

plied in this case, the statute violates the First and Fourteenth Amendments because it imposes a prior restraint on free speech and free assembly. The First Amendment's safeguards apply to business and economic activity, and restrictions of these activities can be justified only by clear and present danger to the public welfare.

Justices concurring: Black, Douglas, Murphy, Jackson, Rutledge
Justices dissenting: Stone, C.J., Roberts, Reed, Frankfurter

448. *Hooven & Allison Co. v. Evatt*, 324 U.S. 652 (1945).

An Ohio *ad valorem* tax on Philippine importations violated the constitutional prohibition of state taxation of imports because the place from which the imported articles were brought is not a part of the United States in the constitutional sense.

Justices concurring: Stone, C.J., Roberts, Reed (dissenting in part), Frankfurter, Douglas (concurring in part), Murphy (concurring in part), Jackson, Rutledge (concurring in part)
Justice dissenting: Black

449. *Southern Pacific Co. v. Arizona ex rel. Sullivan*, 325 U.S. 761 (1945).

The Arizona Train Limit Law makes it unlawful to operate a train of more than fourteen passenger or seventy freight cars. As applied to interstate trains, this law contravenes the Commerce Clause. The state regulation passes beyond what is plainly essential for safety, as it does not appear that it will lessen, rather than increase, the danger of accident.

Justices concurring: Stone, C.J., Roberts, Reed, Frankfurter, Murphy, Jackson, Rutledge
Justices dissenting: Black, Douglas

450. *Marsh v. Alabama*, 326 U.S. 501 (1946).

Alabama law makes it a crime to enter or remain on the premises of another after having been warned not to do so. A state, consistently with the freedom of religion and the press guaranteed by the First and Fourteenth Amendments, cannot impose criminal punishment on a person for distributing religious literature on the sidewalk of a company-owned town contrary to regulations of the town's management, where the town and its shopping district are freely accessible to and freely used by the public in general.

Justices concurring: Black, Frankfurter, Douglas, Murphy, Rutledge
Justices dissenting: Stone, C.J., Reed, Burton

451. *Tucker v. Texas*, 326 U.S. 517 (1946).

The Texas Penal Code makes it an offense for any "peddler or hawker of goods or merchandise" willfully to refuse to leave premises after hav-