



Viewing Guide: *Gibbons v. Ogden (1824)*

Part 1: Introduction

With your group, brainstorm three inventions that had a major impact on human civilization.

Invention	Impact

Can you think of any laws that have been put in place related to these inventions? If so, which ones?

Part 2: Background (00:00-2:27)

What were two important events which took place in Philadelphia in 1787?

1. _____
2. _____

While the second event is not nearly as well known, it is also very important. Explain why.

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 _____ over the operation of steamboats in New York's waters by New York lawmakers. This was known as the Fulton–Livingston Monopoly.

Define monopoly: _____

What were some of the negatives of this monopoly?

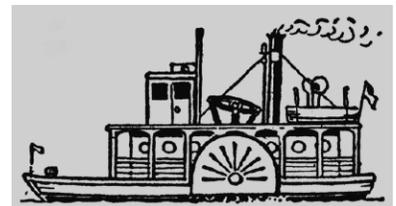
Part 3: (2:28-6:10)

Thomas _____ also operated steamships between _____ and _____. His license was granted by the _____.



New Jersey

River



New York

Aaron _____ operated steamships between _____ and _____. His license was granted by the _____.

As a result, _____ sued _____ claiming he was violating his _____ rights. Ogden asked the court to issue an _____ (which basically means, “_____”). The New York courts sided with Ogden. _____ appealed his case to the Supreme Court.

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

Much like *McCulloch v. Maryland*, this case was ultimately about _____ vs. _____ power.

Part 4: Words to Know

Commerce: _____

Interstate: _____

Navigation: _____

The ruling in this case hinged on the Supreme Court’s interpretation of the _____. With your group, read the clause below. Circle the words and/or phrases you think would need to be interpreted to truly understand its meaning. Explain your choices in the space below.

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.”

Part 5: The Issues and the Ruling (6:11-12:34)

The Supreme Court had to answer two questions:

1. What is _____?
2. If running a steamship between two states is commerce, what truly defines something as _____ commerce?

The Court also had to determine if the definition of commerce also included _____. The Court ruled that it did.

The Court also had to decide what is meant by the phrase “_____ the several States” in the Commerce Clause. The Court interprets it to include not just something that crosses _____, but also sales within one state that can affect _____ in other states.

Lastly, the Court had to define what was meant by the term to _____. This was the most important part of the ruling. The Court ruled that the power to regulate interstate commerce belonged

only to _____, not the states. By ruling this way, the Court declared the New York monopoly to be in conflict with the _____ and therefore void.

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? _____. (Remember the Supremacy Clause.)

Part 6: The Result (12:35-End)

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:

Discussion Questions:

1. Do you think this interpretation of the Commerce Clause gives Congress too much power? Explain your answer giving a specific example.

2. Would you have ruled the same way as the Supreme Court? Explain your answer.

3. How might the U.S. economy be different if the Supreme Court had not interpreted Congress' power under the Commerce Clause the way it did in *Gibbons v. Ogden*?