35 S.W.2d 868, 869 , Ky. Appeal from Circuit Court, Franklin County. Action by Shorty's Bus Line and others against the Gibbs Bus Line, Inc., and others. From a judgment for defendants, plaintiffs appeal....	Feb. 17, 1931	Case		—
Cited by	119. Slusher v. Safety Coach Transit Co. 17 S.W.2d 1012, 1012+ , Ky. Appeal from Circuit Court, Bell County. Action by the Safety Coach Transit Company against Sam Slusher. Judgment for plaintiff, and defendant appeals. Affirmed.	May 28, 1929	Case		—
Cited by	120. Crigger & Stepp v. Allen 292 S.W. 811, 811 , Ky. Appeal from Circuit Court, Pike County. Action by Crigger & Stepp against J. W. Allen for an injunction. From the decree, plaintiffs appeal, and defendant cross-appeals. Reversed...	Mar. 25, 1927	Case		—
Cited by	121. Apger v. New York Cent. R. R. 38 N.E.2d 652, 655 , Mass. Exceptions from Superior Court, Suffolk County; Forte, Judge. Actions of tort by Paul G. Apger and by Harry Sibert, respectively, against the New York Central Railroad, for...	Dec. 31, 1941	Case		—
Cited by	122. Com. v. New England Transp. Co. 185 N.E. 23, 26 , Mass. Exceptions from Superior Court, Suffolk County; W. P. Hall, Judge. The New England Transportation Company was found guilty of violating statute prohibiting any one in or from...	Apr. 03, 1933	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 123. In re Opinion of the Justices 147 N.E. 681, 698 , Mass. The following order was passed by the House of Representatives on March 12, 1925, and by the Senate in concurrence on March 16, 1925, and was transmitted to the Justices of the...	Apr. 17, 1925	Case		—
Cited by	 124. County Com'rs of Charles County v. Stevens 473 A.2d 12, 21 , Md. Solid waste hauler filed bill of complaint, seeking declaration that county regulation banning disposal, in county owned and operated landfill facility, of solid waste originating...	Apr. 04, 1984	Case		—
Cited by	125. Red Star Line v. Baughman ¶¶ 139 A. 291, 293 , Md. Appeal from Baltimore Court of Common Pleas; Eugene O'Dunne, Judge. "To be officially reported." Mandamus proceeding by the Red Star Line, Inc., against E. Austin Baughman,...	Nov. 02, 1927	Case		—
Cited by	126. State v. Nagle ¶¶ 91 A.2d 397, 402 , Me. Respondent was indicated for transporting asbestos shingles for hire as an interstate motor carrier on a highway within the state without having a license to do so. The Superior...	Oct. 07, 1952	Case		—
Cited by	 127. State v. King 188 A. 775, 779 , Me. Report from Superior Court, Aroostook County. Sandy King was indicted for operating truck as contract carrier without permit. On report from the Superior Court. Case remanded,...	Dec. 07, 1936	Case		—
Cited by	128. Chapman v. City of Portland 160 A. 913, 915 , Me. Report from Supreme Judicial Court, Cumberland County, in Equity. Suit in equity by George S. Chapman against the City of Portland. A general demurrer was filed, and, with the...	June 08, 1932	Case		—
Cited by	129. Panhandle Eastern Pipe Line Co. v. Michigan Public Service Com'n 44 N.W.2d 324, 331+ , Mich. The Panhandle Eastern Pipe Line Company filed a bill of complaint against the Michigan Public Service Commission to set aside and enjoin enforcement of Commission's order. The...	Oct. 10, 1950	Case		—
Cited by	130. State v. Le Febvre 219 N.W. 167, 169+ , Minn. Appeal from District Court, Itasca County; B. F. Wright, Judge. Application by Andrew J. Le Febvre to the Railroad and Warehouse Commission for a certificate of public convenience...	Apr. 13, 1928	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	131. State v. Oligney ¶ 202 N.W. 893, 896 , Minn. Case certified from District Court, Ramsey County; Charles Bechhoefer, Judge. Warren S. Oligney, charged with violation of Motor Vehicle Act, § 24, demurred to the information, and...	Mar. 13, 1925	Case		—
Cited by	132. State ex rel. Toedebusch Transfer, Inc. v. Public Service Commission 520 S.W.2d 38, 45+ , Mo. Common carriers brought action seeking to prohibit Public Service Commission from taking any action to authorize certain motor carriers who had operated freight-carrying vehicles...	Feb. 10, 1975	Case		—
Cited by	133. State ex rel. Illinois Greyhound Lines v. Public Service Com'n 108 S.W.2d 116, 119+ , Mo. Appeal from Circuit Court, Cole County; Nike G. Sevier, Judge. Certiorari by the State, on the relation of the Illinois Greyhound Lines, Inc., against the Public Service...	May 17, 1937	Case		—
Cited by	134. Park Transp. Co. v. Missouri State Highway Com'n 60 S.W.2d 388, 390+ , Mo. Appeal from Circuit Court, Cole County; W. S. Stillwell, Judge. Suit by the Park Transportation Company against Missouri State Highway Commission and others. From a decree...	Apr. 19, 1933	Case		—
Cited by	135. Board of R. R. Com'rs v. Aero Mayflower Transit Co. ¶ 172 P.2d 452, 459+ , Mont. Appeal from District Court, Second District, Silver Bow County; Jeremiah J. Lynch, Judge. Suit by the Board of Railroad Commissioners of the State of Montana, Paul T. Smith and...	June 29, 1946	Case		—
Cited by	136. Barney v. Board of Railroad Com'rs ¶ 17 P.2d 82, 88+ , Mont. Appeal from District Court, Fergus County; John C. Huntoon, Judge. Suit by Maynard N. Barney against the Board of Railroad Commissioners of the State of Montana and others....	Dec. 19, 1932	Case		—
Cited by	137. Northern Pac. Ry. Co. v. Bennett 272 P. 987, 990 , Mont. Appeal from District Court, Missoula County; Theodore Lentz, Judge. Suit by the Northern Pacific Railway Company against E. W. Bennett for an injunction. From a judgment for...	Dec. 27, 1928	Case		—
Cited by	138. State v. Johnson 243 P. 1073, 1076+ , Mont. Appeal from District Court, Lewis and Clark County; W. H. Poorman, Judge. Samuel S. Johnson was charged with owning and operating an automobile, motor vehicle, and bus line for...	Jan. 26, 1926	Case		—

