**REVIEW: SUPREME COURT CASES**

**1789 - 1824: THE NEW NATION**

1) Chisholm v. Georgia (1793): John Jay. Individuals from South Carolina sued the state of Georgia and won. Seen as an infringement on the sovereignty of a state. Such suits were ended by Amendment XI (1798)

2) Ware v. Hylton (1796): Oliver Ellsworth. **Court ruled** that treaties overruled state laws.

3) **Marbury v. Madison** (1803): John Marshall. Marbury sued under a writ of mandamus to obtain his commission as a justice of the peace. The Judiciary Act of 1789 had authorized the SC to issue a writ. The **Court** **ruled** Section 13 of the ACT unconstitutional because Congress could
not enlarge the power of the SC. FIRST TIME THE SC DECLARED AN ACT OF
CONGRESS UNCONSTITUTIONAL. The second time would be in the Dred Scott
Case. THIS IS **JUDICIAL REVIEW**.

4) **Dartmouth College v. Woodward** (1819): John Marshall. The **Court** **upheld** the charter of Dartmouth College as a legal contract under the Constitution. A state could not alter the charter of a private corporation.

5) **McCullough v. Maryland** (1819): John Marshall. #1) The **Court upheld** a loose interpretation of the Constitution. The **"necessary and proper"** clause allowed the creation of a National Bank. This is also called the "elastic clause." **IMPLIED POWERS** #2) The Court ruled that a state could not tax an agency of the federal government,ie. the National Bank.

6) Cohens v. Virginia (1821): John Marshall. The **Court ruled** that it had a right to review the decisions of state courts to see if they were in violation of the Constitution.

7) **Gibbons v. Ogden** (1824): John Marshall. First case decided under the commerce clause of the Constitution. The **Court upheld** the exclusive federal control of interstate commerce.

**1825 - 1849: AGE OF JACKSON**

8) Cherokee Nation v. Georgia (1831): John Marshall. The **Court ruled** that the state could not seize the lands of a "domestic, dependent nation" which possessed some sovereignty. The Cherokees were NOT A foreign nation.

9) Worcester v. Georgia (1832): John Marshall. The **Court ruled** that the laws of Georgia had not force within the territorial boundaries of the Cherokee Nation. PRESIDENT JACKSON REFUSED TO ENFORCE THE RULING OF THE SUPREME COURT.

10) Charles River Bridge v. Warren Bridge (1937): Roger B. Taney. The **court ruled** that no charter granted a private corporation permanent rights that might harm the public interest. The rights of the community supersede a broad interpretation of the private rights of a corporation.

11) Commonwealth v. Hunt (1842): Roger B. Taney. The **Court ruled** that trade union organization and strike tactics were legal. NEVERTHELESS, MANY JUDGES CONTINUED TO CONSIDER UNIONS TO BE ILLEGAL.

**1849 - 1877: SECTIONALISM, CIVIL WAR, RECONSTRUCTION**

12) **Dred Scott v. Sandford** (1857): Roger B. Taney. #1) **Court ruled** that Scott was not a citizen and could not sue in a federal court. #2) **Court ruled** that a citizen of the U.S. could not be prohibited from taking his property into the territories. This meant the Missouri Compromise was null and void.

13) Slaughterhouse Cases (1873): Salmon P. Chase. The **Court ruled** that the Fourteenth Amendment protected only federal privileges and rights. It did not protect against state infringement of those rights.

**1877 - 1901: BIG BUSINESS, INDUSTRY, LABOR, FARMERS, REFORM**

14) **Munn v. Illinois** (1877): Morrison Waite. The **Court upheld** the state regulation of business (in this case the storage of grain) in which the public has an interest.

15) Civil Rights Cases (1883): Morrison Waite. The **Court declared** that the Fourteenth Amendment protected individuals from state action, not individual action. It therefore **did not uphold** the Civil Rights Act of 1875 which had made it a crime to deny full and equal use of public conveyances and public places.

16) Wabash Case (1886): Morrison Waite. The **Court ruled** that states could only regulate commerce within a state, not interstate commerce. This decision added to the push for the Interstate Commerce Act (1887).

17) **U.S. v. E.C. Knight Co.** (1895): Melville Fuller. First significant case under the Sherman Antitrust Act (1890). E.C. Knight controlled 98% of the manufacture of sugar. The **Court ruled** that monopoly control of manufacturing was not the same as monopoly control of commerce. The ACT restricted commerce not manufacturing.

18) **Plessy v. Ferguson** (1896): Melville Fuller. The **Court upheld** the concept of **"separate but equal"**. The Fourteenth Amendment guaranteed political, not social, equality.

**1901 - 1913: PROGRESSIVE ERA**

19) **Insular Cases** (1901,1903,1904): Melville Fuller. The **Court ruled** that not all constitutional rights applied in unincoporated U.S. territories. Congress should determine which rights apply. THE CONSTITUTION DID NOT FOLLOW THE FLAG.

