**Gibbons v. Ogden (1824)**

*Article 1, Section 8, Clause 3: “The United States Congress shall have power "To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes."*

**Background-**

Two important events took place in Philadelphia in 1787. They were the (1) \_\_\_\_\_\_\_\_\_\_\_\_\_ \_\_\_\_\_\_\_\_\_\_\_\_\_ and (2) the introduction of the \_\_\_\_\_\_\_\_\_\_\_\_\_. The second event is not nearly as well known, but is also very important. Why? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. The first steamboat was invented by a man named \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and he named the ship \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

By the 1800s, the steamboat’s design had been improved by Robert \_\_\_\_\_\_\_\_. In 1808, he and his business partner, Robert \_\_\_\_\_\_\_\_\_\_\_\_ were granted a 20-year \_\_\_\_\_\_\_\_\_\_\_\_ by New York lawmakers. It was known as the Fulton-Livingston Monopoly. What were some of the negatives of this monopoly? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Aaron Ogden began operating steamships between \_\_\_\_\_\_\_ and \_\_\_\_\_\_\_ for Fulton under the monopoly. At the same time, Thomas \_\_\_\_\_\_\_\_ has been granted a \_\_\_\_\_\_\_\_ coasting license to operate a steamboat on the same stretch of the Hudson River. As a result, there were two competing licenses, the one granted by the state of \_\_\_\_\_\_\_\_\_ and the one granted by the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. As a result, Ogden sued Gibbons claiming he was violating his \_\_\_\_\_\_\_\_\_ rights. Ogden asked the court to issue an \_\_\_\_\_\_\_\_\_\_\_\_\_\_ (which basically means, “Stop doing that!”). The New York courts sided with Ogden. Gibbons appeals his case to the Supreme Court.

The case became known as the \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ and it attracted an enormous amount of attention. Why? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

The case became important because it would decide the question about how much \_\_\_\_\_\_\_ the \_\_\_\_\_\_\_\_\_\_\_ government would have over \_\_\_\_\_\_\_\_\_\_ activity in the U.S.

**The Issues & The Ruling-**

New York believed it had the power to issue the monopoly under the \_\_\_\_\_\_ Amendment, which states that all powers not specifically granted to the federal government belong to the states.

Chief Justice John \_\_\_\_\_\_\_\_\_ has to answer two questions;

1. What is \_\_\_\_\_\_\_\_\_\_\_\_? Because one of Congress’ \_\_\_\_\_\_\_\_\_\_\_\_\_ powers is the right to regulate \_\_\_\_\_\_\_\_\_\_ commerce (a.k.a. The Commerce Clause).
2. If running a steamship between two states is commerce, what defines something as \_\_\_\_\_\_\_\_\_ commerce?

Marshall had to determine if the definition of commerce also included \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_. He ruled that commerce did include the regulation of navigation.

He also had to decide what is meant by the phrase “\_\_\_\_\_ the several States” in the Commerce Clause. He interprets it to include not just sales that cross \_\_\_\_\_\_\_\_\_\_\_\_, but also sales within one state that can \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ in other states.

Lastly, he had to define what was meant by the term \_\_\_\_\_\_\_\_\_\_\_. This was the most important part of the ruling. He ruled that the power to regulate interstate commerce belonged only to \_\_\_\_\_\_\_\_\_\_\_, not the states. By ruling this way, it declared the New York monopoly to be in conflict with the \_\_\_\_\_\_\_\_\_\_\_ and therefore \_\_\_\_\_\_.

In other words, if two laws are passed, one by the state and one by the federal government, and they are in conflict, who wins? \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

**The Result-**

The steamboat industry \_\_\_\_\_\_\_\_\_\_ as a result of the ruling. The destruction of the \_\_\_\_\_\_\_\_\_\_\_ led to a huge increase in the number of steamboat operators.

Give one example of how this ruling effected future actions of Congress: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_