

Case Brief

Con Law, Commerce Clause

3/7/15, Carlson

## Identity of Case

The Daniel Ball, 1870

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## Summary of Facts/Procedural History

Congress passes a law that imposes licensing and inspection requirements on steamboats involved in interstate commerce or which operate on a navigable water of the U.S. The Daniel Ball does not comply with these requirements. The Daniel Ball operates solely on the Grand River, in the State of Michigan, which itself does not cross state lines but is connected to navigable bodies of water which do. The Daniel Ball never crosses state lines, but does on the Grand River ship cargo that has travelled interstate already or is intended for interstate commerce.

## Statement of the Issue

Is the Grand River a navigable water of the United States? Alternatively, is the fact that it carries cargo from or destined for interstate commerce enough to be within the reach of the commerce clause?

## Holding

A navigable water of the US is one that can be used in interstate travel by the average steamboat, regardless of whether a particular steamboat actually engages in interstate travel, so the law applies. Regardless, the fact that the Daniel Ball is an instrument of interstate commerce is enough for the commerce clause powers to reach it.

## Reasoning

Navigable waters is pretty straightforward...

It would be poor policy not to regulate the Daniel ball because its route of travel takes it within the range of steamboats that are engaged in interstate travel, and the point of this law is that steamboats are dangerous and if we allow them to go on without inspection, they will continue to blow up, causing harm to interstate commerce. Daniel Ball is reached by this policy measure in two ways: it is in proximity of ships involved in interstate travel and could harm them, (as could any other ship similarly operated as the Daniel Ball) and it is carrying articles marked for interstate commerce, the damage to which would have an effect on interstate commerce in the aggregate.

## Evaluation

Interstate commerce regulation extends to the instruments that move commerce within a state. Once articles have begun their movement in interstate commerce, they are regulated until they reach their place of final destination or sale.