



# CASE BRIEFS

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Student's Name  
University



# SLAUGHTERHOUSE CASES

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**Procedural history:** The Slaughter-House Company was given an exclusive right to conduct slaughter house business in the City of New Orleans by a Louisiana statute. However, a group of butchers, plaintiffs, sued (McBride, n.d).

**Facts:** The statute provided to Slaughter-House Company and the Crescent City Live-Stock Landing the sole right to employ in the slaughterhouse and livestock landing business in the New Orleans. Butchers argued that such an action violates some provisions of the Constitution.

**Issues:** Have the statute created an unwilling servitude denying butchers the similar protection under the laws, or depriving them of property without legal process?

Have the statute abridged the Immunities and Privileges of the American nationals in violation of the Fourteenth Amendment?

**Rules of law:** In order to interpret a provision of the Constitution in the United States of America, one should refer to the reason for the provision that had been enacted.

**Reasoning:** Field claimed that if the Immunities and Privileges Clause refers exclusively to the rights that were designated in the Constitution, it was kind of enactment that accomplished nothing. However, Bradley stated that it was an infringement of personal liberty as it was an invasion of the right of individuals to choose a legal calling. Since the cases, the Immunities and Privileges clause has been used rarely as a base for causes of action against constitutional violation. It is still considered to be debatable.

**Holdings and the court's order:** Additional amendments were provided to protect the rights of people and prevent discrimination. Plaintiffs were the

citizens of State while the Fourth Amendment rely upon safeguards rights of citizens of the United States.

## LOCHNER v. NEW YORK

**Procedural history:** A law that has protected the health of bakers. The Supreme Court of the USA put a limit for their employment up to sixty hours per week (ten hours per day). It was considered as an unnecessary, unreasonable and arbitrary interference with a right of the person to get into contracts in relation to labor.

**Facts:** The law in New York prohibited employing of bakers more than sixty hours a week. The plaintiffs blamed Mr. Lochner and, later, he was fined for permitting one of his employees to work more than ten hours per day in his bakery.

**Issues:** If the act passed in New York limiting the number of working hours per week for a baker is an unnecessary and unreasonable interference with a right of the person to get into contracts in relation to labor.

**Rules of law:** The act that interferes the common right of a person to be free and his/ her power of contracting in relation to his/ her labour should have a direct relation, as a means to an end, and the end should be legitimate and appropriate before the act is upheld to be valid.

**Reasoning:** The liberty of contracting is considered to be the subject to reasonable police regulations. This action was taken to assure the government that a week of sixty-hour work was essential for the health requirements.

**Holdings and the court's order:** Judgement was reserved. It is unreasonable

to interfere with the liberty of an individual or the right of uncontrolled contract by limiting the hours of labour for bakers. The Supreme Court applied strict examination to hold that the laws that interfere with liberty to contract can violate the Due Process Clause.

## NEBBIA v. NEW YORK

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**Procedural history:** Price control regulation of Milk Control Board in New York defeated a Constitutional attack as it was not considered to be demonstrably, arbitrary and discriminatory irrelevant to the policy accepted by the legislature.

**Facts:** Milk Control Board established the minimal and maximal retail prices for milk products in the state. An owner of a New York grocery store was forced to sell milk according to prices set by the Milk Control Board.

**Issues:** Does the Constitution forbid the state from establishing the retail price of milk?

**Rules of law:** Controls of price, which are obviously arbitrary and discriminatory irrelevant to the legislative policies, are unconstitutional as they are the unwarranted and unnecessary interference with personal liberty.

**Reasoning:** This law affects both small businesses within the state and consumers. It interferes not only the right of entrepreneurs to conduct a business, but also deprives the freedom of millions of consumers to purchase the necessities of life at the open market.

Judgment was affirmed. The production as well as distribution of milk are overriding industries of the state. Consequently, it significantly affects the prosperity and health of citizens. Contract and prosperity rights are not a part



of nature rights and might be subject to limitations. Price controls were not demonstrably, discriminatory or arbitrary irrelevant to legislative policy, so they were consistent with the Constitution.

**Holdings and the court's order:** The decision made under that situation marked an important shift since the era of *Lochner*. It decreased the judicial role in sizing up the means of economic regulations of employment. The announced standard was the following “the selected means should have a substantial and real relation to the object sought to be attained and in the examination of the legislation background” (“The United States Patent and Trademark Office”, n.d).

## FERGUSON v. SKRUPA

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**Procedural history:** Kansas statute forbade engaging in the business based on debt adjusting for any individual. It was considered as a violation of the Due Process Clause of the Fourteenth Amendment (Skupa, 2013).

**Facts:** Consisting of three judges, district court panel established that statute of Kansas to forbid engaging in the business based on debt adjusting for any individual. The exception for this regulation was only if the incident to the lawful practice of law in that state was found as a violation of the Due Process Clause of the Fourteenth Amendment. The government believed that debt adjusting was a contract with a debtor when he paid a particular amount of money to the individual who was engaged in the adjustment. Then that person gave money to creditors according to plan.

**Issues:** Whether the statute of Kansas disallowed an individual to engage in debt adjusting violate the Due Process Clause?

**Rules of law:** The Court totally disposed scrutiny without looking at the

legislative policy. The government of Kansas was able to decide on their own whether legislation was necessary to deal with debt adjusting business. Any arguments concerning debt adjusting were addressed by the legislature, but not courts.

**Reasoning:** The court changed the decision of the lower court by reversal and sustained the right of regulating debt adjusting in Kansas. The question whether that law was reasonable and wise, and not a judicial one remained unsolved. Justice Black claimed that the ruling of the lower court made decisions based on the old law. However, the Court stated that issues of a debt adjustment are for the national legislatures and state, and deciding them in the court was considered to be economically unwise.

**Holdings and the court's order:** No, Justice Black opinion. In the past, there was a time when the Court was authorised to cancel laws that were unreasonable or unwise in its opinion. However, later it was decided that courts could not replace legislative bodies that were elected to pass laws. The Legislature of Kansas could decide for themselves whether legislation should deal with business of debt adjusting. The final decision was that any arguments on debt adjusting issues should be completely addressed by the legislature.

## References

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Skupa, F. (2013). The Oyez Project at IIT Chicago-Kent College of Law. Retrieved from [http://www.oyez.org/cases/1960-1969/1962/1962\\_111](http://www.oyez.org/cases/1960-1969/1962/1962_111)

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