

III. STATE AND LOCAL LAWS HELD PREEMPTED BY FEDERAL LAW

1. *Society for the Propagation of the Gospel v. New Haven*, 21 U.S. (8 Wheat.) 464 (1823).

The property of a charitable corporation chartered by the Crown, being specifically protected by the treaty of peace of 1783, an act of Vermont adopted in 1794 and purporting to convey such property to local subdivisions was void.

2. *Gibbons v. Ogden*, 22 U.S. (9 Wheat.) 1 (1824).

Because of conflict with the federal licensing act of 1793 authorizing vessels to navigate coastal waters, a New York statute granting to certain persons an exclusive right to navigate New York waters was void.

3. *Worcester v. Georgia*, 31 U.S. (6 Pet.) 515 (1832).

A Georgia law that imposed penalties on white persons who, without first obtaining a license, established a residence within the limits of the Cherokee Nation, was unenforceable because of a conflict with treaties negotiated by the United States with such Indian tribes and because it extended to an area beyond the jurisdiction of the state.

4. *Prigg v. Pennsylvania*, 41 U.S. (16 Pet.) 539 (1842).

A Pennsylvania statute (1826) that penalized an owner's recovery of a runaway slave violated Art. IV, § 2, cl. 3, and federal legislation implementing the latter provision.

Justices concurring: Story, Catron, McKinley, Taney (separately), C.J., Thompson (separately), Baldwin (separately), Wayne (separately), Daniel (separately), McLean (separately)

5. *Searight v. Stokes*, 44 U.S. (3 How.) 151 (1845).

Because, under federal acts ceding to Pennsylvania that part of the Cumberland Road within its limits, and Pennsylvania laws accepting the same, the carriage of mail over such road was to be free from toll, and later Pennsylvania law imposing tolls on coaches transporting passengers could not extend to the mail carried in such coaches.

Justices concurring: Taney, C.J., Story, Wayne, Catron, McKinley, Nelson
Justices dissenting: McLean, Daniel

6. *Neil, Moore & Co. v. Ohio*, 44 U.S. (3 How.) 720 (1845).

An Ohio toll levied on passengers transported on mail coaches traversing Cumberland Road in that state, but which exempted passen-