Marbury v. Madison

Marbury v. Madison, 5 <u>U.S.</u> (1 <u>Cranch</u>) <u>137</u> (1803) is a <u>landmark case</u> in <u>United States law</u>. It formed the basis for the exercise of <u>judicial review in the United States</u> under <u>Article III</u> of the <u>Constitution</u>.

This case resulted from a petition to the <u>Supreme Court</u> by <u>William Marbury</u>, who had been appointed by President <u>John Adams</u> as <u>Justice of the Peace</u> in the <u>District of Columbia</u> but whose <u>commission</u> was not subsequently delivered. Marbury petitioned the Supreme Court to force Secretary of State <u>James Madison</u> to deliver the documents, but the court, with <u>John Marshall</u> as Chief Justice, denied Marbury's petition, holding that the part of the statute upon which he based his claim, the <u>Judiciary Act of 1789</u>, was unconstitutional.

Marbury v. Madison was the first time the <u>Supreme Court</u> declared something "<u>unconstitutional</u>," and established the concept of <u>judicial review</u> in the U.S. (the idea that courts may oversee and nullify the actions of another <u>branch of government</u>). The landmark decision helped define the "<u>checks and balances</u>" of the <u>American form of government</u>.

See Also:

http://en.wikipedia.org/wiki/Marbury_v._Madison