

HIGH SCHOOL OF AMERICAN STUDIES AT LEHMAN COLLEGE

MR. ELINSON'S U.S. HISTORY

**COURT CASES FROM EARLY US HISTORY**

**Marbury v. Madison (1803)**

The court established its role as the arbiter, having the final say, on the constitutionality of federal laws. In this case the issue was whether the Judiciary Act of 1789 had appropriately granted the courts the power to compel other branches. When the court denied it had the power to compel Madison to give Marbury his papers they invalidated that federal law. The principle is known as judicial review.

**Fletcher v. Peck (1810)**

The decision stems from the Yazoo land cases, 1803, and upholds the sanctity of contracts. The state of Georgia was not allowed to invalidate private contracts even if they were fraudulent. This is the first time that the Supreme Court assumed the right to declare a state law unconstitutional.

**McCulloch v. Maryland (1819)**

The Court ruled that states cannot tax the federal government, i.e. the Bank of the U.S. branch that was in Baltimore, MD. The phrase here was: "the power to tax is the power to destroy," thus a state government could not tax a part of the federal government because that would give states the power to destroy the federal government. This confirmed the constitutionality of the Bank of the U.S. and the doctrine of implied powers that had been used to create the bank.

**Dartmouth College v. Woodward (1819)**

New Hampshire had attempted to take over Dartmouth College by revising its colonial charter to make it a public college. The Court ruled that the charter was protected under the contract clause of the U.S. Constitution; this case upholds the sanctity of contracts and protects them from the interference of states. Daniel Webster defends Dartmouth.

**Gibbons v. Ogden (1824)**

Clarified the commerce clause and affirmed Congressional power over regulating interstate commerce. The monopoly of ferry boats was voided ONLY because it was given by a state for a business that operated between two states on the Hudson River.

**Worcester v. Georgia (1832)**

Established tribal autonomy within their boundaries, i.e. the tribes were "distinct political communities, having territorial boundaries within which their authority is exclusive" the laws of Georgia can have no force over them. Georgia was told to not remove the Cherokee nation as it had an international treaty with the United States. Georgia ignored the decision.