

Sec. 2—Judicial Power and Jurisdiction

Cl. 1—Cases and Controversies

States have real and substantial interests in the River that must be reconciled as best they may be.”¹⁰⁰⁷

Other types of interstate disputes of which the Court has taken jurisdiction include suits by a state as the donee of the bonds of another to collect thereon,¹⁰⁰⁸ by Virginia against West Virginia to determine the proportion of the public debt of the original State of Virginia which the latter owed the former,¹⁰⁰⁹ by Arkansas to enjoin Texas from interfering with the performance of a contract by a Texas foundation to contribute to the construction of a new hospital in the medical center of the University of Arkansas,¹⁰¹⁰ of one state against another to enforce a contract between the two,¹⁰¹¹ of a suit in equity between states for the determination of a decedent’s domicile for inheritance tax purposes,¹⁰¹² and of a suit by two states to restrain a third from enforcing a natural gas measure that purported to restrict the interstate flow of natural gas from the state in the event of a shortage.¹⁰¹³

In *Texas v. New Jersey*,¹⁰¹⁴ the Court adjudicated a multistate dispute about which state should be allowed to escheat intangible property consisting of uncollected small debts held by a corporation. Emphasizing that the states could not constitutionally provide a rule of settlement and that no federal statute governed the

¹⁰⁰⁷ 283 U.S. at 342. See also *Nebraska v. Wyoming*, 325 U.S. 589 (1945); *Idaho ex rel. Evans v. Oregon*, 462 U.S. 1017 (1983). In *Ohio v. Wyandotte Chemicals Corp.*, 401 U.S. 493 (1971), the Court held it had jurisdiction of a suit by a state against citizens of other states to abate a nuisance allegedly caused by the dumping of mercury into streams that ultimately run into Lake Erie, but it declined to permit the filing because the presence of complex scientific issues made the case more appropriate for first resolution in a district court. See also *Texas v. New Mexico*, 462 U.S. 554 (1983); *Nevada v. United States*, 463 U.S. 110 (1983).

¹⁰⁰⁸ *South Dakota v. North Carolina*, 192 U.S. 286 (1904).

¹⁰⁰⁹ *Virginia v. West Virginia*, 220 U.S. 1 (1911).

¹⁰¹⁰ *Arkansas v. Texas*, 346 U.S. 368 (1953).

¹⁰¹¹ *Kentucky v. Indiana*, 281 U.S. 163 (1930).

¹⁰¹² *Texas v. Florida*, 306 U.S. 398 (1939). In *California v. Texas*, 437 U.S. 601 (1978), the Court denied a state leave to file an original action against another state to determine the contested domicile of a decedent for death tax purposes, with several Justices of the view that *Texas v. Florida* had either been wrongly decided or was questionable. But, after determining that an interpleader action by the administrator of the estate for a determination of domicile was barred by the Eleventh Amendment, *Cory v. White*, 457 U.S. 85 (1982), the Court over dissent permitted filing of the original action. *California v. Texas*, 457 U.S. 164 (1982).

¹⁰¹³ *Pennsylvania v. West Virginia*, 262 U.S. 553 (1923). The Court, in *Maryland v. Louisiana*, 451 U.S. 725 (1981), over strong dissent, relied on this case in permitting suit contesting a tax imposed on natural gas, the incidence of which fell on the suing state’s consuming citizens. And, in *Wyoming v. Oklahoma*, 502 U.S. 437 (1992), the Court permitted a state to sue another to contest a law requiring that all in-state utilities burn a mixture containing at least 10% in-state coal, the plaintiff state having previously supplied 100% of the coal to those utilities and thus suffering a loss of coal-severance tax revenues.

¹⁰¹⁴ 379 U.S. 674 (1965). See also *Pennsylvania v. New York*, 406 U.S. 206 (1972).