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Cited by	139. Auclair Transp., Inc. v. State 305 A.2d 662, 664 , N.H. Appeal by petition was taken from orders of the Public Utilities Commission. The Supreme Court, Griffith, J., held that congressional permission to states to regulate by the...	May 31, 1973	Case		—
Cited by	140. Lakewood Exp. Service v. Board of Public Utility Com'rs 60 A.2d 298, 301 , N.J.Sup. Certiorari to Board of Public Utility Commissioners. Certiorari proceedings by Lakewood Express Service, Inc., against Board of Public Utility Commissioners of the State of New...	July 23, 1948	Case		—
Cited by	141. Garneau v. Eggers 174 A. 250, 252+ , N.J.Sup. Certiorari proceeding by Albert Garneau against Frank H. Eggers, Judge of the First Criminal Court of Jersey City, and the Mayor and Aldermen of Jersey City, to review the action...	Aug. 14, 1934	Case		—
Cited by	142. People's Rapid Transit Co. v. Atlantic City 144 A. 630, 633 , N.J.Sup. Certiorari by the People's Rapid Transit Company and others to review an ordinance of the city of Atlantic City regulating the operation of autobusses therein. Ordinance sustained.	Feb. 04, 1929	Case		—
Cited by	143. State v. Pate ” 138 P.2d 1006, 1010 , N.M. Appeal from Third District Court, Dona Ana County; Frenger, Judge. George H. Pate was convicted by a justice of the peace of violation of statute requiring nonresident owner of a...	Mar. 12, 1943	Case		—
Cited by	144. Pine Hill-Kingston Bus Corp. v. Davis 232 N.Y.S. 536, 538+ , N.Y.A.D. 3 Dept. Appeal from Special Term, Ulster County. Action by the Pine Hill-Kingston Bus Corporation against F. Allen Davis and another. From an order made and entered in the office of the...	Jan. 16, 1929	Case		—
Cited by	145. Town of Orangetown v. Journal Square Coach Transp. Co. 225 N.Y.S. 399, 400 , N.Y.A.D. 2 Dept. Action by the Town of Orangetown against the Journal Square Coach Transportation Company. From an order granting plaintiff's motion for an injunction pendente lite, defendant...	Dec. 05, 1927	Case		—
Cited by	146. Hofstra College v. Wilmerding 204 N.Y.S.2d 476, 481 , N.Y.Sup. Proceedings on application for special exception permitting use of property in residential zone of village of Old Westbury for establishment of a small experimental college. The...	Aug. 10, 1960	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 147. Diocese of Rochester v. Planning Bd. of Town of Brighton 141 N.Y.S.2d 487, 489 , N.Y.Sup. proceeding to review determinations and decisions of planning board, zoning board of appeals and town board. The Supreme Court, Monroe County, Brassier, J., held that record...	June 03, 1955	Case		—
Cited by	148. Motor Freight v. Public Utilities Commission of Ohio 181 N.E. 479, 481 , Ohio Error to Public Utilities Commission. Proceeding by the Public Utilities Commission of Ohio against the Motor Freight, Inc. The Commission entered an order requiring respondent to...	June 01, 1932	Case		—
Cited by	149. Detroit-Cincinnati Coach Line, Inc. v. Public Utilities Commission of Ohio 164 N.E. 356, 357 , Ohio Error to the Public Utilities Commission. Complaints before the Public Utilities Commission of Ohio to revoke interstate certificate of the Detroit-Cincinnati Coach Line, Inc. To...	Dec. 12, 1928	Case		—
Cited by	150. Cannon Ball Transp. Co. v. Public Utilities Commission of Ohio 149 N.E. 713, 714 , Ohio Error to Public Utilities Commission. Application of the Ohio Valley Bus Company to the Public Utilities Commission for certificate of public convenience and necessity, opposed by...	Dec. 01, 1925	Case		—
Cited by	151. Missouri-Kansas-Texas R. Co. v. State 712 P.2d 40, 49+ , Okla. Railroad, a member of unincorporated association of railroads, brought suit challenging grant by Corporation Commission of eminent domain power to joint venture formed to operate...	Dec. 24, 1985	Case		—
Cited by	 152. Atlantic Freight Lines v. Pennsylvania Public Utility Commission 60 A.2d 589, 592+ , Pa.Super. Appeal No. 98, October term, 1948, from the order of the Pennsylvania Public Utility Commission made March 2nd, 1948, at Complaint Docket No. 14174; John Siggins, Jr., Chairman....	July 27, 1948	Case		—
Cited by	153. Nevin Bus Lines v. Public Service Commission of Pennsylvania  182 A. 80, 83+ , Pa.Super. Appeal No. 22, October term, 1935, from findings, determination, and order of the Public Service Commission, complaint docket 7878—1928; C. J. Goodnough, Chairman. The...	Dec. 18, 1935	Case		—
Cited by	154. Nevin Bus Lines v. Public Service Commission 99 Pa.Super. 370, 372 , Pa.Super. The Pennsylvania R. R. Co. filed a complaint with the commission alleging that appellant, Nevin Bus Lines, Inc., was conducting an intrastate passenger transportation business...	1930	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	155. Public Utility Commission v. Atlantic Freight Lines, Inc. 1956 WL 8255, *4 , Pa.Com.Pl. We have before us preliminary objections filed March 6, 1953, by defendant. Atlantic Freight Lines, Inc., to an amended bill in equity filed February 16, 1953, by plaintiff, the...	1956	Case		—
Cited by	156. Commonwealth v. One Dodge Motor Truck 1935 WL 4687, *3 , Pa.Quar.Sess. On July 24, 1935, officers of the Pennsylvania Liquor Control Board seized 44 cases of liquor and a Dodge truck on which they were loaded, on the ground that the carrier did not...	1935	Case		—
Cited by	157. Interstate Transit Corp. v. Division of Public Utilities 188 A. 875, 876 , R.I. Appeals from Division of Public Utilities. Proceeding before the Division of Public Utilities by John B. Bowen for a certificate to operate over a certain route within Rhode Island...	Jan. 13, 1937	Case		—
Cited by	158. State v. Hicklin 167 S.E. 674, 678+ , S.C. Suit by the State, on the relation of J. C. Coney and others, as members of and constituting the Railroad Commission of South Carolina, against M. D. Hicklin, individually, and as...	Jan. 27, 1933	Case		—
Cited by	159. Application of Dakota Transportation of Sioux Falls ¶ 291 N.W. 589, 593 , S.D. Appeal from Circuit Court, Lyman County; John G. Bartine, Judge. Proceeding in the matter of the application of the Dakota Transportation, Inc., of Sioux Falls, S. D., for...	Apr. 17, 1940	Case		—
Cited by	160. Spoons v. Mayor & Aldermen of Town of Morristown 206 S.W.2d 422, 425 , Tenn. Appeal from Chancery Court, Hamblen County; Ben Robertson, Chancellor. Suit by George D. Spoons and others against the Mayor & Aldermen of the Town of Morristown to enjoin...	Dec. 08, 1947	Case		—
Cited by	161. Gatlin v. Harrison 296 S.W. 7, 8 , Tenn. Error to Circuit Court, Hardin County; J. A. England, Judge. Suit by H. G. Gatlin against G. C. Harrison and others to recover fee and tax paid under protest. Judgment for...	July 15, 1927	Case		—
Cited by	162. Railroad Commission of Tex. v. Southwestern Greyhound Lines ¶ 92 S.W.2d 296, 301 , Tex.Civ.App.-Austin Appeal from District Court, Travis County; W. F. Robertson, Judge. Suit by the Southwestern Greyhound Lines, Incorporated, to set aside an order of the Railroad Commission of...	Feb. 26, 1936	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	163. Britton v. Smith 82 S.W.2d 1065, 1066+ , Tex.Civ.App.-Waco Appeal from District Court, Limestone County; H. F. Kirby, Judge. Suit by B. B. Britton against Lon A. Smith and others, members of the Railroad Commission of Texas, such...	Apr. 18, 1935	Case		—
Cited by	164. Railroad Commission of Tex. v. Interstate Motor Freight Lines 77 S.W.2d 1100, 1101+ , Tex.Civ.App.-Waco Appeal from District Court, Freestone County; H. F. Kirby, Judge. Suit by the Interstate Motor Freight Lines, Incorporated, against the Railroad Commission of Texas and others. A...	Jan. 10, 1935	Case		—
Cited by	165. Ford v. Tyson 43 S.W.2d 619, 620 , Tex.Civ.App.-Waco Appeal from District Court, Brazos County; W. C. Davis, Judge. Injunction suit by T. L. Tyson, as County Attorney of Robertson County, against Ben L. Ford and others. From a...	Nov. 07, 1931	Case		—
Cited by	166. Box v. Newsom 43 S.W.2d 981, 982 , Tex.Civ.App.-Waco Appeal from District Court, Limestone County; H. F. Kirby, Judge. Suit by C. D. Newsom and others against V. C. Box, and others. From decree for plaintiffs, the defendant, Box,...	Nov. 07, 1931	Case		—
Cited by	167. Bisping v. Commonwealth 240 S.E.2d 656, 657 , Va. In scire facias proceeding, the Circuit Court, City of Norfolk, Alfred W. Whitehurst, J., ordered execution to issue on judgment founded on forfeiture of two recognizances executed...	Jan. 13, 1978	Case		—
Cited by	168. State v. Caplan 135 A. 705, 712 , Vt. Exceptions from Hartford Municipal Court; A. G. Whitham, Judge. Louis Caplan was charged with violating the Motor Vehicle Act (Acts 1925, No. 70). Demurrer to complaint was...	Jan. 08, 1927	Case		—
Cited by	169. Port of Seattle v. Washington Utilities and Transp. Commission 597 P.2d 383, 390+ , Wash. Port of Seattle filed an action for declaratory and injunctive relief, challenging the Washington Utilities and Transportation Commission's jurisdiction to regulate airporter...	June 21, 1979	Case		—
Cited by	170. State v. McCollum 141 P.2d 613, 636+ , Wash. En Banc. On petition for rehearing. Rehearing denied. For former opinion, see 136 P.2d 165.	Sep. 27, 1943	Case		—
Cited by	171. Wall v. Smart 272 P. 711, 712 , Wash. Department 1. Appeal from Superior Court, Pierce County; F. G. Remann, Judge. Action by J. W. Wall against L. V. Smart, in which defendant filed a cross-complaint. Judgment for...	Dec. 20, 1928	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	 172. International Motor Transit Co. v. City of Seattle 251 P. 120, 122 , Wash. Department 1. Appeal from Superior Court, King County; Jones, Judge. Suit by the International Motor Transit Company and another against the City of Seattle and others. Judgment...	Dec. 06, 1926	Case		—
Cited by	173. Moratto v. Harper 296 N.W. 902, 903 , Wis. Appeal from an order of the Circuit Court for Dane County; A. C. Hoppmann, Judge. Affirmed. Mandamus begun May 10, 1940, to compel the Wisconsin State Board of Health to allow...	Mar. 11, 1941	Case		—
Cited by	174. Mewha v. Public Service Commission of W. Va. 9 S.E.2d 868, 870 , W.Va. Appeal from Public Service Commission. Proceeding in the matter of the petition of George E. Mewha to review final orders of the Public Service Commission of West Virginia refusing...	May 21, 1940	Case		—
Cited by	175. Public Service Commission of Wyoming v. Grimshaw 53 P.2d 1, 9 , Wyo. Reserved Questions from District Court, Sheridan County; James H. Burgess, Judge. Action by the Public Service Commission of Wyoming against W. C. Grimshaw. On reserved questions...	Dec. 17, 1935	Case		—
Cited by	176. Golden West Airlines, Inc., a California Corporation, Complainant, v. Cable Flying Service, Inc., a Corporation Doing Business as Cable Commuter Airlines, Defendant. 1968 WL 206790, *10+ , Cal.P.U.C. Golden West Airlines, Inc. (complainant) requests that the Commission issue a permanent cease and desist order under Section 2763 of the Public Utilities Code directing Cable...	Oct. 01, 1968	Administrative Decision		—
Cited by	177. In the matter of the investigation and citation of LOUIS J. NOTHAUS, Respondent. 1965 WL 170881, *1 , Mo.P.S.C. Commission may not refuse to issue an interstate permit because of lack of need for the service as such refusal would be an unreasonable burden on interstate commerce; however, a...	June 16, 1965	Administrative Decision		—
Cited by	178. In the matter of CHESTER CATON, Complainant, VS. ARTHUR VANDELICHT, Defendant. 1951 WL 92078, *1 , Mo.P.S.C. In establishing the Commodity Credit Corporation, Congress did not intend that it should have the power to avoid state regulation of intrastate motor carriers desiring to transport...	Jan. 10, 1951	Administrative Decision		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	179. In the Matter of Determining the Proper Carrier Classification of: ENOCH ROWLAND, d/ b/a KLEENWELL BIOHAZARD AND GENERAL ECOLOGY CONSULTANTS 1993 WL 13811942, *1+ , Wash.U.T.C. NATURE OF PROCEEDING: This is a classification proceeding pursuant to RCW 81.04.110 and 81.04.510. Its purpose is to determine whether the respondent is operating as a solid waste...	Jan. 25, 1993	Administrative Decision		—
Cited by	180. THE HONORABLE BILL LANCASTER 62 Ops. Cal. Atty. Gen. 351, 351 THE HONORABLE BILL LANCASTER, ASSEMBLYMAN, SIXTY-SECOND DISTRICT, has requested an opinion on the following question: Is section 2955 of the California Civil Code, which requires...	July 11, 1979	Administrative Decision		—
Cited by	181. Public Service Commission 13 Or. Op. Atty. Gen. 180, 180 Pursuant to your request, I have examined a letter to you dated the 18th ultimo, from Oregon Motor State Association, requestion an interpretation of certain sections of chapter...	Apr. 19, 1927	Administrative Decision		—
Cited by	182. Mr. R. O. Smith Tenn. Op. Atty. Gen. No. 81-302 You have requested an opinion of this office regarding the following: 1. Can either Unicoi County or the State of Tennessee regulate navigation on an interstate river declared...	May 08, 1981	Administrative Decision		—
Cited by	183. Honorable Juan J. Hinojosa Tex. Atty. Gen. Op. JM-826, JM-826 Re: Constitutionality of statute requiring out-of-state motorists, including aliens, to comply with Texas liability coverage requirement (RQ-1271)	Nov. 23, 1987	Administrative Decision		—
Cited by	184. Honorable Mack Wallace Tex. Atty. Gen. Op. H-1075, H-1075 Re: Railroad Commission's authority to require licensing of an ICC certified transporter of liquefied petroleum gas.	Oct. 21, 1977	Administrative Decision		—
Cited by	185. Honorable John J. D. Preston 39 W. Va. Op. Atty. Gen. 29, 29 I have your letter of August 19, 1940, which is as follows: "We hand you herewith our embryo file (which you will please return) in the above matter, and request your advice in..."	Sep. 23, 1940	Administrative Decision		—
Cited by	186. PITTSBURGH-JOHNSTOWN-ALTOONA EXPRESS, INC.-PETITION FOR DECLARATORY ORDER 8 I.C.C.2d 815, 819 , I.C.C. Denied the petiton filed by the Regular Common Carrier Conference, et al. (RCCC) to reopen and reconsider the prior decision. Alleged material error required by 49 C.F.R. § 1115.4...	Apr. 22, 1992	Administrative Decision		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Cited by	187. ARMORED CAR DELIVERY AND PICKUP OF INTERSTATE SHIPMENTS IN DELAWARE-PETITION FOR DECLARATORY ORDER 8 I.C.C.2d 157, 160 , I.C.C. Upon petition for declaratory order the Commission declares that portions of the Transportation of Money and Valuables Act, Chapter 32, Title 5, of the Delaware Code are preempted...	Sep. 09, 1991	Administrative Decision		—
Cited by	188. VICTORIA TERMINAL ENTERPRISES, INC.-TRANSPORTATION OF FERTILIZER WITHIN TEXAS-PETITION FOR DECLARATORY ORDER 1987 WL 99953, *10 , I.C.C. Victoria Terminal Enterprises, Inc. (Victoria or petitioner), an interstate motor carrier, filed a petition for a declaratory order to determine whether certain transportation...	Nov. 25, 1987	Administrative Decision		—
Cited by	189. MATLACK, INC.-TRANSPORTATION WITHIN MISSOURI-PETITION FOR DECLARATORY ORDER 1987 WL 98610, *6 , I.C.C. Matlack, Inc. (Matlack) seeks a declaratory order determining whether certain transportation movements within Missouri are interstate or intrastate in nature. By decision served...	June 01, 1987	Administrative Decision		—
Distinguished by NEGATIVE	190. Prater v. Department of Public Service of Washington 60 P.2d 238, 240 , Wash. En Banc. Appeal from Superior Court, Spokane County; William A. Hunek, Judge. Injunction suit by Harry Prater and Floyd Prater, copartners doing business under the name and style...	Aug. 20, 1936	Case		—
Mentioned by	191. Lewis v. BT Inv. Managers, Inc. 100 S.Ct. 2009, 2019 , U.S.Fla. Action was brought by out-of-state bank holding company and its wholly owned subsidiary for declaratory and injunctive relief from Florida statutes which prohibited out-of-state...	June 09, 1980	Case		—
Mentioned by	192. City of Philadelphia v. New Jersey 98 S.Ct. 2531, 2535+ , U.S.N.J. Appeal was taken from a judgment of the Supreme Court of New Jersey, 68 N.J. 451, 348 A.2d 505, upholding the constitutionality of a New Jersey statute prohibiting the...	June 23, 1978	Case		—
Mentioned by	193. Hughes v. Alexandria Scrap Corp. 96 S.Ct. 2488, 2506 , U.S.Md. Virginia scrap processor brought action challenging the constitutionality of a Maryland statutory scheme for ridding the state of old automobile hulks. A three-judge panel of the...	June 24, 1976	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 194. Southern Pac. Co. v. State of Ariz. ex rel. Sullivan 65 S.Ct. 1515, 1525 , U.S.Ariz. Action by the State of Arizona, on the relation of John L. Sullivan, Attorney General of the State of Arizona, against the Southern Pacific Company to recover from defendant...	June 18, 1945	Case		—
Mentioned by	195. Allen v. Galveston Truck Line Corporation 53 S.Ct. 694, 694 , U.S.Tex. Appeal from the District Court of the United States for the Southern District of Texas.	May 15, 1933	Case		—
Mentioned by	 196. Louis K. Liggett Co. v. Lee 53 S.Ct. 481, 489 , U.S.Fla. Suit by the Louis K. Liggett Company and others against J. M. Lee, as Comptroller of the State of Florida, and others. From a judgment of the Supreme Court of the State of Florida...	Mar. 13, 1933	Case		—
Mentioned by	 197. Frost v. Corporation Commission 49 S.Ct. 235, 241 , U.S.Okla. Mr. Justice Brandeis, Mr. Justice Stone, and Mr. Justice Holmes dissenting. Appeal from the District Court of the United States for the Western District of Oklahoma. Suit by W. A....	Feb. 18, 1929	Case		—
Mentioned by	 198. John P. King Mfg. Co. v. City Council of Augusta 48 S.Ct. 489, 500 , U.S.Ga. Mr. Justice Brandeis and Mr. Justice Holmes dissenting. In Error to the Supreme Court of the State of Georgia. Suit by the John P. King Manufacturing Company against the City...	May 14, 1928	Case		—
Mentioned by	199. City of Hammond v. Schappi Bus Line 48 S.Ct. 66, 68 , U.S.Ind. On Certiorari to the United States Circuit Court of Appeals for the Seventh Circuit. Suit by the Schappi Bus Line, Inc., against the City of Hammond. Decree of District Court,...	Nov. 21, 1927	Case		—
Mentioned by	200. Central R Co of New Jersey v. Schick 38 F.2d 968, 970 , C.C.A.3 (Pa.) Appeal from the District Court of the United States for the Western District of Pennsylvania; Nelson McVicar, Judge. Action by the Central Railroad Company of New Jersey against J....	Feb. 21, 1930	Case		—
Mentioned by	201. American Motor Coach System v. City of Philadelphia 28 F.2d 736, 738 , C.C.A.3 (Pa.) Appeal from the District Court of the United States for the Eastern District of Pennsylvania; J. Whitaker Thompson, Judge. Bills for injunction by American Motor Coach System,...	Oct. 01, 1928	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	<p> 202. American Motors Sales Corp. v. Division of Motor Vehicles of Com. of Va. 592 F.2d 219, 223 , 4th Cir.(Va.)</p> <p>Automobile manufacturer and distributor brought action seeking declaration of constitutionality of Virginia Motor Vehicle Franchise Act and injunction against its enforcement on...</p>	Feb. 12, 1979	Case		—
Mentioned by	<p> 203. Pelican Chapter, Associated Builders & Contractors, Inc. v. Edwards 128 F.3d 910, 917 , 5th Cir.(La.)</p> <p>Association of construction contractors and some individual members brought suit challenging constitutionality of state-preference rule that Louisiana State Board of Commerce and...</p>	Nov. 25, 1997	Case		—
Mentioned by	<p> 204. Smith v. Department of Agr. of State of Ga. 630 F.2d 1081, 1084 , 5th Cir.(Ga.)</p> <p>Department of Agriculture of the State of Georgia appealed from a judgment of the United States District Court for the Middle District of Georgia, J. Robert Elliott, J., holding...</p>	Nov. 19, 1980	Case		—
Mentioned by	<p>205. City of Covington, Ky. v. Cincinnati, N. & C. Ry. Co. 71 F.2d 117, 120 , C.C.A.6 (Ky.)</p> <p>Appeal from the District Court of the United States for the Eastern District of Kentucky. Suit by the Cincinnati, Newport & Covington Railway Company against the City of Covington,...</p>	Feb. 13, 1934	Case		—
Mentioned by	<p>206. American Bond & Mortgage Co. v. U.S. 52 F.2d 318, 318 , C.C.A.7 (Ill.)</p> <p>Appeal from the District Court of the United States for the Eastern Division of the Northern District of Illinois; James H. Wilkerson, Judge. Suit by the United States against...</p>	July 09, 1931	Case		—
Mentioned by	<p>207. Proctor & Gamble Co. v. Coe 96 F.2d 518, 521 , App.D.C.</p> <p>Appeal from the District Court of the United States for the District of Columbia. Suit by the Proctor & Gamble Company against Conway P. Coe, Commissioner of Patents, to enjoin...</p>	Feb. 28, 1938	Case		—
Mentioned by	<p>208. Gray v. Commodity Credit Corp. 63 F.Supp. 386, 400 , S.D.Cal.</p> <p>Action by G. E. Gray and others against the Commodity Credit Corporation for a declaration as to the meaning of a contract. The action was removed from the Superior Court of the...</p>	Nov. 01, 1945	Case		—
Mentioned by	<p>209. Morf v. Ingels 14 F.Supp. 922, 926 , S.D.Cal.</p> <p>YANKWICH, District Judge, dissenting. In Equity. Suit by Howard Morf, doing business under the firm name and style of the Pacific Wholesale Automobile Company, against Ray Ingels,...</p>	May 05, 1936	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 210. BT Inv. Managers, Inc. v. Lewis 461 F.Supp. 1187, 1196+ , N.D.Fla. New York bank holding company and its wholly owned subsidiary brought action challenging Florida statutes prohibiting out-of-state banks and holding companies from owning or...	Dec. 15, 1978	Case		—
Mentioned by	211. Johnson Transfer & Freight Lines v. Perry 47 F.2d 900, 902 , N.D.Ga. In Equity. Suit by the Johnson Transfer & Freight Lines and another against James A. Perry and others. Interlocutory injunction granted, with leave to defendants to apply for...	Jan. 24, 1931	Case		—
Mentioned by	 212. Young v. Coloma-Agaran 2001 WL 1677259, *15 , D.Hawai'i MARITIME LAW - Tour boats. Ban on tour boats in bay violated Supremacy and Commerce Clauses.	Dec. 27, 2001	Case		—
Mentioned by	213. Scott v. Village of Thebes, Ill. 17 F.2d 410, 411 , E.D.Ill. In Equity. Suit by Thomas M. Scott and another against the Village of Thebes, Ill., and others. Decree for plaintiffs.	Feb. 11, 1927	Case		—
Mentioned by	214. Errett v. Rasmussen 414 F.Supp. 402, 407 , S.D.Iowa After a tort judgment had been rendered against him in state court and the judgment creditors had taken steps to levy upon his nonexempt assets pending appeal, the judgment debtor...	May 21, 1976	Case		—
Mentioned by	215. Baker v. Glenn 2 F.Supp. 880, 882 , E.D.Ky. Suit by Howard E. Baker and another, doing business as Baker & Hulley, against Selden R. Glenn and others, constituting the State Tax Commission of the Commonwealth of Kentucky. ...	Jan. 21, 1933	Case		—
Mentioned by	216. Sullivan v. Canadian Pac. Ry. Co. 22 F.Supp. 95, 97 , D.Mass. At law. Tort actions for personal injuries and death by Dennis J. Sullivan and others, and by Margaret Sullivan, against the Canadian Pacific Railway Company, wherein defendant...	Feb. 10, 1938	Case		—
Mentioned by	217. Smart v. First Federal Sav. & Loan Ass'n of Detroit 500 F.Supp. 1147, 1158 , E.D.Mich. Mortgagors' actions, involving the invalidity and enforceability of "due on sale" clauses contained in certain mortgage agreements, were removed from state court. In addition,...	Sep. 15, 1980	Case		—
Mentioned by	 218. Columbia Terminals Co. v. Lambert 30 F.Supp. 28, 32 , E.D.Mo. Suit by Columbia Terminals Company, a corporation, against A. B. Lambert, Samuel H. Liberman, Otto F. Harting, Thomas F. Farrington, Bernard F. Dickmann, members of the Board of...	Oct. 23, 1939	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	219. Delaware Valley Transplant Program v. Coye 678 F.Supp. 479, 481 , D.N.J. Nonprofit organ procurement organization and four individual patients currently awaiting organ transplant operations challenged designations by New Jersey Commissioner of Health of...	Feb. 03, 1988	Case		—
Mentioned by	220. Suburban Trails, Inc. v. New Jersey Transit Corp. 620 F.Supp. 1383, 1392 , D.N.J. Private bus company brought action against State Transit Corporation, alleging that it wrongfully withheld Urban Mass Transit Act funds from bus company. On motions for summary...	Oct. 31, 1985	Case		—
Mentioned by	221. Transcontinental Gas Pipe Line Corp v. Borough of Milltown, Middlesex County 93 F.Supp. 287, 293 , D.N.J. The Transcontinental Gas Pipe Line Corporation brought action against the Borough of Milltown in the County of Middlesex, a municipal corporation of New Jersey, for an injunction...	Sep. 23, 1950	Case		—
Mentioned by	222. Grand River Enterprises Six Nations, Ltd. v. King 2008 WL 4615838, *5 , S.D.N.Y. ANTITRUST - Market Allocations. A magistrate judge did not abuse his discretion in precluding discovery in a cigarette manufacturer's federal Sherman Act preemption claim.	Oct. 14, 2008	Case		—
Mentioned by	223. Mapco, Inc. v. Grunder 470 F.Supp. 401, 408 , N.D. Ohio In a suit for injunctive relief against enforcement of the Coal Use Tax of Ohio, and on motion by both parties for summary judgment, the District Court, William K. Thomas, J., held...	Mar. 21, 1979	Case		—
Mentioned by	224. Kentucky West Virginia Gas Co. v. Pennsylvania Public Utility Com'n 650 F.Supp. 659, 671 , M.D.Pa. Intrastate retail natural gas seller brought action challenging action of Pennsylvania Public Utility Commission disallowing requested rates. The District Court, Caldwell, J.,...	Dec. 23, 1986	Case		—
Mentioned by	225. Texport Carrier Corp. v. Smith 8 F.Supp. 28, 32 , W.D.Tex. In Equity. Suit by the Texport Carrier Corporation against Lon A. Smith and others, as members of the Railroad Commission, Governor, and Attorney General of Texas, for an...	Aug. 27, 1934	Case		—
Mentioned by	226. Galveston Truck Line Corp. v. Allen 2 F.Supp. 488, 489 , S.D.Tex. In Equity. Suit by the Galveston Truck Line Corporation against C. J. Allen and others, for an injunction. Interlocutory restraining order granted, with directions.	Jan. 11, 1933	Case		—





