

of the Soldiers and Sailor's Civil Relief Act of 1940 from imposing a tax on his tangible personal property temporarily located within its borders, even when the state of his domicile has not taxed such property.

Justices concurring: Vinson, C.J., Reed, Frankfurter, Jackson, Burton, Clark, Minton

Justices dissenting: Black, Douglas

105. *Franklin Nat'l Bank v. New York*, 347 U.S. 373 (1954).

Insofar as the New York Banking Law forbids national banks to use the word "saving" or "savings in their business or advertising," it conflicts with federal laws expressly authorizing national banks to receive deposits and to exercise incidental powers and is void.

Justices concurring: Warren, C.J., Black, Frankfurter, Douglas, Jackson, Burton, Clark, Minton

Justice dissenting: Reed

106. *Castle v. Hayes Freight Lines*, 348 U.S. 61 (1954).

An Illinois law providing for a 90-day suspension of a motor carrier upon a finding of 10 or more violations of regulations calling for a balanced distribution of freight loads in relation to the truck's axles cannot be applied to an interstate motor carrier holding a certificate of convenience and necessity issued by the Interstate Commerce Commission under the Federal Motor Carrier Act. A state may not suspend the carrier's rights to use the state's highways in its interstate operations. The Illinois law, as applied to such carrier, also violates the Commerce Clause.

107. *Pennsylvania v. Nelson*, 350 U.S. 497 (1956).

The Smith Act, as amended, 18 U.S.C. § 2385, which prohibits the knowing advocacy of the overthrow of the Government of the United States by force and violence, supersedes the enforceability of the Pennsylvania Sedition Act, which proscribes the same conduct. The scheme of federal regulation is so pervasive as to make reasonable the inference that the Congress left no room for the states to supplement it—enforcement of state sedition acts presents a serious danger of conflict with the administration of the federal program.

Justices concurring: Warren, C.J., Black, Frankfurter, Douglas, Clark, Harlan

Justices dissenting: Reed, Burton, Minton

108. *Railway Employes' Dep't v. Hanson*, 351 U.S. 225 (1956).

A "right to work" provision of the Nebraska Constitution cannot be invoked to invalidate a "union shop" agreement between an inter-