20) **Northern Securities Case** (1904): Melville Fuller. Northern Securities was formed by **J.P. Morgan**, James Hill, and E.H. Harriman. It controlled 25% of the railroad network of the nation. The **Court** ruled that this was a violation of the Sherman Antitrust Act.

21) **Lochner v. New York** (1905): Melville Fuller. The **Court ruled that** a law limiting the working hours of bakery workers was unconstitutional since it violated freedom of contract between an individual and his employer.

22) **Muller v. Oregon** (1908): Melville Fuller. The **Court upheld** a law which limited the working hours of women in factories and laundries based on the arguments of Louis Brandeis. He stressed the need to "preserve the strength and vigor of the race."

23) Danbury Hatters Case (1908): Melville Fuller. The **Court ruled** against a hatters' union and said that its boycott was a violation of the Sherman Antitrust Act.

24) Standard Oil of New Jersey v. U.S. (1911), U.S. v. American Tobacco Co. (1911), U.S. v. United States Steel Corporation (1920): Edward White. The **Court differentiated between good and bad trusts. #1 bad** and dissolved. #2 sort of bad so reorganized. #3 good.

**1913 - 1921: WILSON AND WORLD WAR I**

25) Hammer v. Dagenhart (1918): Edward White. The Court did not uphold a law which tried to stop child labor by excluding the products made by child labor from interstate commerce.

26) Bailey v. Drexel Furniture Co. (1922): William Taft. The **Court did** **not uphold** a law which attempted to limit child labor by imposing a heavy fine upon the profits of companies using child labor.

27) **Schenck v. U.S.** (1919): William Taft. The **Court upheld** the Schenck conviction under the Espionage Act of 1917. Justice Holmes expressed the **"clear and present danger"** test for judging the right of free speech. His opinion included the famous quote that freedom of
speech **"would not protect a man falsely shouting fire in a theater and** **causing a panic."**

28) **Abrams v. U.S.** (1919): William Taft. The **Court upheld** the Sedition Act of 1918.

**1921 - 1939: BOOM AND BUST AND A NEW DEAL**

29) Adkins v. Children's Hospital (1923): William Taft. The **Court overturne**d min. wage law.

30) **Schechter Poultry Corp. v. U.S.** (1935): Charles Hughes. The **Court** **found The National Industrial Recovery Act unconstitutional.**

31) **U.S. v. Butler** (1936): The **Court found** the Agricultural Adjustment Act unconstitutional.

32) **NLRB v. Jones and Laughlin Steel Corp.** (1937): The **Court upheld** the Wagner Act.

**1939 - 1945: WORLD WAR II**

33) West Virginia State Board of Education v. Barnette (1943): Harlan Stone. The **Court ruled** that children can not be required to salute the flag in school.

34) Korematsu v. U.S. (1944): The **Court upheld** the relocation camps for Japanese-Americans.

35) Smith v. Allwright (1944): The **Court ruled against** whites-only primaries in the state of Texas.

**1945 - 1989+: COLD WAR AND AFTER**

36) **Brown v. Board of Education of Topeka, Kansas** (1954): Earl Warren. The **Court reversed** its 1896 ruling in Plessy v. Ferguson. It stated that in the field of public education the doctrine of separate but equal has no place. Compliance was directed "with all deliberate speed" which set the stage for further problems.

37) **Baker v. Carr** (1962): Earl Warren. The **Court ordered** the reapportionment of congressional districts to maintain "one man, one vote" principle.

38) Engle v. Vitale (1962): The **Court ruled** against a New York Regents prayer in public schools.

39) School District of Abington Township v. Schempp (1963): Earl Warren. The **Court ruled against** the reciting of the Lord's Prayer and Bible
verses in public schools.

40) **Gideon v. Wainwright** (1963): Earl Warren. The **Court ruled** that a
person charged with a felony must be provided with legal counsel.

41) **Escobedo v. Illinois** (1964): Earl Warren. The **Court ruled** that the police must honor an arrested person's request to have a lawyer present during questioning.

42) **Miranda v. Arizona** (1966): The **Court ruled** that an arrested person must be told his rights, to remain silent, to have a lawyer, and to have a lawyer provided of he cannot afford one.

43) **Swan v. Charlotte-Mecklenburg Board of Education** (1971): Warren
Burger. **Court sanctioned** busing, redrawing district lines, racial
balancing to achieve desegregation.

44) **Bakke v. Board of Regents** (1978): Warren Burger. Bakke charged
reverse discrimination at the University of California. The **Court**
**outlawed** quotas but upheld the concept of affirmative action.

45) **Roe v. Wade** (1973): Warren Burger. The **Court ruled against** state
statutes outlawing abortion.