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Mentioned by	227. Sage v. Baldwin 55 F.2d 968, 969 , N.D.Tex. In Equity. Suit by H. B. Sage and others against E. John Baldwin and others to enjoin defendants, state officers, from enforcing provisions of an act of the state of Texas....	Feb. 05, 1932	Case		—
Mentioned by	228. Sproles v. Binford 52 F.2d 730, 733 , S.D.Tex. In Equity. Suit by Ed Sproles against T. Binford and others, in which the Tennessee Dairies, Inc., and others, intervened. Interlocutory injunction granted in part and denied in...	Sep. 30, 1931	Case		—
Mentioned by	229. Cunningham v. Potts 9 F.2d 469, 469 , W.D.Wash. In Equity. Suit by W. S. Cunningham and others against W. G. Potts, Treasurer of the State of Washington, to enjoin collection of liquid fuel tax. On motion to dismiss bill of...	Dec. 04, 1925	Case		—
Mentioned by	 230. Raymond Motor Transp., Inc. v. Rice 417 F.Supp. 1352, 1360 , W.D.Wis. Various interstate trucking companies brought an action against Wisconsin officials challenging the constitutionality of Wisconsin size limitations for trailer-train trucks...	Aug. 13, 1976	Case		—
Mentioned by	231. Continental Pipe Line Co. v. Belle Fourche Pipeline Co. 372 F.Supp. 1333, 1335 , D.Wyo. Suit to enjoin construction of pipeline. The District Court, Kerr, J., held that where the evidence conclusively showed that defendant intended to ship crude oil solely...	Mar. 27, 1974	Case		—
Mentioned by	232. Motor Trading Co. v. Ingels 110 P.2d 132, 135 , Cal.App. 1 Dist. Appeal from Superior Court, Los Angeles County; Clarence L. Kincaid, Judge. Suit by the Motor Trading Company and others against Ray Ingels and others to enjoin defendants from...	Feb. 14, 1941	Case		—
Mentioned by	 233. Bushnell v. People 19 P.2d 197, 199+ , Colo. En Banc. Error to District Court, Larimer County; Claude C. Coffin, Judge. Frank Bushnell was convicted of operating as a private motor vehicle carrier for hire, and he brings...	Jan. 30, 1933	Case		—
Mentioned by	234. Bober v. Connor 8 Conn.Supp. 152, 162 , Conn.Super. Those provisions of section 482e, subdivision (b), of the 1939 Supplement to the General Statutes, are unconstitutional, which require that every person who shall bring any used...	Mar. 12, 1940	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	 235. Stewart v. District of Columbia 35 A.2d 247, 248 , D.C.Mun.App. Appeals from the Municipal Court for the District of Columbia, Criminal Division. Charles F. Stewart was convicted of operating a taxicab without a license and without displaying a...	Dec. 31, 1943	Case		—
Mentioned by	236. Ryman v. Legg 176 S.E. 403, 405 , Ga. Error from Superior Court, Cobb County; J. H. Hawkins, Judge. Suit for injunction by Herman Ryman against E. M. Legg, Sheriff. To review a judgment refusing an injunction,...	Sep. 21, 1934	Case		—
Mentioned by	237. State ex rel. Nielson v. City of Gooding 266 P.2d 655, 657 , Idaho Action by state against city for license fees collected by city on behalf of state under statute providing for licensing, regulating, controlling or prohibiting operation of slot...	Dec. 23, 1953	Case		—
Mentioned by	 238. Malone v. Van Etten 178 P.2d 382, 384 , Idaho Appeal from Public Utilities Commission. Proceeding in the matter of the application of James O. Malone for permit to operate as a common carrier, wherein the Public Utilities...	Feb. 04, 1947	Case		—
Mentioned by	 239. Henderson v. Twin Falls County 80 P.2d 801, 811 , Idaho Appeal from District Court, Eleventh Judicial District, Twin Falls County; Adam B. Barclay, Judge. Action by Marie Henderson against Twin Falls County for damages for personal...	Mar. 28, 1938	Case		—
Mentioned by	240. Fleming v. Richardson 24 N.W.2d 280, 303 , Iowa Appeal from District Court, Polk County; John J. Halloran, Judge. Action in equity by Joseph B. Fleming et al. against the Commerce Commission of Iowa, to vacate and set aside an...	Sep. 17, 1946	Case		—
Mentioned by	241. State v. Martin 230 N.W. 540, 544 , Iowa Appeal from District Court, Polk County; F. S. Shankland, Judge. Suit in equity to enjoin defendant (in his individual and trade names) from operating motorbus line. Decree for...	Apr. 14, 1930	Case		—
Mentioned by	242. Crittenden County v. McConnell 36 S.W.2d 627, 630 , Ky. Appeal from Circuit Court, Crittenden County. Proceeding by Crittenden County, on motion of Al Easley, to revoke the ferry right of Richard McConnell. From a judgment dismissing...	Mar. 10, 1931	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	243. Northern Kentucky Transp. Co. v. City of Bellevue 285 S.W. 241, 245 , Ky. Appeal from Circuit Court, Campbell County. Suit by the Northern Kentucky Transportation Company against the City of Bellevue. From a judgment for defendant, plaintiff appeals....	June 25, 1926	Case		—
Mentioned by	244. Sisters of Holy Cross of Mass. v. Town of Brookline 198 N.E.2d 624, 631 , Mass. Suit by corporation, a part of a religious order and the operator of educational institutions, for declaration that its land in town was not subject to zoning bylaw and that it was...	May 13, 1964	Case		—
Mentioned by	245. Barrows v. Farnum's Stage Lines 150 N.E. 206, 210 , Mass. Report from Superior Court, Suffolk County; H. T. Lummus, Judge. Suit in equity by Walter A. Barrows and others against Farnum's Stage Lines, Inc., to restrain defendant from...	Jan. 05, 1926	Case		—
Mentioned by	246. Browning-Ferris, Inc. v. Anne Arundel County, Maryland 438 A.2d 269, 273 , Md. Landfill owner and operator brought action against county challenging ordinances controlling transportation and depositing of various hazardous and toxic wastes and radioactive...	Dec. 15, 1981	Case		—
Mentioned by	247. West v. Maryland Gas Transmission Corp. 159 A. 758, 762 , Md. Appeal from Circuit Court No. 2 of Baltimore City; Samuel K. Dennis, Judge. Suit by Maryland Gas Transmission Corporation against Harold E. West, J. Frank Harper, and Stuart...	Apr. 08, 1932	Case		—
Mentioned by	248. Teche Lines v. Board of Sup'rs of Forrest County 142 So. 24, 29 , Miss. Appeal from Circuit Court, Forrest County; W. J. Pack, Judge. The Board of Supervisors of Forrest County back-assessed Teche Lines, Incorporated, with taxes for certain year on its...	May 23, 1932	Case		—
Mentioned by	249. State ex rel. Smithco Transport Co. v. Public Service Commission 307 S.W.2d 361, 374 , Mo.App. Proceeding on application for a certificate of convenience and necessity for authority of applicant to operate intrastate as a freight-carrying common carrier in transportation of...	Oct. 01, 1957	Case		—
Mentioned by	250. State ex rel. Utilities Commission v. Atlantic Greyhound Corp. 113 S.E.2d 57, 60 , N.C. Proceeding on appeal from utilities commission order directing interstate bus company to cease selling tickets except in union station pursuant to commission regulation. The...	Feb. 24, 1960	Case		—

Treatment	Title	Date	Type	Depth	Headnote(s)
Mentioned by	251. State v. Goeson 262 N.W. 70, 76 , N.D. Appeal from District Court, Burleigh County; Fred Jansonius, Judge. Proceedings by the State of North Dakota against Nels Goeson and Hollis Lind, doing business as the Dakota...	May 02, 1935	Case		—
Mentioned by	252. Peterson v. Department of Public Works 234 N.W. 95, 98 , Neb. Appeal from District Court, Lancaster County; Chappell, Judge. Action by Peter S. Peterson against the Department of Public Works of the State of Nebraska, R. L. Cochran, Secretary...	Jan. 07, 1931	Case		—
Mentioned by	253. Tuscan Dairy Farms, Inc. v. Barber 408 N.Y.S.2d 348, 358 , N.Y. Milk dealer brought Article 78 proceeding challenging a determination of the Commissioner of Agriculture and Markets denying its application for an extension of its milk dealer's...	July 11, 1978	Case		—
Mentioned by	254. Diocese of Rochester v. Planning Bd. of Town of Brighton 154 N.Y.S.2d 849, 856 , N.Y. Proceeding to review decisions of planning board, zoning board of appeals, and town board. The Supreme Court, Special Term, Monroe County, Charles B. Brassler, J., 207 Misc. 1021,...	July 11, 1956	Case		—
Mentioned by	255. Pace v. Assessor of Town of Islip 682 N.Y.S.2d 447, 450 , N.Y.A.D. 2 Dept. TAXATION - Real Property. Lack of independent proof of home value precluded comparison with average assessment ratio.	Dec. 28, 1998	Case		—
Mentioned by	256. Quick v. Town of Owego 203 N.Y.S.2d 427, 433 , N.Y.A.D. 3 Dept. Action for declaratory judgment that town zoning ordinance was null and void for failure to comply with provisions of town law requiring among other things that zoning map be...	July 27, 1960	Case		—
Mentioned by	257. Garrison v. Paramount Bus Corporation 227 N.Y.S. 510, 513 , N.Y.A.D. 3 Dept. Appeal from Special Term, Ulster County. Action by William R. Garrison against the Paramount Bus Corporation. From an order granting injunction pendente lite on plaintiff's...	Mar. 15, 1928	Case		—
Mentioned by	258. Wilson v. Simon 233 N.Y.S.2d 955, 962 , N.Y.Sup. Proceeding to obtain election for office of family court judge. The Supreme Court, Lawrence H. Cooke, J., held that statute governing family court judges was intended to create...	Aug. 27, 1962	Case		—
Mentioned by	259. Jaquith v. Simon 231 N.Y.S.2d 735, 739 , N.Y.Sup. Proceeding under Civil Practice Act, § 1283 et seq., to require Secretary of State to accept for filing as presumptively valid independent petitions nominating candidates for...	Aug. 17, 1962	Case		—

