**Landmark Supreme Court Cases in United States History**

**Distinguished SC Chief Justices**

* John Jay – 1789-1795
* John Marshall – 1801-1835
* Roger B. Taney – 1835-1864
* William Howard Taft – 1921-1930
* Charles Evan Hughes – 1930-1941
* Earl Warren – 1954-1969
* Warren Burger – 1969-1986
* **Marbury v. Madison (1803).** The court established its role as the arbiter of the constitutionality of federal laws, 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.
* **McCulloch v. Maryland (1819).** The Court ruled that states cannot tax the federal government, i.e. the Bank of the United States; the phrase "the power to tax is the power to destroy"; confirmed the constitutionality of the Bank of the United States.
* **Dartmouth College v. Woodward (1819).** New Hampshire had attempted to take over Dartmouth College by revising its colonial charter. The Court ruled that the charter was protected under the contract clause of the U. S. Constitution; upholds the sanctity of contracts.
* **Gibbons v. Ogden (1824).** Clarified the commerce clause and affirmed Congressional power over interstate commerce.
* **Johnson v. McIntosh (1823).** Established that Indian tribes had rights to tribal lands that preceded all other American law; only the federal government could take land from the tribes.
* **Cherokee Nation v. Georgia (1831).** "The conditions of the Indians in relation to the United States is perhaps unlike that of any two people in existence," Chief Justice John Marshall wrote, "their relation to the United States resembles that of a ward to his guardian. . .(they were a) domestic dependent nation." Established a "trust relationship" with the tribes directly under federal authority.
* **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."

*[note: end Marshall Court, begin Taney Court]*

* **Scott v. Sanford (1857).** Speaking for a widely divided court, Chief Justice Taney ruled that Dred Scott was not a citizen and had no standing in court; Scott’s residence in a free state and territory had not made him free since he returned to Missouri; Congress had no power to prohibit slavery in a territory (based on the 5th Amendment right of a person to be secure from seizure of property), thus voiding the Missouri Compromise of 1820.
* **Ex parte Milligan (1866).** Ruled that a civilian cannot be tried in military courts while civil courts are available.
* **Civil Rights Cases of 1883.** (A single decision on a group of cases with similar legal problems). Legalized segregation with regard to private property.
* **Wabash, St. Louis, and Pacific Railway Co. v. Illinois (1886).** An Illinois statute imposed a penalty on railroads that charged the same or more money for passengers or freight shipped for shorter distances than for longer distances. The railroad in this case charged more for goods shipped from Gilman, Illinois, to New York, than from Peoria, Illinois, to New York, when Gilman was 86 miles closer to New York than Peoria. The intent of the statute was to avoid discrimination against small towns not served by competing railroad lines and was applied to the intrastate (within one state) portion of an interstate (two or more states) journey. At issue was whether a state government has the power to regulate railroad prices on that portion of an interstate journey that lies within its borders. The Supreme Court held the Illinois statute to be invalid and that the power to regulate interstate railroad rates is a federal power which belongs exclusively to Congress and, therefore, cannot be exercised by individual states. The Court said the right of continuous transportation from one end of the country to the other is essential and that states should not be permitted to impose restraints on the freedom of commerce.
* **U. S. v. E. C. Knight Co. (1895).** Due to a narrow interpretation of the Sherman Anti-Trust Act, the Court undermined the authority of the federal government to act against monopolies.
* **Plessy v. Ferguson (1896).** While attempting to test the constitutionality of the Separate Car Law in Louisiana, Homer Plessy, a man of 1/8 African descent, sat in the train car for whites instead of the blacks-only train car and was arrested. The Court decided against Plessy 7-. Thus legalizing segregation in publicly owned facilities on the basis of "separate but equal."
* **"Insular Cases" / Downes v. Bidwell (1901).** Confirmed the right of the federal government to place tariffs on good entering the U. S. From U. S. Territories on the grounds that "the Constitution does not follow the flag."
* **Lochner v. New York (1905).** Declared unconstitutional a New York act limiting the working hours of bakers due to a denial of the 14th Amendment rights.
* **Muller v. Oregon (1908).** First case to use the "Brandeis brief"; recognized a 10-hour work day for women laundry workers on the grounds of health and community concerns.
* **Schenck v. U. S. (1919).** Unanimously upheld the Espionage Act of 1917 which declared that people who interfered with the war effort were subject to imprisonment; declared that the 1st Amendment right to freedom of speech was not absolute; free speech could be limited if its exercise presented a "clear and present danger."
* **Debs v. United States** (1919). Eugene V. Debs, a well-known socialist, gave a public speech to an assembly of people in Canton, Ohio. The speech was about the growth of socialism and contained statements which were intended to interfere with recruiting and advocated insubordination, disloyalty, and mutiny in the armed forces. Debs was arrested and charged with violating the Espionage Act of 1917. The Court said that Debs had actually planned to discourage people from enlisting in the Armed Forces. The Court refused to grant him protection under the First Amendment freedom of speech clause because his speech represented a "clear and present danger" to the safety of the United States.
* **Adkins v. Children’s Hospital (1923).** Declared unconstitutional a minimum wage law for women on the grounds that it denied women freedom of contract.
* **United States v. Butler (1933).** Agricultural Adjustment Act of 1933 provided payments to farmers in return for agreements to curtail their acreage or their production of wheat, cotton, rice, tobacco, corn, hogs, and dairy products. Payments were financed from taxes imposed on processors and these taxes were then sent directly to farmers as reimbursement NOT to grow food. Butler, a processor, refused to pay the tax and the Federal government brought suit against him. In his defense Butler claimed that tax may not be used to transfer wealth directly from one person to another. The Supreme Court agreed with Butler and struck down the Agricultural Adjustment Act of 1933. The next year Congress passed the Agricultural Adjustment Act of 1934 which taxed processors and then placed the money into the government’s general fund. Then farmers were paid out of the general fund not to grow food. The AAA had the same effect.
* **Schechter v. U. S. (1936).**  Unanimously declared the National Industrial Recovery Act (NIRA) unconstitutional on three grounds: that the act delegated legislative power to the executive; that there was a lack of constitutional authority for such legislation; and that it sought to regulate businesses that were wholly intrastate in character.
* **Korematsu v. U. S. (1941).** The court upheld the constitutionality of detention camps for Japanese-Americans during World War II.
* **Ex parte Endo (1944).** The court forbade the internment of Japanese-Americans born in the U. S. (Nisei)

