in *National Bank v. Commonwealth*.[194] "[National banks] are subject to the laws of the State, and are governed in their daily course of business far more by the laws of the State than of the nation. All their contracts are governed and construed by State laws. Their acquisition and transfer of property, their right to collect their debts, and their liability to be sued for debts, are all based on State law. It is only when the State law incapacitates the banks from discharging their duties to the government that it becomes unconstitutional." [195] In *Davis v. Elmira Savings Bank*,[196] the Court stated the second proposition thus: "National banks are instrumentalities of the Federal government, created for a public purpose, and as such necessarily subject to the paramount authority of the United States. It follows that an attempt, by a State, to define their duties or control the conduct of their affairs is absolutely void, wherever such attempted exercise of authority expressly conflicts with the laws of the United States, and either frustrates the purpose of the national legislation or impairs the efficiency of these agencies of the Federal government to discharge the duties, for the performance of which they were created." [197]

Similarly, a state law, insofar as it forbids national banks to use the word "saving" or "savings" in their business and advertising, is void because it conflicts with the Federal Reserve Act's authorizing such banks to receive savings deposits.[198] However, federal incorporation of a railroad company of itself does not operate to exempt it from control by a state as to business consummated wholly within the state.[199] Also, Treasury Department regulations, designed to implement the federal borrowing power (Art. I, § 8, cl. 2) by making United States Savings Bonds attractive to investors and conferring exclusive title thereto upon a surviving joint owner, override contrary state community property laws whereunder a one-half interest in such property remains part of the estate of a decedent co-owner.[200] Similarly, the Patent Office's having been granted by Congress an unqualified authorization to license and regulate the conduct throughout the United States of nonlawyers as patent agents, a state, under the guise of prohibiting unauthorized practice of law, is preempted from enjoining such activities of a licensed agent as entail the rendering of legal opinions as to patent-

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[194] 76 U.S. (9 Wall.) 353 (1870).
[195] 76 U.S. at 362.
[196] 161 U.S. 275 (1896).
[197] 161 U.S. at 283.
[198] Franklin Nat'l Bank v. New York, 347 U.S. 273 (1954).
[199] Reagan v. Mercantile Trust Co., 154 U.S. 413 (1894).
[200] Free v. Bland, 369 U.S. 663 (1962).