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Mentioned by	260. Cushman Motor Delivery Co. v. Smith 1 N.E.2d 628, 632 , Ohio App. 1 Dist. Action by Harrison W. Smith, administrator of the estate of Floyd E. Fields, against the Cushman Motor Delivery Company. Judgment for plaintiff, and defendant brings...	June 24, 1935	Case		—
Mentioned by	261. W. J. Dillner Transfer Co. v. Messner 89 A.2d 516, 518 , Pa. Suit by W. J. Dillner Transfer Company against Otto F. Messner, Secretary of Revenue, and others, to restrain the Secretary of Highways and Commissioner of State Police from...	June 24, 1952	Case		—
Mentioned by	262. Buckingham Transp. Co. of Colorado v. Black Hills Transp. Co. 281 N.W. 94, 95 , S.D. Appeal from Circuit Court, Pennington County; A. R. Denu, Judge. Proceeding on the complaint of the Black Hills Transportation Company and others against the Buckingham...	Aug. 13, 1938	Case		—
Mentioned by	263. Ex parte Sterling 53 S.W.2d 294, 297 , Tex. Original proceeding by W. W. Sterling and others for writs of habeas corpus to obtain release from custody. Writs granted, and relators ordered discharged.	Oct. 01, 1932	Case		—
Mentioned by	264. Ex parte Truelock 140 S.W.2d 167, 173 , Tex.Crim.App. Appeal from Montgomery County Court; J. W. Strode, Judge. Proceeding in the matter of the application of Harry Truelock for a writ of habeas corpus. From a judgment refusing to...	Apr. 03, 1940	Case		—
Mentioned by	265. Smith v. Coleman 127 S.W.2d 928, 932 , Tex.Civ.App.-Waco Appeal from District Court, Seventy-Seventh District, Freestone County; H. F. Kirby, Judge. Suit in equity by Ben Coleman against Lon A. Smith and others, members of the State...	Apr. 20, 1939	Case		—
Mentioned by	266. Railroad Commission of Tex. v. Bates 108 S.W.2d 286, 288 , Tex.Civ.App.-Austin Appeal from District Court, Travis County; W. F. Robertson, Judge. Injunction proceedings by A. E. Bates against the Railroad Commission of Texas and others. Judgment granting a...	July 14, 1937	Case		—
Mentioned by	267. Anderson, Clayton & Co. v. State ex rel. Allred 62 S.W.2d 107, 111 , Tex.Com.App. Certified Questions from Court of Civil Appeals of Seventh Supreme Judicial District. Suit by the State, on the relation of James V. Allred, Attorney General, and James V. Allred,...	June 24, 1933	Case		—

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Mentioned by	 268. State v. Malmquist 40 A.2d 534, 539 , Vt. Exceptions from Court of Chancery, Orange County; Black, Chancellor. Suit in equity by the State of Vermont against Walter A. Malmquist to enjoin defendant from arbitrarily drawing...	Oct. 03, 1944	Case		—
Mentioned by	269. Eastern Ohio Transport Corp. v. City of Wheeling 175 S.E. 219, 220 , W.Va. Appeal from Circuit Court, Ohio County. Suit by the Eastern Ohio Transport Corporation against the City of Wheeling and others. From an adverse decree, defendants appeal. Decree...	June 15, 1934	Case		—
Mentioned by	270. Western Auto Transports v. City of Cheyenne 120 P.2d 590, 593 , Wyo. Appeal from District Court, Laramie County; Sam M. Thompson, Judge. On petition for rehearing. Rehearing denied. For prior opinion, see 118 P.2d 761.	Jan. 05, 1942	Case		—
—	271. What actions arise under the Constitution of the United States so as to vest jurisdiction of Federal courts 13 A.L.R.2d 390 This annotation deals specifically with an important phase of statutory and case law governing Federal jurisdiction, covering the question as to what actions arise under the...	1950	ALR	—	—
—	272. State taxation of motor carriers as affected by commerce clause 17 A.L.R.2d 421 This annotation deals with the constitutional power of a state, in view of the commerce clause in the Federal Constitution, to impose a tax upon interstate motor carriers as a...	1951	ALR	—	—
—	273. Right to attack validity of statute, ordinance, or regulation relating to occupational or professional license as affected by applying for, or securing, license 65 A.L.R.2d 660 It is a well-settled rule of constitutional law that, as a general principle, one may not enjoy the benefits of a statute and, after so doing, escape its burdens by attacking its...	1959	ALR	—	—
—	274. Tax on automobile, or on its use, for cost of road or street construction, improvement, or maintenance 68 A.L.R. 200 This annotation is supplementary to one in 24 A.L.R. 937. An annotation in 52 A.L.R. 533, deals with the question of license tax or fee on automobiles as affected by interstate...	1930	ALR	—	—

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—	275. Jurisdiction of public service commission over carrier transporting by motor trucks or busses 51 A.L.R. 820 The present annotation is supplemental to earlier ones on the same subject in 1 A.L.R. 1460, and 9 A.L.R. 1011. The great increase in the volume of motor transportation in recent...	1927	ALR	—	—
—	276. State regulation of carriers by motor vehicle as affected by interstate commerce clause 38 A.L.R. 291 This annotation is supplementary to that in 36 A.L.R. 1110. The recent case of Buck v. Kuykendall (reported herewith) ante, 286, is a forceful reiteration of the doctrine that,...	1925	ALR	—	—
—	277. Cyclopedic of Federal Procedure s 2:323, § 2:323. Interstate commerce questions as basis for federal court jurisdiction There is no federal question jurisdiction based on the constitutional Commerce Clause merely because the defendant is engaged in interstate commerce. However, there is federal...	2019	Other Secondary Source	—	—
—	278. Federal Banking Law Reporter 669213, LEWIS, COMPTROLLER OF FLORIDA V. BT INVESTMENT MANAGERS, INC., ET AL. Federal Banking Law Reporter LEWIS, COMPTROLLER OF FLORIDA v. BT INVESTMENT MANAGERS, INC., ET AL. LEWIS v. BT INVESTMENT MANAGERS, INC., 447 U.S. 27 (1980) APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE...	1980	Other Secondary Source	—	—
—	279. Federal Banking Law Reporter P 98274, P 98,274 LEWIS, COMPTROLLER OF FLORIDA, V. BT INVESTMENT MANAGERS, INC., ET AL. Federal Banking Law Reporter ¶ 98,274. Lewis, Comptroller of Florida, v. BT Investment Managers, Inc., et al. United States Supreme Court. Dkt. No. 79--45. June 9, 1980. Appeal from the United States District...	1980	Other Secondary Source	—	—
—	280. Federal Procedure, Lawyers Edition s 1:369, § 1:369. Commerce Clause There is no federal-question jurisdiction under 28 U.S.C.A. § 1331 based on the constitutional Commerce Clause merely because the defendant is engaged in interstate commerce. That...	2019	Other Secondary Source	—	—
—	281. Local Government Law s 15:6, § 15:6. Power to require a license—Interstate activities The doctrinal basis for challenging local licensing of interstate activities is the Commerce Clause of the federal Constitution and the various positive and negative implications...	2019	Other Secondary Source	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	282. Local Government Law s 15:12, § 15:12. Activities subject to license requirement—Public transportation: from taxicabs to ride-sharing The police power authority ordinarily conferred upon localities with respect to streets and ways, vehicles for hire, or transport by motor vehicles provides the foundation for...	2019	Other Secondary Source	—	—
—	283. Treatise on Constitutional Law s 11.7(a), § 11.7(a). The Early Cases The Court embraced Dowling's expansion of Stone's Di Santo dissent (discussed in the preceding section) in its landmark decision, Southern Pacific Co. v. Arizona. Arizona charged...	2019	Other Secondary Source	—	—
—	284. Treatise on Constitutional Law s 11.7(c), § 11.7(c). The Later Cases The wealth of cases in this area are not all entirely consistent, but a brief review of some of them will hopefully illustrate the main techniques employed by the Court. In a long...	2019	Other Secondary Source	—	—
—	285. West's A.L.R. Digest 92K951, # 951. Reliance on statute or availment of statutory benefits West's A.L.R. Digest	2019	Other Secondary Source	—	—
—	286. West's A.L.R. Digest 156K92(1), # 92(1). In general West's A.L.R. Digest	2019	Other Secondary Source	—	—
—	287. Witkin, California Summary 10th Constitutional Law s 1439, In General: Dormant Commerce Clause. Witkin, California Summary 10th Constitutional Law (1) Nature of Rule. For the same reason that a state cannot prohibit interstate commerce (supra, § 1437), a state cannot impose an unreasonable burden on it. (See South-Cen. Timber...	2019	Other Secondary Source	—	—
—	288. Am. Jur. 2d Federal Courts s 875, § 875. Commerce Clause Am. Jur. 2d Federal Courts There is no jurisdiction under the federal-question jurisdiction statute based on the United States Constitution's Commerce Clause merely because the defendant is engaged in...	2019	Other Secondary Source	—	—
—	289. THE IMPACT OF DEREGULATION ON THE TRUCKING INDUSTRY 47 Admin. L. Rev. 527 , 544+ I. Introduction. 528 II. Regulatory History. 529 A. The Motor Carrier Act of 1935. 529 B. Era of Regulatory Reform. 530 1. Regulatory Reform Movement of the 1970s. 530 2...	1995	Law Review	—	—

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—	<p>290. COMBATING THE DRUNK DRIVER MENACE: CONDITIONING THE USE OF PUBLIC HIGHWAYS ON CONSENT TO SOBRIETY CHECKPOINT SEIZURES - THE CONSTITUTIONALITY OF A MODEL CONSENT SEIZURE STATUTE</p> <p>59 Alb. L. Rev. 599 , 670+</p> <p>I. Introduction. 601 II. Historical Overview of Sobriety Checkpoint Seizures. 603 A. Purpose of Sobriety Checkpoints. 606 B. Configuration and Operation. 611 III. Obstacles to...</p>	1995	Law Review	—	—
—	<p>291. A BANKRUPTCY EXCEPTION TO ELEVENTH AMENDMENT IMMUNITY: LIMITING THE SEMINOLE TRIBE DOCTRINE</p> <p>74 Am. Bankr. L.J. 1 , 31+</p> <p>Four years ago, in Seminole Tribe of Florida v. Florida, the Supreme Court interpreted the Eleventh Amendment as denying Congress the power to abrogate the sovereign immunity of a...</p>	2000	Law Review	—	—
—	<p>292. RATE REGULATION AND ANTITRUST IMMUNITY IN TRANSPORTATION: THE GENESIS AND EVOLUTION OF THIS ENDANGERED SPECIES</p> <p>32 Am. U. L. Rev. 335 , 375+</p> <p>The progress of civilized man is reflected in his accomplishments in transportation: the invention of the wheel; the voyages of Leif Ericson and Christopher Columbus; the...</p>	1983	Law Review	—	—
—	<p>293. NEW-AGE FEDERALISM AND THE MARKET PARTICIPANT DOCTRINE</p> <p>22 Ariz. St. L.J. 559 , 623</p> <p>A. The Nature of Market Participation B. Seeking a Basis for Market Participant Immunity 1. Market Participation is not Regulation 2. Protecting Against Abuses Through Market...</p>	1990	Law Review	—	—
—	<p>294. IN RE SOUTHEAST LANDFILL AND THE COMMERCE CLAUSE: WELCOME TO THE ARKANSAS DEPOSITORY FOR SOLID WASTE</p> <p>46 Ark. L. Rev. 1027 , 1046</p> <p>The problem of solid waste management has plagued the United States for decades. At the core of this problem is the large amount of solid waste that Americans produce annually. ...</p>	1994	Law Review	—	—
—	<p>295. THE CONSTITUTIONALITY OF SECTION 106: A HISTORICAL SOLUTION TO A MODERN DEBATE</p> <p>18 Bankr. Dev. J. 131 , 167</p> <p>In the 1996 case of Seminole Tribe of Florida v. Florida, the Supreme Court interpreted the Eleventh Amendment as precluding Congress from abrogating a state's sovereign immunity...</p>	2001	Law Review	—	—

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—	<p>296. "WORKERS' CONTRACTS" UNDER THE UNITED STATES ARBITRATION ACT: AN ESSAY IN HISTORICAL CLARIFICATION 17 Berkeley J. Emp. & Lab. L. 282 , 303</p> <p>The United States Arbitration Act exempts "contracts of employment of seamen, railroad employees, or any other class of workers engaged in foreign or interstate commerce." The...</p>	1996	Law Review	—	—
—	<p>297. THE DORMANT COMMERCE CLAUSE AND THE MASSACHUSETTS LANDFILL MORATORIUM: ARE NATIONAL MARKET PRINCIPLES ADEQUATELY SERVED? 24 B.C. Envtl. Aff. L. Rev. 425 , 427+</p> <p>In December, 1995, the Commonwealth of Massachusetts announced a two-year moratorium on permit approvals for new landfills and the expansion of existing landfills. According to...</p>	1997	Law Review	—	—
—	<p>298. UNLEASHING THE GREYHOUNDS-THE BUS REGULATORY REFORM ACT OF 1982 6 Campbell L. Rev. 75 , 99</p> <p>I. INTRODUCTION. 76 II. THE RISE OF INTERCITY BUS LINES. 76 III. THE CALL FOR REGULATION. 78 A. Prevention of an Oversupply of Transportation. 79 B. Equality of Regulation. 80 C....</p>	1984	Law Review	—	—
—	<p>299. UNITED STATES v. LOPEZ: REAFFIRMING THE FEDERAL COMMERCE POWER AND REMEMBERING FEDERALISM 45 Cath. U. L. Rev. 1459 , 1506</p> <p>The United States Constitution specifically enumerates the federal government's power to regulate commerce 'among the several states.' While this grant of federal authority over...</p>	1996	Law Review	—	—
—	<p>300. ENFORCING STATE'S MOTOR CARRIER TARIFF AGAINST THE UNITED STATES THOUGH TERMINI WERE FEDERAL ENCLAVES AND CONTRACT WAS FOR DIFFERENT RATE 55 Colum. L. Rev. 396 , 405</p> <p>Plaintiff motor contract carrier brought suit to recover from the United States the difference between the contract price and the applicable state motor tariff for transporting...</p>	1955	Law Review	—	—
—	<p>301. THE DECLINE OF THE DORMANT COMMERCE CLAUSE 94 Denv. L. Rev. 255 , 318+</p> <p>A profound transformation has been worked in the law of the dormant Commerce Clause. Much contemporary scholarship and many modern decisions of the Supreme Court present the...</p>	2017	Law Review	—	—

