

Justices concurring: Brandeis, Van Devanter, Butler, Sutherland, Roberts, Stone, Holmes, Hughes, C.J.

Justice dissenting: McReynolds

374. *Stromberg v. California*, 283 U.S. 359 (1931).

A California law that prohibited the display of a red flag in a public or meeting place as a symbol of opposition to organized government or as a stimulus to anarchistic action or as an aid to seditious propaganda was so vague and indefinite as to permit punishment of the fair use of opportunity for free political discussion and therefore, as enforced, denied liberty without due process.

Justices concurring: Hughes, C.J., Holmes, Stone, Brandeis, Roberts, Van Devanter, Sutherland

Justices dissenting: Butler, McReynolds

375. *Smith v. Cahoon*, 283 U.S. 553 (1931).

Florida law that required motor carriers to furnish bond or an insurance policy for the protection of the public against injuries but which exempted vehicles used exclusively in delivering dairy products and carriers engaged exclusively in transporting fish, agricultural, and dairy products between production to shipping points en route to primary market denied the equal protection of the laws; and insofar as it subjected carriers for hire to the same requirements as to procurement of a certificate of convenience and necessity and rate regulation as were exacted of common carriers the law violated due process.

376. *Near v. Minnesota ex rel. Olson*, 283 U.S. 697 (1931).

A Minnesota law that authorized the enjoinder of one engaged regularly in the business of publishing a malicious, scandalous, and defamatory newspaper or magazine, as applied to publications charging neglect of duty and corruption on the part of state law enforcement officers, effected an unconstitutional infringement of freedom of the press as safeguarded by the Due Process Clause of the Fourteenth Amendment.

Justices concurring: Hughes, C.J., Brandeis, Holmes, Stone, Roberts

Justices dissenting: Butler, Van Devanter, McReynolds, Sutherland

377. *State Tax Comm'n v. Interstate Natural Gas Co.*, 284 U.S. 41 (1931).

A Mississippi privilege tax could not be enforced as to an interstate pipe line company that sold gas wholesale to local, independent distributors from a supply which passed into and through the state in interstate commerce; fact that pipe line company, in order to make delivery, used a thermometer and reduced pressure, did not convert the sale into an intrastate transaction.