

## SUPREME COURT DECISIONS OVERRULED BY SUBSEQUENT DECISION

Although the Supreme Court sometimes expressly overrules a prior decision, in other instances the overruling must be deduced from the principles of related cases. Obviously, there is a chance here for a difference of opinion and this will be reflected in any listing.

The present compilation was initially based primarily upon the following sources:

Justice Brandeis dissenting in *Burnet v. Coronado Oil & Gas Co.* 285 U.S. 393, 406–409 nn.1–4 (1932).

Emmet E. Wilson, *Stare Decisis, Quo Vadis?* 33 *Geo. L.J.* 251, 254 n.17, 265 (1945);

William O. Douglas, *Stare Decisis*, 49 *Colum. L. Rev.* 735–43, 756–58 (1949);

Albert R. Blaustein and Andrew H. Field, *Overruling Opinions in the Supreme Court*, 57 *Mich. L. Rev.* 151, 184–94 (1958).

Asterisks (\*) identify cases expressly overruled.

	<i>Overruling Case</i>	<i>Overruled Case</i>
*	1. Hudson v. Guestier 10 U.S. (6 Cr.) 281, 285 (1810)	Rose v. Himley 8 U.S. (4 Cr.) 241 (1808)
	2. Gordon v. Ogden 28 U.S. (3 Pet.) 33, 34 (1830)	Wilson v. Daniel 3 U.S. (3 Dall.) 401 (1798)
	3. Greene v. Lessee of Neal 31 U.S. (6 Pet.) 291 (1832)	Patton v. Easton 14 U.S. (1 Wheat.) 476 (1816)
	4. Louisville, C. & C.R.R. v. Letson 43 U.S. (2 How.) 497, 554–556 (1844)	Powell's Lessee v. Harmon 27 U.S. (2 Pet.) 241 (1829)
*	5. The Genessee Chief 53 U.S. (12 How.) 443, 456 (1851)	Commercial and Railroad Bank v. Slocumb 39 U.S. (14 Pet.) 60 (1840); Strawbridge v. Curtiss 7 U.S. (3 Cr.) 267 (1806); and qualifying, Bank of the United States v. Deveaux 9 U.S. (5 Cr.) 61 (1809)
	6. Gazzam v. Phillip's Lessee 61 U.S. (20 How.) 372, 377–378 (1858)	The Steamboat Thomas Jefferson 23 U.S. (10 Wheat.) 428 (1825); The Orleans v. Phoebus 36 U.S. (11 Pet.) 175 (1837)
*	7. Suydam v. Williamson 65 U.S. (24 How.) 427 (1861)	Brown's Lessee v. Clements 44 U.S. (3 How.) 650 (1845)
		Williamson v. Berry 49 U.S. (8 How.) 495 (1850); Williamson v. Irish Presbyterian Congregation 49 U.S. (8 How.) 565 (1850); Williamson v. Ball 49 U.S. (8 How.) 566 (1850)
*	8. Mason v. Eldred 73 U.S. (6 Wall.) 231, 238 (1868)	Williamson v. Ball 49 U.S. (8 How.) 566 (1850)
	9. The Belfast 74 U.S. (7 Wall.) 624, 641 (1869)	Sheehy v. Mandeville 10 U.S. (6 Cr.) 253 (1810)
	10. Knox v. Lee (Legal Tender Cases) 79 U.S. (12 Wall.) 457, 553 (1871)	Allen v. Newberry 62 U.S. (21 How.) 244 (1858) (in part) Hepburn v. Griswold 75 U.S. (8 Wall.) 603 (1870)