Important Legislation Passed by Congress

Northwest Ordinance of 1787
✓ created framework for territories to become states
✓ contained a “bill of rights” for territories
✓ abolished slavery in NW territories
✓ remained significant after passage of Constitution because of provisions for statehood

Alien and Sedition Acts (1798)
✓ passed during John Adams’ Presidency
✓ allowed govt to expel foreigners
✓ jail newspaper editors for “scandalous and malicious writing”
✓ highly partisan laws designed to destroy Jeffersonians
✓ led to Virginia and Kentucky Resolutions which argued that states had right to nullify laws passed by Congress

Embargo Act of 1807
✓ effectively shut down U.S. imports/exports
✓ disastrous economic results
✓ passed in response to British impressments of U.S. merchant seamen
✓ New England economy collapsed; smuggling ensued
✓ repealed in last days of Jefferson’s Presidency

Missouri Compromise (1820)
✓ admitted MO as a slave state
✓ admitted Maine as a free state
✓ established southern border of MO as northernmost point in which slavery would be allowed
✓ first compromise by Congress to forestall Civil War

Tariff of 1828 (Tariff of Abominations)
✓ stimulated new debate regarding nullification
✓ South Carolina nullified Tariff of 1832
✓ Jackson threatened to send in troops
✓ compromise diffused the crisis
✓ nullification remained as an unresolved issue

Compromise of 1850
✓ California admitted as free state
✓ territories created in Utah and New Mexico with slave status to be determined later
✓ fugitive slave laws strengthened
✓ passed as a series of bills as a majority could not be created to pass a single bill

Kansas-Nebraska Act of 1854
✓ Kansas and Nebraska would determine slave status through popular sovereignty
✓ effectively repealed Missouri Compromise
✓ effectively killed Whig Party and led to formation of Republican Party
✓ last feeble attempt to forestall Civil War

Homestead Act (1862)
✓ settlers in West granted 160 acres
✓ various improvements led to ownership

Morrill Land Grant Act (1862)
✓ federal land granted to states to create land-grant colleges
✓ education to ordinary citizens in “practical skills” – agriculture, engineering, military science

Military Reconstruction Act of 1867
✓ imposed martial law on the South
✓ state constitutional conventions to be held in south with blacks being allowed to vote
✓ each state required to ratify the 14th Amendment
✓ each new state constitution sent to Congress for approval

Pendleton Act (1883)
✓ created Civil Service Commission
√ examinations given for U.S. government jobs
√ attempted to end spoils system

**Dawes Severalty Act (1887)**
√ offered 160 acres to Native Americans who left reservations
√ modeled after Homestead Act
√ attempt to assimilate Native Americans

**Sherman Anti-Trust Act of 1890**
√ forbid any “combination … or conspiracy in the restraint of trade”
√ Supreme Court interpreted law to slow unionism
√ used by Theodore Roosevelt to “bust” the trusts

**Pure Food and Drug Act of 1906**
√ established Food and Drug Administration
√ inspired by muckraker Upton Sinclair’s *The Jungle*
√ early attempt by government to protect consumers

**Clayton Anti-Trust Act of 1914**
√ created Federal Reserve system
√ gave government greater control over nation’s finances

**Espionage Act (1917) and Sedition Act (1918)**
√ illegal to encourage people to avoid military service (draft)
√ illegal to try to prevent the sale of war bonds or speak disparagingly of the government

**Emergency Quota Act of 1924**
√ set immigration quotas to pre-1890 standards
√ effectively limited immigration from southern and eastern Europe

**Emergency Banking Relief Bill (1933)**
√ place poorly managed banks under control of U.S. Treasury Department

**Banking Act of 1933**
√ created Federal Deposit Insurance Corporation (FDIC)
√ bank deposits guaranteed by federal government

**Agricultural Adjustment Act (1933)**
√ federal payments to farmers in return for cutting production

**National Industrial Recovery Act (1933)**
√ coordinated business activities with aim of eliminating overproduction
√ NIRA established Public Works Administration (PWA)
  • $3 billion to create jobs, build roads, public housing

**Civilian Conservation Corps (1933)**
√ grants to states to manage projects
√ put millions of young men to work building roads, bridges, national parks, reforestation

**Tennessee Valley Authority (1933)**
√ flood control and electricity brought to rural south

√ workers have right to unionize and collective bargaining

**Social Security Act (1935)**
√ federally sponsored old age pensions
√ benefits also paid to the disabled and single mothers

**Fair Labor Standards Act (1938)**
√ set minimum wage and 40-hour work week

**Lend-Lease Act (1941)**
√ U.S. would “lend” war materiel to England
Taft-Hartley Act (1948)
✓ prohibited “union only” work environments
✓ restricted labor’s right to strike
✓ gave government more power to intervene in strikes
✓ passed over Truman’s veto

