

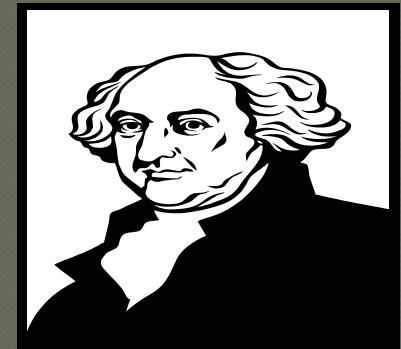
MARBURY V. MADISON



The real life
Washington D.C.
story...

John Adams

- John Adams was our 2nd president. In the last days of his presidency he made 42 last minute appointments. One of his appointments was William Marbury to the Supreme Court.



JAMES MADISON

- James Madison was the Secretary of State under the new President Thomas Jefferson and he refused to deliver the appointment. **Marbury** says it is illegal not to deliver appointments and plans to sue Madison.
- (Background) Thomas Jefferson took office and forced the appointments to stop because they would give more power to the Federalist Party.

THE CASE

Marbury sued Madison

saying it was unconstitutional for Congress not to deliver to appointments made by John Adams.

JOHN MARSHALL

- John Marshall is the Chief Justice of the Supreme Court and hears the Case Marbury vs. Madison.



Marbury v Madison

- This raised the question.....(Issue 1)Does the Supreme Court have the authority to review acts of Congress and determine Constitutionality?

Under the Judiciary Act of 1789 the Supreme Court was given the power to carry out appointments but John Marshall declared that law to be unconstitutional.

The Decision...

The Final Decision

- (Decision-1) John Marshall decided that it was unconstitutional to appoint a judge after the President had left office and the decision was Marbury would not get his job
- (Significance-1) Judicial Review was established by John Marshall
 - That the supreme court can review laws and declare the constitutionality of them
- (Significance-2) Expanded the scope of the Judicial Branch and increased the need for Checks and Balances.