*Note: Warren Court Cases, 1954-69*

* **Brown v. Board of Education of Topeka, Kansas (1954, Warren).** Unanimous decision declaring "separate but equal" unconstitutional.
* **Gideon v. Wainwright (1963).** Extends to the defendant the right of counsel in all state and federal criminal trials regardless of their ability to pay.
* **Escobedo v. Illinois (1964).** Ruled that a defendant must be allowed access to a lawyer before questioning by police.
* **Miranda v. Arizona (1966).** The court ruled that those subjected to in-custody interrogation be advised of their constitutional right to an attorney and their right to remain silent.
* **Tinker v Des Moines (1969).** Several students and parents in Des Moines organized a protest of the Vietnam War. Students were to wear black arm bands to school in protest. When the school found out they warned all the students and parents that anyone wearing the armbands would be would be suspended. The Tinker children wore their armbands to school and were suspended. Mr and Mrs. Tinker filed suit claiming that the school violated the children's right to freedom of speech and expression. The school claimed that the armbands were disruptive. The court ruled against the school district saying that "students do not shed their constitutional rights at the school house gates”. In doing so the court protected what has come to be known as "symbolic speech."
* **Roe v. Wade (1973).** The court legalized abortion by ruling that state laws could not restrict it during the first three months of pregnancy. Based on 4th Amendment rights of a person to be secure in their persons.
* **U. S. v. Richard Nixon (1974).** The court rejected Richard Nixon’s claim to an absolutely unqualified privilege against any judicial process.
* **Bakke v. Regents of the University of California (1978).** Ambiguous ruling by a badly divided court that dealt with affirmative action programs that used race as a basis of selecting participants. The court general upheld affirmative action, but with a 4/4/1 split, it was a very weak decision.