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—	<p>303. TRANSMISSION SITING IN DEREGULATED WHOLESALE POWER MARKETS: RE-IMAGINING THE ROLE OF COURTS IN RESOLVING FEDERAL-STATE SITING IMPASSES</p> <p>15 Duke Envtl. L. & Pol'y F. 315 , 339+</p> <p>During most of the twentieth century, state and local regulatory bodies coordinated the siting of power plants and transmission lines. These bodies focused on two important...</p>	2005	Law Review	—	—
—	<p>304. FEDERALISM IN THE TAFT COURT ERA: CAN IT BE "REVIVED"?</p> <p>51 Duke L.J. 1513 , 1639+</p> <p>This Article analyzes the Supreme Court's view of federalism during the decade of the 1920s. It offers a detailed discussion of four jurisprudential areas: congressional power,...</p>	2002	Law Review	—	—
—	<p>305. CONSTITUTIONAL CROSSROADS: RECONCILING THE TWENTY-FIRST AMENDMENT AND THE COMMERCE CLAUSE TO EVALUATE STATE REGULATION OF INTERSTATE COMMERCE IN ALCOHOLIC BEVERAGES</p> <p>49 Duke L.J. 1619 , 1662</p> <p>Trying to purchase a highly rated, limited-production wine from a local wine retailer can be a fruitless endeavor. In most states, wine retailers are permitted to purchase stock...</p>	2000	Law Review	—	—
—	<p>306. THE DORMANT COMMERCE CLAUSE AND THE CONSTITUTIONAL BALANCE OF FEDERALISM</p> <p>1987 Duke L.J. 569 , 617</p> <p>Through the passage of time, the dormant commerce clause doctrine has acquired a patina of legitimacy; the doctrine frequently is used by the judiciary to overturn state regulation...</p>	1987	Law Review	—	—
—	<p>307. THE CONSTITUTION IN THE SUPREME COURT: 1921-1930</p> <p>1986 Duke L.J. 65 , 144</p> <p>The selection of William Howard Taft to succeed Edward D. White as Chief Justice in 1921 was followed by three additional appointments in the next two years: George Sutherland,...</p>	1986	Law Review	—	—

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—	<p>308. THE MARKET PARTICIPANT TEST IN DORMANT COMMERCE CLAUSE ANALYSIS-PROTECTING PROTECTIONISM? 1985 Duke L.J. 697 , 741</p> <p>The Supreme Court's traditional analysis of state actions under the dormant commerce clause has undergone two important modifications over the past decade. In the first, the Court...</p>	1985	Law Review	—	—
—	<p>309. MOTION PICTURE LICENSING ACTS: AN ANALYSIS OF THE CONSTITUTIONALITY OF THEIR PROVISIONS 51 Fordham L. Rev. 293 , 319</p> <p>Since 1948, when distributors were required to divest themselves of ownership of exhibition companies, the distribution arm of the film industry has become increasingly...</p>	1982	Law Review	—	—
—	<p>310. MUNICIPAL SOLID WASTE FLOW CONTROL IN THE POST-CARBONE WORLD 22 Fordham Urb. L.J. 361 , 416</p> <p>To deal most effectively and efficiently with the public health and safety problems associated with solid waste and its collection, management and disposal, governments in the...</p>	1995	Law Review	—	—
—	<p>311. ENTRY RESTRICTIONS IN THE LOCHNER COURT 4 Geo. Mason L. Rev. 405 , 455+</p> <p>Although it remains a small current within the stream of constitutional law research, the literature urging reconsideration of Lochner-era economic substantive due process...</p>	1996	Law Review	—	—
—	<p>312. A PUBLIC CONVENIENCE AND NECESSITY AND OTHER CONSPIRACIES AGAINST TRADE: A CASE STUDY FROM THE MISSOURI MOVING INDUSTRY 24 Geo. Mason U. Civ. Rts. L.J. 159 , 192+</p> <p>Starting a business is expensive and time-consuming. Accumulating capital, hiring talent, buying insurance, doing market research--all these tasks and more make opening a small...</p>	2014	Law Review	—	—
—	<p>313. DUAL FEDERALISM, CONCURRENT JURISDICTION, AND THE FOREIGN AFFAIRS EXCEPTION 69 Geo. Wash. L. Rev. 139 , 188</p> <p>For much of our history, the Supreme Court has tried to preserve the balance between the states and the nation by dividing up the world into two separate spheres: "local" and...</p>	2001	Law Review	—	—
—	<p>314. HOW MUCH REGULATION IS TOO MUCH--AN EXAMINATION OF COMMERCE CLAUSE JURISPRUDENCE 50 Geo. Wash. L. Rev. 47 , 89+</p> <p>SECTION 6. REGULATION OF INTERSTATE COMMERCE Comments: d. Although the power of the Federal Government over interstate commerce is plenary, the states may regulate commerce some,...</p>	1981	Law Review	—	—

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—	<p>315. SECTION 1983 AND CONSTITUTIONAL TORTS 77 Geo. L.J. 1441 , 1491</p> <p>We have long recognized that the resurrection of § 1983 converted the fourteenth amendment from a shield into a sword by providing a civil action for vindication of constitutional...</p>	1989	Law Review	—	—
—	<p>316. CARBONE V. UNITED HAULERS: LOCAL ENVIRONMENTAL REGULATION GAINS HEADWAY WHILE THE UNITED STATES SUPREME COURT "TRASHES" JUDICIAL PRECEDENCE 12 Great Plains Nat. Resources J. 185 , 205</p> <p>I. Introduction. 185 II. Facts And Procedure. 187 III. Background. 191 A. What is the Dormant Commerce Clause?. 191 1. Two Tiered Analysis Under the Dormant Commerce...</p>	2008	Law Review	—	—
—	<p>317. STATE "COMPETITOR'S VETO" LAWS AND THE RIGHT TO EARN A LIVING: SOME PATHS TO FEDERAL REFORM 38 Harv. J.L. & Pub. Pol'y 1009 , 1029+</p> <p>I. Economic Liberty as a Fundamental Civil Right. 1012 A. Economic Liberty and the Constitution. 1012 B. The Rational Basis Test. 1015 C. Constitutional Limits on...</p>	2015	Law Review	—	—
—	<p>318. TOWARD A MORE COHERENT DORMANT COMMERCE CLAUSE: A PROPOSED UNITARY FRAMEWORK 21 Harv. J.L. & Pub. Pol'y 395 , 465+</p> <p>I. Introduction. 396 II. The Commerce Clause: Background. 401 A. Federalism and the Constitution. 401 B. The Judiciary' Role. 403 III. The Dormant Commerce Clause: The Implied...</p>	1998	Law Review	—	—
—	<p>319. THAYER, HOLMES, BRANDEIS: CONCEPTIONS OF JUDICIAL REVIEW, FACTFINDING, AND PROPORTIONALITY 130 Harv. L. Rev. 2348 , 2396+</p> <p>Three Harvard Law School alumni--James Bradley Thayer, Oliver Wendell Holmes, Jr., and Louis D. Brandeis -- have had outsized impacts on judicial review, how it is conducted and...</p>	2017	Law Review	—	—
—	<p>320. UNCONSTITUTIONAL CONDITIONS 102 Harv. L. Rev. 1413 , 1506</p> <p>C1-3TABLE OF CONTENTS PAGE I. COMPONENTS OF AN UNCONSTITUTIONAL CONDITIONS PROBLEM. 1421 A. The Government Benefit. 1422 B. The Constitutional Right. 1426 II. UNCONSTITUTIONAL...</p>	1989	Law Review	—	—
—	<p>321. UNCONSTITUTIONAL CONDITIONS, STATE POWER, AND THE LIMITS OF CONSENT 102 Harv. L. Rev. 4 , 104+</p> <p>The Supreme Court's decision in Lyng v. International Union, UAW, decided during the 1987 Term, looks like a creature of the modern activist state. Lyng asked the Court to resolve...</p>	1988	Law Review	—	—

