

Sec. 8—Powers of Congress

Cl. 3—Power to Regulate Commerce

comes permissible necessarily is beyond the scope of interference by Congress in cases where such interference is deemed necessary for the protection of commerce among the States.”⁸⁸⁵ That is to say, the line that confines state power from one side does not always confine national power from the other. Even though the line accurately divides the subject matter of the complementary spheres, national power is always entitled to take on the additional extension that is requisite to guarantee its effective exercise and is furthermore supreme.

In this respect, the *Swift* case only stated what the *Shreveport* case, discussed previously, was to later declare more explicitly regarding regulation of land transportation. This may also be said about a line of cases started by the *Danbury Hatters Case*,⁸⁸⁶ in which a union was found to violate the Sherman Act when, after failing to organize employees of a manufacturer of hats, it called for a nationwide boycott of the company’s products. In these cases, combinations of employees engaged in such intrastate activities as manufacturing, mining, building, construction, and the distribution of poultry were subjected to the penalties of the Sherman Act because of the effect or intended effect of their activities on interstate commerce.

Stockyards and Grain Futures Acts: The Swift Case Applied.— In 1921, Congress passed the Packers and Stockyards Act,⁸⁸⁷ whereby the business of commission men and livestock dealers in the chief stockyards of the country was brought under national supervision. In the year following, Congress passed the Grain Futures Act,⁸⁸⁸ whereby exchanges dealing in grain futures were subjected to control. The decisions of the Court sustaining these measures were built directly upon the *Swift* case.

In *Stafford v. Wallace*,⁸⁸⁹ which involved the former act, Chief Justice Taft, speaking for the Court, said: “The object to be secured by the act is the free and unburdened flow of livestock from the ranges and farms of the West and Southwest through the great stockyards and slaughtering centers on the borders of that region, and thence in the form of meat products to the consuming cities of the

⁸⁸⁵ 196 U.S. at 400.

⁸⁸⁶ *Loewe v. Lawlor* (The *Danbury Hatters Case*), 208 U.S. 274 (1908); *Duplex Printing Press Co. v. Deering*, 254 U.S. 443 (1921); *Coronado Co. v. United Mine Workers*, 268 U.S. 295 (1925); *United States v. Bruins*, 272 U.S. 549 (1926); *Bedford Co. v. Stone Cutters Ass’n*, 274 U.S. 37 (1927); *Local 167 v. United States*, 291 U.S. 293 (1934); *Allen Bradley Co. v. Union*, 325 U.S. 797 (1945); *United States v. Employing Plasterers Ass’n*, 347 U.S. 186 (1954); *United States v. Green*, 350 U.S. 415 (1956); *Callanan v. United States*, 364 U.S. 587 (1961).

⁸⁸⁷ 42 Stat. 159, 7 U.S.C. §§ 171–183, 191–195, 201–203.

⁸⁸⁸ 42 Stat. 998 (1922), 7 U.S.C. §§ 1–9, 10a–17.

⁸⁸⁹ 258 U.S. 495 (1922).