

151. *Letter Carriers v. Austin*, 418 U.S. 264 (1974).

A Virginia statute creating cause of action for “insulting words” as construed to permit recovery for use in labor dispute of words “scab” and similar words is preempted by federal labor law.

Justices concurring: Marshall, Brennan, Stewart, White, Blackmun

Justice concurring specially: Douglas

Justices dissenting: Powell, Rehnquist, Burger, C.J.

152. *Moe v. Confederated Salish & Kootenai Tribes*, 425 U.S. 463 (1976).

Montana laws imposing personal property taxes, vendor license fees, and a cigarette sales tax may not constitutionally be applied to reservation Indians under Supremacy Clause because federal statutory law precludes such application.

153. *Kleppe v. New Mexico*, 426 U.S. 529 (1976).

A New Mexico law providing for the roundup and sale by a state agency of “estrays” cannot under the Supremacy Clause be constitutionally applied to unbranded and unclaimed horses and burros on public lands of the United States that are protected by federal law.

154. *Machinists & Aerospace Workers v. WERC*, 427 U.S. 132 (1976).

A Wisconsin statute proscribing concerted efforts by employees to interfere with production, except through actual strikes, cannot under the Supremacy Clause be constitutionally applied to union members’ concerted refusal to work overtime during negotiations for renewal of an expired contract since such conduct was intended by Congress to be regulable by neither the states nor the NLRB.

Justices concurring: Brennan, White, Marshall, Blackmun, Power, Burger, C.J.

Justices dissenting: Stevens, Stewart, Rehnquist

155. *Jones v. Rath Packing Co.*, 430 U.S. 519 (1977).

California’s statutory imposition of weight requirements in packaging for sale of bacon and flour which did not allow for loss of weight resulting from moisture loss during distribution while the applicable federal law does is invalid (1) as to bacon because of express federal law and (2) as to flour because adherence to state law would defeat a purpose of the federal law.

Justices concurring: Marshall, Brennan, White, Blackmun, Powell, Stevens, Burger, C.J.

Justices dissenting: Rehnquist, Stewart as to flour

156. *Douglas v. Seacoast Products, Inc.*, 431 U.S. 265 (1977).

A Virginia statute prohibiting nonresidents from fishing within certain state waters is preempted by federal enrollment and licensing laws that grant an affirmative right to fish in coastal waters.