

ous utterances, and inducement of customers to withhold patronage, while leaving subject to injunctive restraint all other tortfeasors engaged in like wrongdoing, deprived the employer of property without due process and denied him equal protection of the law.

Justices concurring: Van Devanter, Day, McKenna, McReynolds, Taft, C.J.

Justices dissenting: Holmes, Pitney, Clarke, Brandeis

269. *Gillespie v. Oklahoma*, 257 U.S. 501 (1922).

An Oklahoma income tax law could not validly be enforced as to net income of lessee derived from the sales of his share of oil and gas received under leases of restricted Indian lands which constituted him in effect an instrumentality used by the United States in fulfilling its duties to the Indians.

Justices concurring: Holmes, Day, Van Devanter, McKenna, McReynolds, Taft, C.J.

Justices dissenting: Pitney, Brandeis, Clarke

270. *Terral v. Burke Constr. Co.*, 257 U.S. 529 (1922).

An Arkansas law that revoked the license of a foreign corporation to do business in that state whenever it resorted to the federal courts sitting in that state exacted an unconstitutional condition.

271. *Lemke v. Farmers Grain Co.*, 258 U.S. 50 (1922).

A North Dakota statute that required purchasers of grain to obtain a license to act under a defined system of grading, inspection, and weighing, and to abide by regulations as to prices and profits imposed an invalid burden on interstate commerce insofar as it was applied to a North Dakota association which bought grain in the state and loaded it promptly on cars for shipment to other states for sale, notwithstanding occasional diversion of the grain for local sales.

Justices concurring: Day, McKenna, McReynolds, Van Devanter, Pitney, Taft, C.J.

Justices dissenting: Brandeis, Holmes, Clarke

*Accord: Lemke v. Homer Farmers Elevator Co.*, 258 U.S. 65 (1922).

Justices concurring: Day, McKenna, McReynolds, Pitney, Van Devanter, Taft, C.J.

Justices dissenting: Holmes, Brandeis, Clarke

272. *Newton v. Consolidated Gas Co.*, 258 U.S. 165 (1922).

Rates fixed for the sale of gas by New York statute were confiscatory and deprived the utility of its property without due process of law.

*Accord: Newton v. New York Gas Co.*, 258 U.S. 178 (1922); *Newton v. Kings County Lighting Co.*, 258 U.S. 180 (1922); *Newton v. Brooklyn Union Gas Co.*, 258 U.S. 604 (1922); *Newton v. Consolidated Gas Co.*, 259 U.S. 101 (1922).