

## Marbury v. Madison

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

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

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

### See Also:

[http://en.wikipedia.org/wiki/Marbury\\_v.\\_Madison](http://en.wikipedia.org/wiki/Marbury_v._Madison)