Part 1: Introduction
With your group, brainstorm three inventions that had a major impact on human civilization.

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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 _________________________________.

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          |          | River |
| New Jersey | 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*?