



LANDMARK SUPREME COURT CASES AND THE CONSTITUTION

GIBBONS V. OGDEN (1824) MONDAY, JANUARY 30, 2006

OVERVIEW

© [The Bill of Rights Institute](#), All rights reserved

This month we spotlight one of the earliest and most important cases exploring the division between state and federal power: *Gibbons v. Ogden* (1824). In this Commerce Clause case, the Supreme Court affirmed Congress's power to regulate interstate commerce, and held that by virtue of the Supremacy Clause, state laws "must yield" to constitutional acts of Congress.

RESOURCES

- <http://www.oyez.org/oyez/resource/case/137/>
- http://college.hmco.com/history/readerscomp/rcah/html/ah_036400_gibbonsvogde.htm
- http://supct.law.cornell.edu/supct/html/historics/USSC_CR_0022_0001_ZS.html

ACTIVITY

On one side of the waterway was New York; on the other, New Jersey. Aaron Ogden stood on the New York banks and gazed at the glistening water, smiling to himself. In 1808 the state of New York had granted a monopoly to one company to travel the state's bodies of water. This meant that only that one company would be allowed to travel on the state's waterways—including those between states. Aaron Ogden had a license from the monopoly-holding company, and operated his steamboat between New York and New Jersey.

He continued smiling, because he didn't yet know what Thomas Gibbons was about to do. Gibbons was Ogden's former business partner, and was also a steamboat operator. Gibbons had a license from the federal government to operate a steamboat through interstate waterways, and he had his eye on Ogden's route.

Ogden did not want to have to share the waterway—and the profits—with anyone else, and believed the New York license should outweigh Gibbons's federal license. In 1819, Ogden asked a New York court to stop Gibbons from using the waterway. Gibbons, on the other hand, believed that Ogden's New York license was void because the Constitution gave Congress, not the states, the power to regulate interstate commerce (i.e. trade between states). He pointed out Article I, Section 8 of the Constitution which states that Congress has the power "*[t]o regulate Commerce with foreign Nations, and among the several States...*"

The case went to the Supreme Court. The Court had to decide: who had the power to regulate interstate waterways: Congress or the states? The Court unanimously ruled in Gibbons's favor, agreeing that the Constitution gave this power to Congress. If individual states had their own rules about commerce with other states, trade would be next to impossible. One important purpose of the federal government was to "rescue [the United States] from the embarrassing and destructive consequences, resulting from the legislation of so many different States, and to place it under the protection of a uniform law."

Furthermore, the decision affirmed that state laws that contradict constitutional acts of Congress "must yield" to the supremacy of the Constitution, as stated in Article VI: "*This Constitution... shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.*"

Gibbons v. Ogden (1824) is one of the most important decisions about the division of power between the state and federal governments.



LANDMARK SUPREME COURT CASES AND THE CONSTITUTION

GIBBONS V. OGDEN (1824) MONDAY, JANUARY 30, 2006

QUESTIONS

1. What authority gave Ogden permission to operate steamboats in New York waterways?
2. What authority gave Gibbons permission to operate steamboats in interstate waterways?
3. Why did Gibbons claim his steamboat license outranked Ogden's?
4. How did the Supreme Court rule?
5. Chief Justice John Marshall wrote that when the Constitution was written, "... the commerce of the States was to be an unit; and the system by which it was to exist and be governed, must necessarily be complete, entire, and uniform. Its character was to be described in the flag which waved over it, *E PLURIBUS UNUM*. [out of many, one]." What did he mean?



LANDMARK SUPREME COURT CASES AND THE CONSTITUTION

GIBBONS V. OGDEN (1824) MONDAY, JANUARY 30, 2006

ANSWERS

1. The state of New York gave Ogden permission to operate steamboats in New York waterways
2. Congress gave Gibbons permission to operate steamboats in interstate waterways.
3. Gibbons believed that Ogden's New York license was void because Article I, section 8 of the Constitution gave Congress, not the states, the power to regulate interstate commerce.
4. The Supreme Court ruled in Gibbons's favor. Article I, Section 8 of the Constitution gave Congress the power to regulate interstate commerce. Furthermore, when a state law contradicted a constitutional act of Congress, the state law had to yield to the federal one.
5. The Constitution was written in part to create a uniform system of commerce for the United States of America. The many states would come together under a uniform system of law (*e pluribus unum*) to facilitate trade—which would have been next to impossible with competing states instituting different and sometimes contradictory regulations.