

Sec. 8—Powers of Congress

Cl. 17—District of Columbia; Federal Property

gress remains the legislature of the Union, so that it may give its enactments nationwide operation to the extent necessary to make them locally effective.¹⁷⁰⁵

AUTHORITY OVER PLACES PURCHASED

“Places”

This clause has been broadly construed to cover all structures necessary for carrying on the business of the National Government.¹⁷⁰⁶ It includes post offices,¹⁷⁰⁷ a hospital and a hotel located in a national park,¹⁷⁰⁸ and locks and dams for the improvement of navigation.¹⁷⁰⁹ But it does not cover lands acquired for forests, parks, ranges, wild life sanctuaries or flood control.¹⁷¹⁰ Nevertheless, the Supreme Court has held that a state may convey, and congress may accept, either exclusive or qualified jurisdiction over property acquired within the geographical limits of a state, for purposes other than those enumerated in clause 17.¹⁷¹¹

After exclusive jurisdiction over lands within a state has been ceded to the United States, Congress alone has the power to punish crimes committed within the ceded territory.¹⁷¹² Private property located thereon is not subject to taxation by the state,¹⁷¹³ nor can state statutes enacted subsequent to the transfer have any operation therein.¹⁷¹⁴ But the local laws in force at the date of cession that are protective of private rights continue in force until abrogated by Congress.¹⁷¹⁵ Moreover, as long as there is no interference

¹⁷⁰⁵ *Cohens v. Virginia*, 19 U.S. (6 Wheat.) 264, 428 (1821).

¹⁷⁰⁶ *James v. Dravo Contracting Co.*, 302 U.S. 134, 143 (1937).

¹⁷⁰⁷ *Battle v. United States*, 209 U.S. 36 (1908).

¹⁷⁰⁸ *Arlington Hotel v. Fant*, 278 U.S. 439 (1929).

¹⁷⁰⁹ *James v. Dravo Contracting Co.*, 302 U.S. 134, 143 (1937).

¹⁷¹⁰ *Collins v. Yosemite Park Co.*, 304 U.S. 518, 530 (1938).

¹⁷¹¹ 304 U.S. at 528.

¹⁷¹² *Battle v. United States*, 209 U.S. 36 (1908); *Johnson v. Yellow Cab Co.*, 321 U.S. 383 (1944); *Bowen v. Johnston*, 306 U.S. 19 (1939).

¹⁷¹³ *Surplus Trading Co. v. Cook*, 281 U.S. 647 (1930).

¹⁷¹⁴ *Western Union Tel. Co. v. Chiles*, 214 U.S. 274 (1909); *Arlington Hotel v. Fant*, 278 U.S. 439 (1929); *Pacific Coast Dairy v. Department of Agriculture*, 318 U.S. 285 (1943). The Assimilative Crimes Act of 1948, 18 U.S.C. § 13, making applicable to a federal enclave a subsequently enacted criminal law of the state in which the enclave is situated entails no invalid delegation of legislative power to the state. *United States v. Sharpnack*, 355 U.S. 286, 294, 296–97 (1958).

¹⁷¹⁵ *Chicago, R.I. & P. Ry. v. McGlinn*, 114 U.S. 542, 545 (1885); *Stewart & Co. v. Sadrakula*, 309 U.S. 94 (1940).