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—	322. STATE ENVIRONMENTAL PROTECTION LEGISLATION AND THE COMMERCE CLAUSE 87 Harv. L. Rev. 1762 , 1785 Recently mounting concern with both the rate of natural resource depletion and the methods used to dispose of waste products has led to a proliferation of state and federal...	1974	Law Review	—	—
—	323. LEARNED HAND: PATIENT DEMOCRAT 76 Harv. L. Rev. 322 , 335 Why should there not be a patient confidence in the ultimate justice of the people? Is there any better or equal hope in the world? —Abraham Lincoln One of the most fundamental...	1962	Law Review	—	—
—	324. THE SUPREME COURT IN A FREE SOCIETY. By Alpheus T. Mason and William M. Beaney. Englewood Cliffs: Prentice-Hall. 1959. Pp. vi, 346. \$6.50. 73 Harv. L. Rev. 1644 , 1648 One of the strongest barriers to public understanding of controversies over the Supreme Court of the United States is a tendency on the part of both its critics and its defenders...	1960	Law Review	—	—
—	325. STATE REGULATION OF RADIO AND TELEVISION 73 Harv. L. Rev. 386 , 405 Virtually all radio and television broadcasting, by its very nature, is in or affects interstate commerce. Radio waves cannot ordinarily be stopped at state or even national...	1959	Law Review	—	—
—	326. CONSTITUTIONAL LAW 69 Harv. L. Rev. 131 , 199 Contempt Before Congressional Committees. — The Court faced the problem of recalcitrant witnesses before congressional investigating committees in three companion cases, Quinn v....	1955	Law Review	—	—
—	327. CONSTITUTIONAL LAW - CONSTITUTIONS OF OTHER COUNTRIES - DISCRETIONARY POWER IN STATE OFFICIAL TO LICENSE INTERSTATE MOTOR VEHICLES HELD TO VIOLATE AUSTRALIAN CONSTITUTION. 68 Harv. L. Rev. 1457 , 1457 A New South Wales statute gave the Director of Transport the power, subject to the control of the Minister of Transport, to grant or refuse any application for a license to operate...	1955	Law Review	—	—
—	328. ENFORCING STATE CONSUMPTION TAXES ON OUT-OF-STATE PURCHASES. 65 Harv. L. Rev. 301 , 309 — Since the economic depression of the 1930's, the traditional recurring levies on real and personal property have proved inadequate. State-government financing has become...	1951	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	329. I. GOVERNMENT REGULATION OF BUSINESS 65 Harv. L. Rev. 114 , 170+ The place of price in competition furnished the primary antitrust concern of the 1950 Court. Two depression-born statutes, passed in an era when lower prices threatened economic...	1951	Law Review	—	—
—	330. ESTOPPEL TO CONTEST THE CONSTITUTIONALITY OF A STATUTE 48 Harv. L. Rev. 988 , 991+ The refusal of the District Court for the Western District of Kentucky in Hart Coal Corp. v. Sparks to estop subscribers to a code of fair competition from attacking the...	1935	Law Review	—	—
—	331. MOVEMENT IN SUPREME COURT ADJUDICATION - A STUDY OF MODIFIED AND OVERRULED DECISIONS 46 Harv. L. Rev. 593 , 637+ BESIDES the Due Process Clauses, another clause which is of first-rate economic significance and whose meaning appears to have been developed by the exercise of practical judgment...	1933	Law Review	—	—
—	332. CONSTITUTIONAL LAW - DUE PROCESS OF LAW: REGULATION OF TRADE OR BUSINESS - STATE REGULATION OF CONTRACT MOTOR CARRIER 45 Harv. L. Rev. 583 , 584 A Texas statute regulated motor carriers by requiring "certificates of convenience and necessity" for common carriers, and "permits" for contract carriers. It gave to the...	1932	Law Review	—	—
—	333. MR. JUSTICE BRANDEIS AND THE CONSTITUTION 45 Harv. L. Rev. 33 , 109+ A DEFINITIVE history of great political events may challenge the fecundity of historians, but of necessity escapes them. Even an adequate history of the Supreme Court awaits...	1931	Law Review	—	—
—	334. REGULATION OF THE CONTRACT MOTOR CARRIER UNDER THE CONSTITUTION 44 Harv. L. Rev. 530 , 567+ THE history of civilization is in large measure a story of the development of transportation. So far as land communication is concerned, the fundamental agency, throughout this...	1931	Law Review	—	—
—	335. THE FEDERAL COURTS AND STATE REGULATION OF PUBLIC UTILITIES 43 Harv. L. Rev. 379 , 425 A LOCAL electric light and power company is operating under a rate schedule which its managers find fails to produce an adequate net income. A new schedule providing for increased...	1930	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>336. THE DISTRIBUTION OF POWER TO REGULATE INTERSTATE CARRIERS BETWEEN THE NATION AND THE STATES By George G. Reynolds. New York: Columbia University Press. 1928. pp. 434</p> <p>41 Harv. L. Rev. 810 , 811</p> <p>"The purpose of this discussion is to show how the control of carriers engaged in interstate transportation is divided between the state and the federal governments and to trace...</p>	1928	Law Review	—	—
—	<p>337. STATE DETERMINATION OF STATE LAW AND THE JUDICIAL CODE</p> <p>41 Harv. L. Rev. 623 , 641+</p> <p>IN 1913 Section 266 of the Federal Judicial Code was amended in the legislative machinery without stimulating debate. One sentence of that amendment strikes at the ever lively...</p>	1928	Law Review	—	—
—	<p>338. THE PUBLIC UTILITY CONCEPT IN AMERICAN LAW</p> <p>41 Harv. L. Rev. 277 , 308</p> <p>SINCE not long after the Civil War we have accustomed ourselves to "private business" as one large category, and "public business" as another. The distinction is part of our...</p>	1928	Law Review	—	—
—	<p>339. THE SILENCE OF CONGRESS</p> <p>41 Harv. L. Rev. 200 , 222+</p> <p>VIRGIL had fully mastered the art, in Dryden's celebrated phrase, of 'saying much in little and often in silence.'" To apply to Congress a description involving such delicacy of...</p>	1927	Law Review	—	—
—	<p>340. INTERSTATE COMMERCE - POWERS OF STATES - STATE REGULATION OF MOTOR BUS ENGAGED IN INTERSTATE COMMERCE</p> <p>41 Harv. L. Rev. 260 , 260+</p> <p>The plaintiff brought a bill in equity to restrain the Rhode Island officials from interfering with the operation of the plaintiff's bus lines. The proof showed that the plaintiff...</p>	1927	Law Review	—	—
—	<p>341. THE BUSINESS OF THE SUPREME COURT OF THE UNITED STATES - A STUDY IN THE FEDERAL JUDICIAL SYSTEM</p> <p>40 Harv. L. Rev. 834 , 874</p> <p>IN securing legislation for the more effective administration of the inferior federal courts, Chief Justice Taft accomplished one half of his program of judicial reform. The other...</p>	1927	Law Review	—	—
—	<p>342. CONSTITUTIONAL OBSTACLES TO STATE REGULATION OF BUS TRANSPORTATION</p> <p>40 Harv. L. Rev. 882 , 886+</p> <p>Thirty-eight states and the District of Columbia have tried to cope with the problem arising from the mushroom growth of bus lines. Such unanimity of action indicates the...</p>	1927	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>343. INTERSTATE COMMERCE - STATE REGULATION OF INTRASTATE BUSINESS OF MOTOR BUS ENGAGED IN INTERSTATE COMMERCE 39 Harv. L. Rev. 900 , 900</p> <p>A statute forbids the operation of any motor vehicle upon any public way for transporting passengers for hire between fixed termini without first obtaining a license from cities...</p>	1926	Law Review	—	—
—	<p>344. STATE IMMIGRATION LAWS AND FEDERAL SUPREMACY 22 Hastings Const. L.Q. 939 , 1018</p> <p>C1-3Table of Contents I. The Development of Alien and Immigration Laws in the United States. 950 A. Give Me Your Tired and Poor, Your Huddled Masses Yearning to Breathe Free....</p>	1995	Law Review	—	—
—	<p>345. DOING WHAT COMES NATURALLY: ANTITRUST LAW AND HOSPITAL MERGERS 31 Hous. L. Rev. 813 , 872+</p> <p>Introduction. 814 I. Hospitals and the Theory of Natural Monopoly. 819 A. The Theory of Natural Monopoly. 820 1. Natural Monopoly Defined. 822 2. The Problem with Natural...</p>	1994	Law Review	—	—
—	<p>346. WHERE UNITED HAULERS MIGHT TAKE US: THE FUTURE OF THE STATE-SELF-PROMOTION EXCEPTION TO THE DORMANT COMMERCE CLAUSE RULE 95 Iowa L. Rev. 541 , 629</p> <p>ABSTRACT: Fourteen years ago, in C & A Carbone, Inc. v. Town of Clarkstown, the U.S. Supreme Court held that a local government had unconstitutionally discriminated against...</p>	2010	Law Review	—	—
—	<p>347. CONSTITUTIONAL LAW-KASSEL v. CONSOLIDATED FREIGHTWAYS CORP.: "GOODBUDDY" RAYMOND REVISITED IN NAME ONLY 8 J. Corp. L. 543 , 564+</p> <p>Interstate commerce was a source of concern to the Founding Fathers. By 1787 several states had passed unneighborly protectionist regulations, causing other states to complain...</p>	1983	Law Review	—	—
—	<p>348. REINVENTING THE CORE U.S. TECHNOLOGY THROUGH THE "PUSH' OF NEW REGULATION LEVERAGING MARKET "PULL' 31 J. Land Use & Envtl. L. 1 , 53</p> <p>I. Technology, Change, the Future. 1 II. The "Push" of Federal and State Policy. 6 A. Federal Tax "Push". 6 B. State Incentive Renewable Power "Push". 12 1. State...</p>	2015	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>349. POWER PLANT SITING IN A DEREGULATED ELECTRIC ENERGY INDUSTRY: DISCERNING THE CONSTITUTIONALITY OF SITING STATUTES UNDER THE DORMANT COMMERCE CLAUSE</p> <p>21 J. Land Use & Envtl. L. 91 , 114</p> <p>Perhaps one of the most important conflicts between environmental regulation and energy policy today is that of electric generation capacity. Adequate generation capacity is vital...</p>	2005	Law Review	—	—
—	<p>350. DON'T PUT A CORK IN GRANHOLM V. HEALD: NEW YORK'S BAN ON INTERSTATE DIRECT SHIPMENTS OF WINE IS UNCONSTITUTIONAL</p> <p>16 J.L. & Pol'y 925 , 967</p> <p>A new chapter is unfolding in a liquor saga seventy-five years in the making that now concerns New York's use of a state ban on interstate direct shipments of wine to grant...</p>	2008	Law Review	—	—
—	<p>351. THE NEED TO REPEAL CERTIFICATE OF NEED LAWS TO IMPROVE AMERICA'S HEALTH CARE SYSTEM: A DORMANT COMMERCE CLAUSE ANALYSIS</p> <p>37 J. Legal Med. 597 , 612</p> <p>"Imagine an economic system where market competition is viewed as a wasteful activity that needed to be discouraged or even prohibited by government. In such a system, for...</p>	2017	Law Review	—	—
—	<p>352. GENERAL MOTORS CORP. V. TRACY: A DEFEAT FOR THE COMMERCE CLAUSE</p> <p>7 J. Multistate Tax'n 52 , 58</p> <p>The most significant consequence of the U.S. Supreme Court's decision is that it creates a potentially giant loophole for discriminatory state taxation. In General Motors Corp. v....</p>	1997	Law Review	—	—
—	<p>353. THE QUESTIONABLE VIABILITY OF THE DES MOINES WARRANTY IN LIGHT OF BROWN-FORMAN CORP. v. NEW YORK</p> <p>78 Ky. L.J. 209 , 235</p> <p>The prohibition law, written for weaklings and derelicts, has divided the nation, like Gaul, into three parts--wets, dries, and hypocrites. Since before the foundation of the...</p>	1990	Law Review	—	—
—	<p>354. NATIONAL SOLID WASTES MANAGEMENT ASSOCIATION v. ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT: ENVIRONMENTAL PROTECTION AND THE COMMERCE CLAUSE--IS ENVIRONMENTAL PROTECTION A LEGITIMATE LOCAL CONCERN?</p> <p>37 Loy. L. Rev. 189 , 203</p> <p>The plaintiff, Chemical Waste Management, Inc. (ChemWaste), sued the Alabama Department of Environmental Management challenging the constitutionality of an Alabama statute known as...</p>	1991	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>355. AWAKENING CANADA'S DORMANT TRADE AND COMMERCE CLAUSE: HOW CANADIAN COURTS TEST CONCURRENT PROVINCIAL LEGISLATION</p> <p>20 Loy. L.A. Int'l & Comp. L.J. 193 , 221+</p> <p>Imagine you manufacture a unique style of furniture in U.S. State Z. Only State X harvests the lumber you require. State X passes an ordinance requiring State X suppliers to sell...</p>	1997	Law Review	—	—
—	<p>356. THE RISE AND FALL OF THE INTERSTATE COMMERCE COMMISSION: THE TORTUOUS PATH FROM REGULATION TO DEREGULATION OF AMERICA'S INFRASTRUCTURE</p> <p>95 Marq. L. Rev. 1151 , 1189+</p> <p>For a thousand years from its dedication in 360 A.D., Constantinople's Hagia Sofia was the largest building in the world. As the first Christian Emperor, Constantine had ordered...</p>	2012	Law Review	—	—
—	<p>357. UNTANGLING THE MARKET-PARTICIPANT EXEMPTION TO THE DORMANT COMMERCE CLAUSE</p> <p>88 Mich. L. Rev. 395 , 488</p> <p>I. The Development of the Market-Participant Rule A. The Dormant Commerce Clause B. The Supreme Court's Market-Participant Decisions C. The Implications of the Supreme Court's...</p>	1989	Law Review	—	—
—	<p>358. REVITALIZING DORMANT COMMERCE CLAUSE REVIEW FOR INTERSTATE COORDINATION</p> <p>100 Minn. L. Rev. 129 , 161+</p> <p>Introduction. 130 I. The Regulatory "Holdout" Problem. 140 A. The Energy Grid's Significance for Reliability and Climate Policy. 140 B. Federal Laws and Policies Favoring...</p>	2015	Law Review	—	—
—	<p>359. SOLID WASTE FLOW CONTROL: THE COMMERCE CLAUSE AND BEYOND</p> <p>19 Miss. C. L. Rev. 53 , 113</p> <p>In C & A Carbone, Inc. v. Town of Clarkstown, NY, the United States Supreme Court utilized the Commerce Clause of the United States Constitution to invalidate a municipal "flow..."</p>	1998	Law Review	—	—
—	<p>360. CAN THE NINTH CIRCUIT OVERRULE THE SUPREME COURT ON THE CONSTITUTION?</p> <p>93 Neb. L. Rev. 807 , 868</p> <p>I. What Has the Ninth Circuit Done?. 809 A. The Ninth Circuit 2013 Constitutional Opinion. 809 B. Does This Lead Down a New Constitutional Path?. 813 II. The Multibillion...</p>	2015	Law Review	—	—
—	<p>361. MUDDLING THROUGH MODERN ENERGY POLICY: THE DORMANT COMMERCE CLAUSE AND UNMASKING THE ILLUSION OF AN ATTLEBORO LINE</p> <p>24 N.Y.U. Envtl. L.J. 283 , 305+</p> <p>C1-2Table of Contents Introduction. 283 I. Cities, Progressivism, and Electricity Markets. 286 A. Electricity Lights a Fair. 286 B. The Progressive Tendency Toward Federal...</p>	2016	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>362. ECONOMIC UNION AS A CONSTITUTIONAL VALUE 63 N.Y.U. L. Rev. 43 , 129+</p> <p>Professor Collins presents an in-depth defense of the dormant commerce power doctrine. He maintains that the text of the commerce clause, the original intent behind it, and a...</p>	1988	Law Review	—	—
—	<p>363. WHO'S SELLING THE NEXT ROUND: WINES, STATE LINES, THE TWENTY-FIRST AMENDMENT AND THE COMMERCE CLAUSE 33 N. Ky. L. Rev. 1 , 59</p> <p>Once again the Supreme Court has waded into the bog that is the confluence of the Twenty-first Amendment and the Commerce Clause, and from there issued a forceful decision on the...</p>	2006	Law Review	—	—
—	<p>364. MOTOR FREIGHT BROKERS: A TALE OF FEDERAL REGULATORY PANDEMONIUM 14 Nw. J. Int'l L. & Bus. 289 , 326</p> <p>Motor freight brokers are the connecting link between shippers and carriers, uniting shippers who have cargo to deliver with carriers who have available motor transportation. ...</p>	1994	Law Review	—	—
—	<p>365. INSIDERS, OUTSIDERS, AND THE AMERICAN DREAM: HOW CERTIFICATE OF NECESSITY LAWS HARM OUR SOCIETY'S VALUES 26 Notre Dame J.L. Ethics & Pub. Pol'y 381 , 426+</p> <p>In 2007, college student entrepreneur Adam Sweet and his brother co-founded a moving company called 2 Brothers Moving in Portland, Oregon. What they did not know at the time was...</p>	2012	Law Review	—	—
—	<p>366. REGIONAL BANKING LAWS: AN ANALYSIS OF CONSTITUTIONALITY UNDER THE COMMERCE CLAUSE 60 Notre Dame L. Rev. 548 , 565</p> <p>Congress has established a two tier system for regulating bank holding companies. The federal portion of this regulatory scheme includes a provision, the Douglas Amendment, which...</p>	1985	Law Review	—	—
—	<p>367. THE ORPHANED RIGHT: THE RIGHT TO TRAVEL BY AUTOMOBILE, 1890-1950 30 Okla. City U. L. Rev. 245 , 269+</p> <p>Driving an automobile is a privilege, not a right, according to the prevailing laws of every jurisdiction of the United States. However, this was not always the case. When...</p>	2005	Law Review	—	—
—	<p>368. TRASHING THE CONSTITUTION: JUDICIAL ACTIVISM, THE DORMANT COMMERCE CLAUSE, AND THE FEDERALISM MANTRA 71 Or. L. Rev. 409 , 456</p> <p>DESPITE frequent incantations of the federalism mantra over the last century and a half, the Supreme Court has developed an aspect of its constitutional jurisprudence, the dormant...</p>	1992	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>369. THE COMMERCE CLAUSE: THE CASE FOR JUDICIAL NON-INTERVENTION 69 Or. L. Rev. 895 , 949</p> <p>The commerce clause grants Congress the "Power to . regulate Commerce . among the several States." The nature of the commerce power thereby created has been the subject of...</p>	1990	Law Review	—	—
—	<p>370. RETAIL STORE SIZE-CAP ORDINANCES Legitimate Land Use Regulations or Unconstitutional Economic Protectionism? 20-AUG Prob. & Prop. 9 , 11</p> <p>Big box retail stores, like Wal-Mart and Home Depot, have come to symbolize suburban "sprawl" in the United States and its attendant problems: the decline of city centers,...</p>	2006	Law Review	—	—
—	<p>371. IT IS NOT JUST POLITICS THAT IS LOCAL: A LOOK AT THE CONSTITUTIONALITY OF STATE REGULATION OF TRUCK WEIGHTS 30 Quinnipiac L. Rev. 201 , 247+</p> <p>The greater parity of investment in highway infrastructure, railroads, and shipping is paying dividends, making the United States transportation system more efficient and holistic...</p>	2012	Law Review	—	—
—	<p>372. FEDERAL PREEMPTION OF STATE PRODUCTS LIABILITY DOCTRINES 44 S.C. L. Rev. 187 , 285</p> <p>I. INTRODUCTION. 189 II. THE PREEMPTION DOCTRINE. 191 A. Express Preemption. 192 B. Federal Occupation of the Field. 193 1. Dominant Federal Interest. 194 2. Pervasive Federal...</p>	1993	Law Review	—	—
—	<p>373. INTERSTATE WASTE: A KEY ISSUE IN RESOLVING THE NATIONAL HAZARDOUS WASTE CAPACITY CRISIS 32 S. Tex. L. Rev. 601 , 640</p> <p>I. INTRODUCTION. 602 II. THE PERVASIVE NATIONAL REGULATORY REGIME FOR HAZARDOUS WASTE MANAGEMENT. 603 A. Generation. 604 B. Transportation. 604 C. Treatment, Storage, and Disposal....</p>	1991	Law Review	—	—
—	<p>374. UNITED WE STAND-BUT FOR HOW LONG? JUSTICE SCALIA AND NEW DEVELOPMENTS OF THE DORMANT COMMERCE CLAUSE 43 St. Louis U. L.J. 695 , 722</p> <p>"The Constitution was framed . . . upon the theory that the peoples of the several states must sink or swim together, and that in the long run prosperity and salvation are in...</p>	1999	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>375. CONSTITUTIONAL LAW - DORMANT COMMERCE CLAUSE - FLOW CONTROL ORDINANCES THAT REQUIRE DISPOSAL OF TRASH AT A DESIGNATED FACILITY VIOLATE THE DORMANT COMMERCE CLAUSE. C & A Carbone, Inc. v. Town of Clarkstown, ___ U.S. ___, 26 St. Mary's L.J. 563 , 600</p> <p>After the State of New York shut down the Town of Clarkstown's environmentally unsound landfill, the town procured a private contractor to build and operate a solid waste transfer...</p>	1995	Law Review	—	—
—	<p>376. TAXING OUT-OF-STATE CORPORATIONS AFTER WESTERN & SOUTHERN: AN EQUAL PROTECTION ANALYSIS 34 Stan. L. Rev. 877 , 899</p> <p>The commerce clause protects out-of-state (foreign) corporations from the states' natural tendency to promote local concerns through discriminatory taxation. Because of this...</p>	1982	Law Review	—	—
—	<p>377. PRE-EMPTION AS A PREFERENTIAL GROUND: A NEW CANON OF CONSTRUCTION 12 Stan. L. Rev. 208 , 225</p> <p>Many of the Supreme Court's recent pre-emption decisions have been condemned as extreme examples of the unwarranted substitution of judicial wisdom for that of Congress. In...</p>	1959	Law Review	—	—
—	<p>378. INTERSTATE HIGHWAY BARRIERS AND THE HOUSEHOLD GOODS MOVER 5 Stan. L. Rev. 306 , 321</p> <p>In 1951 the Movers' Conference of America began a concerted effort against "oppressive taxes and restrictive regulations," which have been enacted by the several states. These...</p>	1953	Law Review	—	—
—	<p>379. STATE LICENSING OF INTERSTATE GAS COMPANY 3 Stan. L. Rev. 335 , 341</p> <p>Constitutional Law—Regulation of Interstate Commerce—Michigan Court Permits State to Require Certificate of Convenience and Necessity of Interstate Natural Gas Company.—The...</p>	1951	Law Review	—	—
—	<p>380. INSIDE THE TAFT COURT: LESSONS FROM THE DOCKET BOOKS 2015 Sup. Ct. Rev. 345 , 387+</p> <p>For many years, the docket books kept by certain of the Taft Court Justices have been held by the Office of the Curator of the Supreme Court. Though the existence of these docket...</p>	2015	Law Review	—	—
—	<p>381. FROM CARBONE TO UNITED HAULERS: THE ADVOCATES' TALES 2007 Sup. Ct. Rev. 237 , 281</p> <p>The first full Term of the full Roberts Court produced news headlines with its decisions on abortion rights, campaign financing, and affirmative action in public schools. Two...</p>	2007	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>382. FEDERALISM, THE COMMERCE CLAUSE, AND DISCRIMINATORY STATE TAX INCENTIVES: A DEFENSE OF UNCONDITIONAL BUSINESS TAX INCENTIVES LIMITED TO IN-STATE ACTIVITIES OF THE TAXPAYER 60 Tax Law. 835 , 958</p> <p>C1-3TABLE OF CONTENTS I. INTRODUCTION. 837 A. Overview. 838 B. Competition for Economic Development. 839 C. Historical Origins and Contemporary Forms and Targets of Incentives....</p>	2007	Law Review	—	—
—	<p>383. INTERSTATE TRANSFER OF WATER: THE WESTERN CHALLENGE TO THE COMMERCE CLAUSE 59 Tex. L. Rev. 1249 , 1278</p> <p>Today a second war between the states is raging—this time over the control and exploitation of the nation's natural resources. At the frontlines of this natural resources conflict...</p>	1981	Law Review	—	—
—	<p>384. THE INSURANCE EXEMPTION FROM THE ANTITRUST LAWS 57 Tex. L. Rev. 1127 , 1191</p> <p>The McCarran-Ferguson Act (McCarran Act) exempts the business of insurance from the major federal antitrust statutes to the extent that the business is regulated by state law. The...</p>	1979	Law Review	—	—
—	<p>385. CONSTITUTIONAL LAW-INTERSTATE COMMERCE-POWER OF A STATE TO REGULATE INTERSTATE COMMERCE IN AN AREA REGULATED BY CONGRESSIONAL LEGISLATION.-LLOYD A. FRY ROOFING CO. V. WOOD, 344 U.S. 157 (1952) 32 Tex. L. Rev. 225 , 226</p> <p>Five of the petitioner's contract carriers were arrested, while engaged in interstate commerce, for failing to obtain a permit to use Arkansas highways as required by the Arkansas...</p>	1953	Law Review	—	—
—	<p>386. THE FUTURE OF FEDERALISM IN THE UNITED STATES 22 Tex. L. Rev. 255 , 285</p> <p>In selecting as the subject for the 1943 Ross Prize Essay Contest, the query, "What Should Be the Function of the States in Our System of Government?" the Board of Governors of...</p>	1944	Law Review	—	—
—	<p>387. TRADE BARRIERS 18 Tex. L. Rev. 274 , 294</p> <p>The Articles of Confederation preserved unto the states most of their commercial powers, including the powers of taxing and restricting commerce with the sister states and with...</p>	1940	Law Review	—	—
—	<p>388. CONSTITUTIONAL LAW-INTERSTATE COMMERCE-EFFECT OF FEDERAL MOTOR CARRIER ACT ON STATE CONTROL OF HIGHWAYS 16 Tex. L. Rev. 565 , 566+</p> <p>Plaintiff sought to enjoin enforcement of a state statute prohibiting the use on the state highways of motor trucks exceeding certain weight and width limits, relying in part on...</p>	1938	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	389. CONSTITUTIONAL LAW-INTERSTATE COMMERCE-MOTOR LICENSES 12 Tex. L. Rev. 355 , 356 Suit by the Railroad Commission of South Carolina against appellant, a contract carrier engaged in interstate and intrastate commerce, seeking the enforcement of a state statute...	1934	Law Review	—	—
—	390. CONSTITUTIONAL LAW-INTERSTATE COMMERCE-MOTOR TRANSPORTATION 7 Tex. L. Rev. 156 , 156 A city ordinance prohibited the operation on its streets of any motorbus for hire unless licensed by the city, no distinction being made between busses engaged exclusively in...	1928	Law Review	—	—
—	391. THE ICC FROM A TO Z 62-JUL Fed. Law. 62 , 62 Without exaggeration, the mother of all federal regulatory programs has got to be the Act to Regulate Commerce and its progeny, the Interstate Commerce Commission (ICC). Spanning...	2015	Law Review	—	—
—	392. THE REGULATION OF FORMULA BUSINESSES AND THE DORMANT COMMERCE CLAUSE DOCTRINE 44 Urb. Law. 227 , 264+ In the last twenty years, a cadre of cities and towns across the United States has prohibited or otherwise limited the number of "formula" businesses through use of the local...	2012	Law Review	—	—
—	393. RETAIL STORE SIZE-CAPPING ORDINANCES AND THE DORMANT COMMERCE CLAUSE DOCTRINE 37 Urb. Law. 907 , 919+ "Big box" retail stores are emerging as a target of efforts to combat "sprawl" accompanying suburbanization in the United States. Wal-Mart, Home Depot, and other "category..."	2005	Law Review	—	—
—	394. REGULATION OF THIRD PARTY SURFACE TRANSPORTATION: WHO IS A THIRD PARTY PROVIDER AND WHAT REGULATIONS COVER THIRD PARTY OPERATIONS IN THE UNITED STATES? 34 Transp. L.J. 261 , 288+ I. Introduction. 262 II. A Brief History of Third Party Surface Regulations. 263 III. Classification and Registration Requirements. 267 A. Freight Forwarders. 267 B....	2007	Law Review	—	—
—	395. TRANSPORTATION: A LEGAL HISTORY 30 Transp. L.J. 235 , 366+ "What do I care about the law? Hain't I got the power?" -- Cornelius Vanderbilt Shipping and Railroad Baron I. Introduction. 237 II. Origins of Common Carrier Regulation. 241...	2003	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>396. THE DEREGULATION OF TRANSPORTATION AND NATURAL GAS PRODUCTION IN THE UNITED STATES AND ITS RELEVANCE TO THE SOVIET UNION AND EASTERN EUROPE IN THE 1990'S 12 U. Bridgeport L. Rev. 43 , 95</p> <p>Future generations may very likely look back at this time as the most significant in world history since the end of World War II. The overthrow or dissolution of communist...</p>	1991	Law Review	—	—
—	<p>397. THE PHAGES OF AMERICAN LAW 36 U.C. Davis L. Rev. 455 , 504</p> <p>I. New World Order, Old World Morals. 456 II. Ave Caesar, Potentia Plena. 462 III. Airports Are Fascist . . . and It's a Good Thing Too. 477 IV. The Phages of American Law. 488...</p>	2003	Law Review	—	—
—	<p>398. INDIVIDUAL OR CLASSWIDE? DETERMINING HOW THE MCA EXEMPTION TO THE FLSA'S OVERTIME RULES SHOULD BE APPLIED 82 U. Chi. L. Rev. 2209 , 2213+</p> <p>The Fair Labor Standards Act of 1938 (FLSA) is one of the fundamental labor laws of the United States. Passed by Congress to correct and eliminate conditions detrimental to the...</p>	2015	Law Review	—	—
—	<p>399. FORMALISM AND REALISM IN COMMERCE CLAUSE JURISPRUDENCE 67 U. Chi. L. Rev. 1089 , 1150</p> <p>This Article attempts a reconceptualization of developments in Commerce Clause jurisprudence between the Civil War and World War II by identifying ways in which that jurisprudence...</p>	2000	Law Review	—	—
—	<p>400. WHEN APPS POLLUTE: REGULATING TRANSPORTATION NETWORK COMPANIES TO MAXIMIZE ENVIRONMENTAL BENEFITS 86 U. Colo. L. Rev. 1049 , 1093</p> <p>"Ridesharing" has long been touted as a means to reduce the pollution and congestion caused by personal vehicles, but in practice has been relatively unpopular among Americans....</p>	2015	Law Review	—	—
—	<p>401. COAL, STATE PROTECTIONISM, AND THE 1990 CLEAN AIR ACT AMENDMENTS: WHY KEEPING SEARS IN ILLINOIS WITHSTANDS COMMERCE CLAUSE SCRUTINY, BUT KEEPING COAL MINING JOBS DOES NOT 1992 U. Ill. L. Rev. 1119 , 1181+</p> <p>The 1990 Clean Air Act Amendments allow coal-fired utilities a choice of how most efficiently to comply with emissions standards. The choice is a deceptively simple one for...</p>	1992	Law Review	—	—