Interestate Highway Act (1956)
✓ promoted development of suburbs
✓ promoted travel and tourism

Civil Rights Act of 1964
✓ outlawed discrimination based on person’s race, color, religion, or gender
✓ prohibited discrimination in employment and in public facilities

War Powers Act of 1973
✓ requires Congressional approval for any troop commitment lasting longer than 60 days
✓ passed during Watergate crisis and in response to Vietnam War

Important Supreme Court Decisions

**Marbury v. Madison** (1803)
✓ Supreme Court (led by John Marshall) ruled that Marbury had the right to his judgeship but that the court lacked the power to enforce his right since that power had not been granted to the court in the Judiciary Act of 1789
✓ Judiciary Act of 1789 declared unconstitutional
✓ principle of judicial review established

**Fletcher v. Peck** (1810)
✓ first case in which a state law was declared unconstitutional
✓ court ruled that the contract clause of the Constitution overrode state law

**Dartmouth College v. Woodward** (1819)
✓ court ruled that a charter of a private corporation (Dartmouth) was protected by the Constitution and could not be altered by the state legislature

**McCulloch v. Maryland** (1819)
✓ states could not tax national bank
✓ established the precedence of national law over state law

**Gibbons v. Ogden** (1824)
✓ first case involving the commerce clause of Constitution
✓ court ruled that a federal charter took precedence over a monopoly that had been granted by the state of New York

**Cherokee Nation v. Georgia** (1831) and **Worcester v. Georgia** (1832)
✓ Supreme Court upheld Native American rights to their land
✓ decisions ignored by President Andrew Jackson
✓ “Trail of Tears” – 1838 forced march of Cherokees westward to Oklahoma

**Charles River Bridge v. Warren Bridge** (1837)
✓ Charles River Bridge Company sued to prevent state of Massachusetts from authorizing construction of a new bridge across the Charles River
✓ court ruled that no charter granted to a private corporation might be permanent if it harmed the public interest

**Commonwealth v. Hunt** (1842)
✓ court ruled that trade union organization and strike tactics were legal
✓ in spite of the decision, unions continued to struggle as many lower court judges considered unions to be illegal

**Dred Scott v. Sandford** (1857)
✓ Scott, a former slave, declared his freedom when taken to a northern state
✓ Chief Justice Roger Taney declared that slaves were property (and therefore not citizens)
✓ as property, enslaved people could not sue in federal court
ruled that Congress could not regulate slavery in territories (overturning both the Missouri Compromise and the Kansas-Nebraska Act)

**Munn v. Illinois (1877)**
- case involved an Illinois law limiting maximum rates for the storage of grain in privately owned grain elevators
- court ruled that the public has always had a right to regulate business operations in which the public has an interest

**Wabash, St. Louis & Pacific Railroad Company v. Illinois (1886)**
- court ruled that states could regulate only intrastate commerce, not interstate commerce
- ruling added to the push for the Interstate Commerce Act of 1887

**U.S. v. E.C. Knight Company (1895)**
- first significant case tried under the Sherman Antitrust Act
- court ruled that the Sherman Antitrust Act restricted commerce, not manufacturing
- later the court broadened the definition of commerce

**Plessy v. Ferguson (1896)**
- doctrine of “separate but equal” established
- reinforced Jim Crow laws in southern states

**Northern Securities Case (1904)**
- court ruled that Northern Securities Company (a railroad trust) was in fact a trust and not a stock company
- Northern Securities was found in violation of the Sherman Antitrust Act

**Lochner v. New York (1905)**
- New York law prohibited bakery workers from working more than 60 hours in a week or 10 hours per day
- Lochner (from Utica!) arrested for violating the law
- court ruled that the 14th Amendment protected individuals from “an unreasonable, unnecessary and arbitrary interference with the right of the individual to his personal liberty”
- concept of “due process” was altered from just guaranteeing a fair trial to protect property from unreasonable, unnecessary, and arbitrary legislation

**Muller v. Oregon (1908)**
- most famous for the novel arguments presented by Louis Brandeis
- Muller (laundry owner in Portland) refused to comply with law limiting women to 10 hours of daily labor (based his beliefs on the Lochner decision)
- Brandeis presented only two pages of legal arguments and 100 pages of statistics dealing with implications of long work hours
- court unanimously ruled for Oregon

**Schenck v. U.S. (1919)**
- Schenck, an official of the Socialist Party, arrested and convicted for violating Espionage Act of 1917 by distributing leaflets to draftees urging them to resist
- court unanimously ruled that the first amendment freedom speech was not absolute and that Schenck’s actions presented a “clear and present danger”

- court ruled the National Industrial Recovery Act to be unconstitutional

**U.S. v. Butler (1936)**
- court ruled the Agricultural Adjustment Act unconstitutional

**Korematsu v. U.S. (1944)**
- court ruled that internment of Japanese-Americans was constitutional