enforce "penal" laws of the United States; the statute at issue in the case provided "that a buyer of goods at above the prescribed ceiling price may sue the seller 'in any court of competent jurisdiction.'"[1271] Respecting Rhode Island's claim that one sovereign cannot enforce the penal laws of another, Justice Black observed that the assumption underlying this claim flew "in the face of the fact that the States of the Union constitute a nation" and the fact of the existence of the Supremacy Clause.[1272]

State Interference with Federal Jurisdiction.—It seems settled, though not without dissent, that state courts have no power to enjoin proceedings[1273] or effectuation of judgments[1274] of the federal courts, with the exception of cases in which a state court has custody of property in proceedings *in rem* or *quasi in rem*, where the state court has exclusive jurisdiction to proceed and may enjoin parties from further action in federal court.[1275]

Conflicts of Jurisdiction: Rules of Accommodation

Federal courts primarily interfere with state courts in three ways: by enjoining proceedings in them, by issuing writs of *habeas corpus* to set aside convictions obtained in them, and by adjudicating

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[1271] 330 U.S. at 387.

[1272] 330 U.S. at 389. *See*, for a discussion as well as an extension of *Testa*, FERC v. Mississippi, 456 U.S. 742 (1982). Cases since *Testa* requiring state court enforcement of federal rights have generally concerned federal remedial laws. *E.g.*, Charles Dowd Box Co. v. Courtney, 368 U.S. 502 (1962); Sullivan v. Little Hunting Park, 396 U.S. 229 (1969). The Court has approved state court adjudication under 42 U.S.C. § 1983, Maine v. Thiboutot, 448 U.S. 1, 3 n.1 (1980), but, curiously, in Martinez v. California, 444 U.S. 277, 283 n.7 (1980) (emphasis by Court), it noted that it has "never considered . . . the question whether a State *must* entertain a claim under 1983." *See also* Arkansas Writers' Project, Inc. v. Ragland, 481 U.S. 221, 234 n.7 (1987) (continuing to reserve question). But, with Felder v. Casey, 487 U.S. 131 (1988), and Howlett by Howlett v. Rose, 496 U.S. 356 (1990), it seems dubious that state courts could refuse. Enforcement is not limited to federal statutory law; federal common law must similarly be enforced. Free v. Bland, 369 U.S. 663 (1962).

[1273] Donovan v. City of Dallas, 377 U.S. 408 (1964), and cases cited. Justices Harlan, Clark, and Stewart dissented, arguing that a state should have power to enjoin vexatious, duplicative litigation which would have the effect of thwarting a state-court judgment already entered. *See also* Baltimore & Ohio R.R. v. Kepner, 314 U.S. 44, 56 (1941) (Justice Frankfurter dissenting). In Riggs v. Johnson County, 73 U.S. (6 Wall.) 166 (1868), the general rule was attributed to the complete independence of state and federal courts in their spheres of action, but federal courts, of course may under certain circumstances enjoin actions in state courts.

[1274] McKim v. Voorhies, 11 U.S. (7 Cr.) 279 (1812); Riggs v. Johnson County, 73 U.S. (6 Wall.) 166 (1868).

[1275] Princess Lida v. Thompson, 305 U.S. 456 (1939). Nor do state courts have any power to release by *habeas corpus* persons in custody pursuant to federal authority. Ableman v. Booth, 62 U.S. (21 How.) 506 (1859); *Tarble's Case*, 80 U.S. (13 Wall.) 397 (1872).