Treatment	Title	Date	Type	Depth	Headnote(s)
—	<p>402. STATE AND LOCAL ATTEMPTS TO RESTRICT THE IMPORTATION OF SOLID AND HAZARDOUS WASTE: OVERCOMING THE DORMANT COMMERCE CLAUSE*</p> <p>40 U. Kan. L. Rev. 465 , 497</p> <p>A new civil war is brewing between the states. This war is not about slavery or states' rights; this time it is about garbage. Americans produce 160 to 180 million tons of...</p>	1992	Law Review	—	—
—	<p>403. AN INVITATION TO PUBLIC UTILITIES--THE AMENDED PENNSYLVANIA BUSINESS CORPORATION AND PUBLIC UTILITY LAWS*</p> <p>113 U. Pa. L. Rev. 187 , 218</p> <p>In 1963 the Pennsylvania General Assembly, in a major step toward the completion of corporate law revision in Pennsylvania, authorized almost all public utilities, at their option,...</p>	1964	Law Review	—	—
—	<p>404. ANTI-TRUST--RESTRAINT OF TRADE IN MUNICIPAL CONSTRUCTION NOT SUBJECT TO STATE ANTI-TRUST LAW</p> <p>101 U. Pa. L. Rev. 553 , 555</p> <p>The state of Texas brought an action seeking statutory penalties and injunctive relief from a violation of the state anti-trust laws. The alleged violation was an agreement...</p>	1953	Law Review	—	—
—	<p>405. COMMERCE CLAUSE-NATURAL GAS ACT-STATE POWER TO REGULATE LOCAL DISTRIBUTION OF NATURAL GAS INCLUDES POWER TO FORBID DIRECT INDUSTRIAL SALE BY INTERSTATE PIPE LINE COMPANY</p> <p>100 U. Pa. L. Rev. 265 , 268+</p> <p>Appellant company is engaged in the production and interstate transportation by pipe line of natural gas. It sells largely to local public utilities for resale, but also sells...</p>	1951	Law Review	—	—
—	<p>406. TAXATION OF INTERSTATE MOTOR COMMERCE-FEDERAL OCCUPATION OF THE FIELD?</p> <p>100 U. Pa. L. Rev. 71 , 92</p> <p>The Congress of the United States in its latest sessions has shown a marked interest in taxation of interstate motor commerce. Heretofore unchallenged, state activity in this field...</p>	1951	Law Review	—	—
—	<p>407. REGULATION, DEREGULATION, FEDERALISM, AND ADMINISTRATIVE LAW: AGENCY POWER TO PREEMPT STATE REGULATION</p> <p>46 U. Pitt. L. Rev. 607 , 671+</p> <p>States have the power to regulate almost all forms of conduct. Sometimes, however, states impose regulations that advance state interests at the expense of national interests....</p>	1985	Law Review	—	—

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—	408. DORMANT COMMERCE CLAUSE'S AGING BURDEN 49 Val. U. L. Rev. 723 , 805+ Stare decisis means little in a changing society when for every new case the number of possible precedents is practically unwieldy. Without principles as guides, the body of...	2015	Law Review	—	—
—	409. THE "STATES-AS-LABORATORIES" METAPHOR IN STATE CONSTITUTIONAL LAW 30 Val. U. L. Rev. 475 , 491+ No contemporary discussion of state constitutional law, it seems, is considered complete without some invocation of the metaphor of "states-as-laboratories." We are constantly...	1996	Law Review	—	—
—	410. STATE USER FEES AND THE DORMANT COMMERCE CLAUSE 50 Vand. L. Rev. 795 , 842 I. Introduction. 796 II. The User-Fee/Market-Participant Issue. 797 III. The Message of Oregon Waste Systems. 803 IV. The Roots of the User-Fee/Market-Participant Problem. 805 V....	1997	Law Review	—	—
—	411. WITHOUT A CLUE AND STILL WITHOUT A MASTER PLAN: MUNICIPALITIES LEFT UNCERTAIN HOW TO MANAGE WASTE DISPOSAL CRISIS IN WAKE OF THIRD CIRCUIT DECISION IN HARVEY & HARVEY, INC. V. COUNTY OF CHESTER 9 Vill. Envtl. L.J. 225 , 281+ It's garbage day and Uncle Sam forgot to take out the trash, again. Although everyone forgets to take out the garbage once in a while, the government has forgotten for decades. ...	1998	Law Review	—	—
—	412. THE FLOW CONTROL OF SOLID WASTE AND THE COMMERCE CLAUSE: CARBONE AND ITS PROGENY 7 Vill. Envtl. L.J. 203 , 261+ FOR well over a century, the Commerce Clause of the United States Constitution has served as the basis for challenges to local laws that discriminate against the import or export...	1996	Law Review	—	—
—	413. MAPPING ELECTRONIC DATA COMMUNICATIONS ONTO EXISTING LEGAL METAPHORS: SHOULD WE LET OUR CONSCIENCE (AND OUR CONTRACTS) BE OUR GUIDE? 38 Vill. L. Rev. 487 , 515+ SINCE the inception of networked data communications systems, commentators have attempted to analyze the rights and duties of participants in these systems by mapping the systems...	1993	Law Review	—	—
—	414. THE SECRET LIVES OF THE FOUR HORSEMEN 83 Va. L. Rev. 559 , 584 Difficile est saturam non scribere. --Juvenal, Saturae, I, 30. "Outlined against red velvet drapery on the first Monday of October, the Four Horsemen rode again. In dramatic lore..."	1997	Law Review	—	—

