

ana law effected a denial of liberty of contract contrary to due process when applied to an insurance contract negotiated in New York with a New York company and with premiums and losses to be paid in New York.

138. *Smyth v. Ames*, 169 U.S. 466 (1898).

A Nebraska statute setting intrastate freight rates was held to impose rates so low as to be unreasonable and to amount to a deprivation of property without due process of law.

139. *Houston & Texas Cent. Ry. v. Texas*, 170 U.S. 243 (1898).

A Texas constitutional provision, as enforced to recover certain sections of land held by a railroad company under a previous legislative grant, impaired the obligation of contract.

140. *Thompson v. Utah*, 170 U.S. 343 (1898).

A provision in Utah's constitution, providing for the trial of non-capital criminal cases in courts of general jurisdiction by a jury of eight persons, was held an *ex post facto* law as applied to felonies committed before the territory became a state.

Justices concurring: Harlan, Gray, Brown, Shiras, White, McKenna, Fuller, C.J.
Justices dissenting: Brewer, Peckham

141. *Schollenberger v. Pennsylvania*, 171 U.S. 1 (1898).

A Pennsylvania law that prohibited the manufacture and sale of oleomargarine was invalid to the extent that it prohibited interstate importation and resale of oleomargarine in original packages.

Justices concurring: Fuller, C.J., Brewer, Brown, Shiras, White, Peckham, McKenna
Justices dissenting: Gray, Harlan

142. *Collins v. New Hampshire*, 171 U.S. 30 (1898).

A New Hampshire law that prohibited the sale of oleomargarine unless it was pink in color, was invalid as an arbitrary means of rendering the product unmarketable and also could not be enforced to prevent the interstate transportation and resale of oleomargarine produced in another state and not pink in color.

Justices concurring: Fuller, C.J., Brewer, Brown, Shiras, White, Peckham, McKenna
Justices dissenting: Harlan, Gray

143. *Blake v. McClung*, 172 U.S. 239 (1898).

Tennessee acts that granted Tennessee creditors priority over non-resident creditors having claims against foreign corporations admitted to do local business infringed the Privileges and Immunities Clause of Art. IV, § 2.