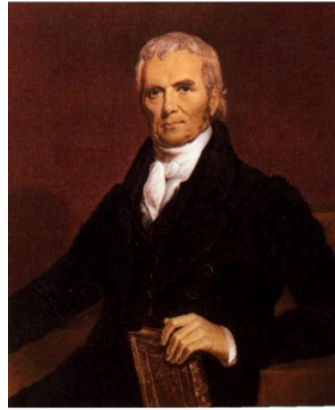




0. JOHN MARSHALL - Story Preface
1. A BACKGROUND OF WAR
2. A NEW CONSTITUTION
3. FEDERALIST PAPER 78
4. RATIFICATION of the U.S. CONSTITUTION
5. FEDERALISTS LOSE POWER
6. MIDNIGHT JUDGES
7. JEFFERSON SAYS NO
- 8. JOHN MARSHALL**
9. THE DECISION
10. THE CASE for JUDICIAL REVIEW

John Marshall—America's 4th Chief Justice—introduced the concept of "judicial review" in the 1803 case of *Marbury v Madison*. This image, from the Library of Congress, depicts Justice Marshall.

John Marshall and [Tom Jefferson](#) were distant cousins. Both lived in Virginia; both were lawyers (Jefferson was admitted to the bar [in 1765](#), Marshall [in 1780](#)); both owned slaves. They were far more different than alike, however, when one considers their political philosophy.

When he was 27, Marshall asked [Mary Willis Ambler](#) (then 16 and known as "Polly") to marry him. Although she wanted to accept, and had thought about marrying John since she met him two years before, for some reason Polly (who had earlier dated Thomas Jefferson) declined. Marshall left her home, upset. Polly, totally regretting her answer, became hysterical.

Polly's cousin, John Ambler, saw what had happened. Assuring her that all was not lost, he cut off a lock of Polly's hair and brought it to Marshall. When the future Chief Justice of the United States returned to Polly's home—to ask the important question a second time—Polly said "yes." They were married in John Ambler's home on the 3rd of January, 1783.

[Polly Ambler Marshall](#) placed that strand of her hair (together with a strand of John's) into a locket which she wore every day of their nearly 49-year marriage. Marshall routinely called his wife "Dearest Polly" in [letters](#) he sent to her.

Of their ten children, three died as infants and one died in early childhood. Those tragedies greatly weakened Mrs. Marshall. During the last 25 years of her life she was frail and ill, rarely leaving the master bedroom. Throughout, their marriage remained strong.

From [humble beginnings](#), Marshall continued his impressive rise in the political and judicial life of the young American republic. In 1790, while Polly was still healthy, the Marshalls moved into their [impressive home](#) in Richmond, Virginia. (Click here for a [virtual tour](#)). It was often [the scene](#) of dinner parties where John and his male colleagues debated whether Americans should give more, or less, power to a central government.

[In 1797](#), President John Adams appointed Marshall as a special envoy to France. In 1799, he was elected to the U.S. House of Representatives. In 1800, Adams appointed him Secretary of State and the following year Chief Justice.

Although he served 34 years as the country's Chief Justice, Marshall always spent about six months of every year at home. He wrote judicial opinions [there](#), saw guests, managed [his household](#) and attended to the needs of his family.

On Christmas morning, 1831, Mrs. Marshall was extremely ill. Dying, she was too weak to remove her locket. John did that for her and, at Polly's insistence, transferred the locket from her neck to his. A year after her death, the [Chief Justice wrote](#):

I have lost her! And with her I have lost the solace of my life! Yet she remains still the companion of my retired hours--still occupies my inmost bosom. When I am alone and unemployed, my mind unceasingly turns to her.

John wore the locket every day until he died in Philadelphia, four years later, at age 79. It can be viewed, together with one of the [Chief Justice's robes](#), at the Marshall's Virginia home.

By the time of his wife's death, on the 25th of December, 1831, John Marshall had become one of America's most famous people. His Supreme Court opinions then (and now) were among the most significant writings issued in the country's history. He wished his grave—next to Polly's at Shockoe Hill Cemetery—to be simply

marked:

*John Marshall
Son of Thomas and Mary Marshall
was born the 24th of September 1755
Intermarried with Mary Willis Ambler
the 3rd of January 1783
Departed this life
the 6th day of July 1835*

Today, people rarely discuss who John Marshall was as a person. It is rather his cases—particularly his decision in *Marbury v Madison*—which remain the focus of discussion. More than 200 years after he wrote that momentous decision, his point-of-view is still endorsed, or scorned, depending on one's perspective.

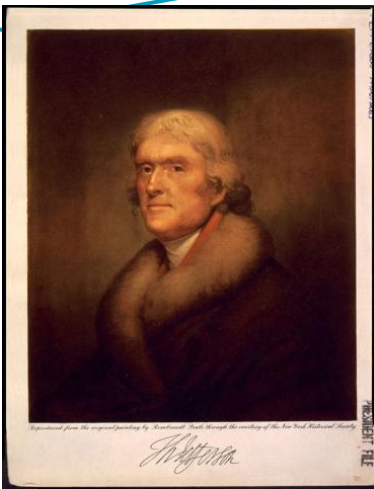
See Alignments to State and Common Core standards for this story online at:

<http://www.awesomestories.com/asset/AcademicAlignment/JOHN-MARSHALL-Marbury-vs-Madison>

See Learning Tasks for this story online at:

<http://www.awesomestories.com/asset/AcademicActivities/JOHN-MARSHALL-Marbury-vs-Madison>

Media Stream



Thomas Jefferson

Peale's original painting is maintained by the New York Historical Society.

Image online, courtesy Library of Congress.

PD

View this asset at: <http://www.awesomestories.com/asset/view/Thomas-Jefferson3>



Mary Willis Ambler - "Polly"

Image online, courtesy "Preservation Virginia."

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View this asset at: <http://www.awesomestories.com/asset/view/Mary-Willis-Ambler-Polly->



Mary Willis Ambler Marshall

This image of Mrs. Marshall is online, courtesy "[Preservation Virginia](#)."

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View this asset at:

<http://www.awesomestories.com/asset/view/Mary-Willis-Ambler-Marshall>

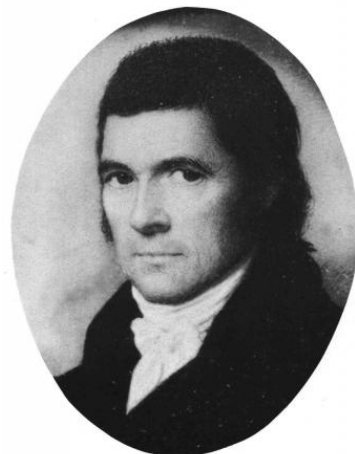


John Marshall - Impressive Home in Richmond

Image online, courtesy U.S. National Park Service (NPS). PD

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John Marshall, ca. 1797. (See also figure 1)

John Marshall - In 1797

Image online, courtesy Constitution.org

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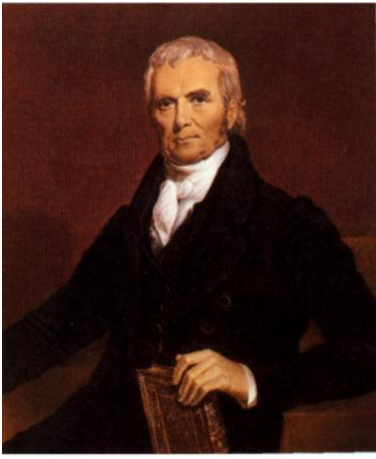
John Marshall - Scene Near His Home

Image online, courtesy "Richmond, Then and Now."

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JOHN MARSHALL

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