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—	<p>415. STATE PLANT CLOSING LEGISLATION: A MODERN JUSTIFICATION FOR THE USE OF THE DORMANT COMMERCE CLAUSE AS A BULWARK OF NATIONAL FREE TRADE 75 Va. L. Rev. 845 , 894</p> <p>Over the past decade, the United States Supreme Court has done little to clarify the line drawn by the dormant commerce clause between federal authority over interstate trade and...</p>	1989	Law Review	—	—
—	<p>416. INTERSTATE EXPLOITATION AND JUDICIAL INTERVENTION 69 Va. L. Rev. 563 , 631</p> <p>L1-3_ C1-3TABLE OF CONTENTS L1-3_ I. THE NATURE OF JUDICIAL INTERVENTION. 567 II. INTERFERENCES AND EXPLOITATIONS: THE THEORETICAL FRAMEWORK. 570 A. How Exploitations Differ...</p>	1983	Law Review	—	—
—	<p>417. MOVING PUBLIC LAW OUT OF THE DEFERENCE TRAP IN REGULATED INDUSTRIES 40 Wake Forest L. Rev. 617 , 676+</p> <p>This Article argues that public law has fallen into what I call a "deference trap" in addressing conflicts in deregulated industries, such as telecommunications and electric...</p>	2005	Law Review	—	—
—	<p>418. MARKET FAILURE AND REGULATORY FAILURE AS CATALYSTS FOR POLITICAL CHANGE: THE CHOICE BETWEEN IMPERFECT REGULATION AND IMPERFECT COMPETITION 46 Wash. & Lee L. Rev. 1 , 40</p> <p>C1-3TABLE OF CONTENTS I. Introduction. 2 II. Political Economics. 3 A. Communism. 5 B. Socialism. 6 C. Economic Regulation. 6 D. Capitalism. 7 E. Libertarian Theory. 7 III....</p>	1989	Law Review	—	—
—	<p>419. KEEP ON TRUCKIN', UBER: USING THE DORMANT COMMERCE CLAUSE TO CHALLENGE REGULATORY ROADBLOCKS TO TNCS 72 Wash. & Lee L. Rev. Online 136 , 160+</p> <p>We are witnessing a revolution in the way we get around, if only we glance up from our phones. "Techies" and suit-clad professionals alike use their phones to request rides from...</p>	2015	Law Review	—	—
—	<p>420. FIXED INCOME INSECURITIES: MUNICIPAL BONDS AND THE EROSION OF DORMANT COMMERCE CLAUSE SCRUTINY IN DEPARTMENT OF REVENUE V. DAVIS 33 Wash. U. J.L. & Pol'y 329 , 349+</p> <p>The Supreme Court's 2008 decision in Department of Revenue v. Davis all but exempted from dormant Commerce Clause scrutiny a potentially broad swath of state regulations, those...</p>	2010	Law Review	—	—

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—	<p>421. POLITICAL BARGAINING AND JUDICIAL INTERVENTION IN CONSTITUTIONAL AND ANTITRUST FEDERALISM 83 Wash. U. L.Q. 521 , 573+</p> <p>Federal judicial deference to state and local regulation is at the center of contentious debates regarding the implementation of competition policy. This Article invokes a...</p>	2005	Law Review	—	—
—	<p>422. THE BURDEN OF INACTION: HOW TWO STATES SET DIFFERENT PATHS FOR ONE NONFEDERAL TRANSBORDER HIGHWAY AND WHY THE COURTS CANNOT ADEQUATELY SOLVE THIS PROBLEM IN LIGHT OF CONCERNS FOR FEDERALISM, THE SEPARATION OF POWERS AND 111 W. Va. L. Rev. 943 , 977</p> <p>I. Introduction. 944 II. A Tale of Two States. 945 A. West Virginia's Response - Expansion of Route 9. 946 B. Virginia's Response - The Controversy and Debates. 947 III. The...</p>	2009	Law Review	—	—
—	<p>423. WEIGHING IN ON THE WINE WARS: WHAT THE EUROPEAN UNION CAN TEACH US ABOUT THE DIRECT SHIPMENT CONTROVERSY 46 Wm. & Mary L. Rev. 1533 , 1568</p> <p>Suppose you run a small Virginia winery that produces a white wine that has long been the favorite of traveling oenophiles from Tennessee who annually make the trip to visit your...</p>	2005	Law Review	—	—
—	<p>424. NATIONAL TRANSPORTATION POLICY AND THE REGULATION OF MOTOR CARRIERS 71 Yale L.J. 307 , 329</p> <p>Two Federal District Courts recently held that the Interstate Commerce Commission had exceeded its statutory discretion by denying licenses to certain contract motor carrier...</p>	1961	Law Review	—	—
—	<p>425. SECURITY INTERESTS IN MOTOR VEHICLES UNDER THE UCC: A NEW CHASSIS FOR CERTIFICATE OF TITLE LEGISLATION 70 Yale L.J. 995 , 1022+</p> <p>Some states adopting the Uniform Commercial Code must integrate the Code's filing system for perfecting security interests in personalty with motor vehicle certificate of title...</p>	1961	Law Review	—	—
—	<p>426. THE CASE-CONCEPT AND SOME RECENT INDIRECT PROCEDURES FOR ATTACKING THE CONSTITUTIONALITY OF FEDERAL REGULATORY STATUTES 45 Yale L.J. 649 , 671+</p> <p>Stockholders' suits and cases framed in reorganization proceedings have been conspicuous weapons in recent phases of the constitutional battle between business and the New Deal....</p>	1936	Law Review	—	—




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—	427. PROTECTION OF LOCAL BUSINESS AGAINST MOTOR VEHICLE COMPETITION 41 Yale L.J. 1227 , 1233 In the effort to protect local markets against competitors whose invasion is made possible by the use of motor transport, attempts by legislation to erect trade barriers at state...	1932	Law Review	—	—
—	428. THE RIGHT OF THE STATE TO DEMAND FINANCIAL RESPONSIBILITY OF AUTOMOBILE OWNERS 40 Yale L.J. 816 , 819 When Massachusetts, in 192.7, enacted its famous compulsory automobile insurance law, the scope and novelty of the statute centered universal attention upon it as the first...	1931	Law Review	—	—
—	429. MOTOR CARRIER REGULATION BY CERTIFICATES OF NECESSITY AND CONVENIENCE 36 Yale L.J. 163 , 194+ Within the past five years the motor vehicle for hire has developed from insignificance to a formidable position in our transportation system. Motor busses, for years confined to...	1926	Law Review	—	—
—	430. THE COMPACT CLAUSE OF THE CONSTITUTION-A STUDY IN INTERSTATE ADJUSTMENTS 34 Yale L.J. 685 , 729 The Constitution is naturally acclaimed as the creative achievement of statesmen bent on maintaining the co-operation of the States and on forming "a more perfect Union." But in...	1925	Law Review	—	—
—	431. A SOLUTION TO SEMINOLE Bankruptcy Court Decisions Weekly News & Comments One of the basic tenets of our judicial system is that the controlling effect of a decision, even an opinion of the Supreme Court, is limited to those issues decided in a case....	1996	Other Secondary Source	—	—
—	432. P 13,506 GENERAL MOTORS CORPORATION, ET AL., APPELLANTS V. THE STATE OF ILLINOIS MOTOR VEHICLE REVIEW BOARD, ET AL., APPELLEES. General Motors Corporation, et al., Appellants v. The State of Illinois Motor Vehicle Review Board, et al., Appellees. ¶ 13,506. Supreme Court of Illinois. Case Nos. 101585;...	2007	Other Secondary Source	—	—
—	433. P 13,177 GENERAL MOTORS CORPORATION, PLAINTIFF-APPELLANT V. THE STATE OF ILLINOIS MOTOR VEHICLE REVIEW BOARD; TERENCE M. O'BRIEN, IN HIS OFFICIAL CAPACITY AS CHAIRPERSON OF THE ILLINOIS MOTOR VEHICLE REVIEW BOARD; NORT General Motors Corporation, Plaintiff-Appellant v. The State Of Illinois Motor Vehicle Review Board; Terrence M. O'brien, in his official capacity as Chairperson of the Illinois...	2005	Other Secondary Source	—	—









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—	434. A SOLUTION TO SEMINOLE Consumer Bankruptcy News One of the basic tenets of our judicial system is that the controlling effect of a decision, even an opinion of the Supreme Court, is limited to those issues decided in a case....	1996	Other Secondary Source	—	—
—	435. P 48,795 KIM POWERS; DENNIS BRIDGES; MEMORIAL CONCEPTS ONLINE, INC., PLAINTIFFS-APPELLANTS, V. JOE HARRIS, IN HIS OFFICIAL CAPACITY AS PRESIDENT OF THE OKLAHOMA STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS; STEPHEN HU Guide to Computer Law Kim Powers; Dennis Bridges; Memorial Concepts Online, Inc., Plaintiffs—Appellants, v. Joe Harris, in his official capacity as president of the Oklahoma State Board of Embalmers and...	2004	Other Secondary Source	—	—
—	436. P 283,036 WALGREEN CO. V. RULLAN Health Care Compliance Reporter Walgreen Co. v. Rullan U.S. Court of Appeals for the First Circuit, No. 03-2542, , 2005 WL 927151, April 22, 2005. United States Court of Appeals For the First Circuit No. 03-2542...	2005	Other Secondary Source	—	—
—	437. NO CONSTITUTIONAL BARRIERS TO IMPOSITION OF "CERTIFICATION OF PUBLIC CONVENIENCE AND NECESSITY": KLEENWELL BIOHAZARD WASTE AND GENERAL ECOLOGY CONSULTANTS, INC. V. SHARON L. NELSON ET AL., NOS. 93-35546 AND -35897 NAAG National Environmental Enforcement Journal The State of Washington requires that a company desiring to haul solid waste for compensation must obtain from the Washington Utilities and Transportation Commission (WUTC) a...	1995	Other Secondary Source	—	—
—	438. GERALDINE P. CAROFANO ET AL. V. CITY OF BRIDGEPORT ET AL. JOHN DOE ET AL. V. CITY OF BRIDGEPORT ET AL. Labor & Employment Law 495 A.2d 1011 GERALDINE P. CAROFANO ET AL. v. CITY OF BRIDGEPORT ET AL. JOHN DOE ET AL. v. CITY OF BRIDGEPORT ET AL. CAROFANO v. BRIDGEPORT, 196 Conn. 623 (1985) (9574) (9575)...	1985	Other Secondary Source	—	—
—	439. P 11,055 LEWIS, COMPTROLLER OF FLORIDA V. BT INVESTMENT MANAGERS, INC., ET AL. Mutual Funds Guide LEWIS, COMPTROLLER OF FLORIDA v. BT INVESTMENT MANAGERS, INC., ET AL. Back reference: ¶ 4901 . U.S. Supreme Court. No. 79-45 . June 9, 1980. Appeal from the U.S. District Court,...	1980	Other Secondary Source	—	—

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—	<p>440. P 76,376 GRAND RIVER ENTERPRISES SIX NATIONS, LTD., PLAINTIFF V. TROY KING, ET AL., DEFENDANTS. Trade Regulation Reporter</p> <p>Grand River Enterprises Six Nations, Ltd., Plaintiff v. Troy King, et al., Defendants. 2008-2 Trade Cases ¶ 76,376. U.S. District Court, Southern District of New York. No. 02 Civ....</p>	2008	Other Secondary Source	—	—
—	<p>441. P 75,017 GENERAL MOTORS CORP., PLAINTIFF-APPELLANT V. THE STATE OF ILLINOIS MOTOR VEHICLE REVIEW BOARD; TERENCE M. O'BRIEN, IN HIS OFFICIAL CAPACITY AS CHAIRPERSON OF THE ILLINOIS MOTOR VEHICLE REVIEW BOARD; NORTH SHOR Trade Regulation Reporter</p> <p>General Motors Corp., Plaintiff-Appellant v. The State of Illinois Motor Vehicle Review Board; Terrence M. O'Brien, in his Official Capacity as Chairperson of the Illinois Motor...</p>	2005	Other Secondary Source	—	—
—	<p>442. P 73,018 MCNEILUS TRUCK AND MANUFACTURING, INC., MCNEILUS FINANCIAL SERVICES, INC., MCNEILUS FINANCIAL, INC., PLAINTIFFS-APPELLANTS V. STATE Trade Regulation Reporter</p> <p>McNeilus Truck and Manufacturing, Inc., McNeilus Financial Services, Inc., McNeilus Financial, Inc., Plaintiffs-Appellants v. State of Ohio, ex rel. Betty Montgomery, Attorney...</p>	2000	Other Secondary Source	—	—

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Reversed	 1. Buck v. Kuykendall 295 F. 197, W.D.Wash., 1923 Supplemental Opinion. In Equity. Suit by A. J. Buck against E. V. Kuykendall, Director of Public Works of the State of Washington. On motion for preliminary injunction. ...	Case			325+
Cited	 2. Carlsen v. Cooney 212 P. 575, Wash., 1923 Department 2. Appeal from Superior Court, Pierce County; W. O. Chapman, Judge. Action by John M. Carlsen against E. C. Cooney. Judgment for defendant, and plaintiff appeals. ...	Case			325
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Cited	4. George W. Bush & Sons Co. v. Maloy 45 S.Ct. 327, U.S.Md., 1925 In Case 185: In Error to the Court of Appeals of the State of Maryland. In Case 345: Appeal from the District Court of the United States for the Western District of Washington. For...	Case			326
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Cited	6. Hurley v. Commission of Fisheries of Virginia 42 S.Ct. 83, U.S.Va., 1921 Appeal from the District Court of the United States for the Eastern District of Virginia. Suit for injunction by J. W. Hurley against the Commission of Fisheries of Virginia and...	Case			326
Cited	7. Interstate Motor Transit Co. v. Kuykendall 284 F. 882, W.D.Wash., 1922 In Equity. Suit by the Interstate Motor Transit Company against E. V. Kuykendall, Director of Public Works of the State of Washington. On motion by defendant to dismiss bill. ...	Case			325

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Cited	 9. Michigan Public Utilities Commission v. Duke 45 S.Ct. 191, U.S.Mich., 1925 Appeal from United States District Court, Eastern District of Michigan. Suit by Coral W. Duke, doing business as the Duke Cartage Company, against the Michigan Public Utilities...	Case			326
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Cited	 11. Northern Pac. Ry. Co. v. Schoenfeldt 213 P. 26, Wash., 1923 En Banc. Appeal from Superior Court, King County; Austin E. Griffiths, Judge. Action by the Northern Pacific Railway Company and others against A. M. Schoenfeldt and others, as the...	Case			325
Cited	12. Packard v. Banton 44 S.Ct. 257, U.S.N.Y., 1924 Appeal from the District Court of the United States for the Southern District of New York. Suit by William Henry Packard against Joab H. Banton, as District Attorney in and for the...	Case			325
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Filings

There are no Filings for this citation.