1. **Early Court History (1789-1801)**
   1. **Adoption of British Common Law as Precedent and Tradition**
   2. **Adoption of *Stare Decisis***
   3. **Election of 1800**

**a. “Federalist Retreat to the Judiciary”**

**b. Judiciary Act of 1801**

**c. Adams and the “Midnight Judges”**

* 1. ***Marbury v. Madison (1803)\*\*\*\****