

press reservation of right to remove coal underneath and subject to waiver by grantee of damage claims resulting from such mining, said law also impaired the obligation of contract.

Justices concurring: Holmes, McKenna, Day, Van Devanter, Pitney, McReynolds, Sutherland, Taft, C.J.

Justice dissenting: Brandeis

279. *Columbia G. & E. Ry. v. South Carolina*, 261 U.S. 236 (1923).

A South Carolina statute, as construed, that sought to convert a covenant in a prior legislative contract into a condition subsequent, and to impose as a penalty for its violation the forfeiture of valuable property, impaired the obligation of contract.

280. *Federal Land Bank v. Crosland*, 261 U.S. 374 (1923).

A first mortgage executed to a Federal Land Bank is a federal instrumentality and cannot be subjected to an Alabama recording tax.

281. *Phipps v. Cleveland Refg. Co.*, 261 U.S. 449 (1923).

An Ohio law that applied to interstate and intrastate commerce, and that exacted fees for inspection of petroleum products in excess of the legitimate cost of inspection, imposed an invalid import tax to the extent that the excess could not be separated and assigned solely to intrastate commerce.

282. *Thomas v. Kansas City So. Ry.*, 261 U.S. 481 (1923).

Insofar as drainage district tax authorized under an Arkansas law imposed upon a railroad a levy disproportionate to the value of the benefits derived from an improvement, the tax violated the Equal Protection Clause.

283. *Davis v. Farmers Co-operative Co.*, 262 U.S. 312 (1923).

A Minnesota law that provided that interstate railroads that had an agent in Minnesota to solicit traffic over lines outside Minnesota may be served with summons by delivery of copy of it to the agent imposed an invalid burden on interstate commerce as applied to a carrier that owned and operated no facilities in Minnesota and that was sued by a plaintiff who did not reside in Minnesota on a cause of action arising outside the state.

284. *Meyer v. Nebraska*, 262 U.S. 390 (1923).

A Nebraska law that forbade the teaching of any language other than English in any school, private, denominational, or public, maintaining classes for the first eight grades denied liberty without due process of law.