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Source Notes

Epigraph

1. Howard Simons and Joseph A. Califano, Jr., eds., *The Media and the Law*, pp. 36-37.

Chapter 1: Barron's Wharf

1. Norman Rukert, *The Fell's Point Story*, p. 19.
2. Record, *John Barron v. The Mayor and City Council of Baltimore*, Supreme Court of U.S., No. 88, p. 15.
3. Letter of Hezekiah Waters and other wharf owners, April 2, 1817, Baltimore Historical Society.
4. Record, *Barron*, pp. 7-8.
5. *Ibid.*, p. 24.
6. *Ibid.*, p. 26.
7. Leonard Baker, *John Marshall*, p. 127.
8. *Ibid.*, p. 120.
9. *Ibid.*
10. Clinton Rossiter, ed., *The Federalist Papers*, No. 78, pp. 465ff.
11. Jay had resigned to become governor of New York. Adams tried to reappoint him after the resignation of Chief Justice Ellsworth, but Jay felt that being governor of New York was more prestigious than being chief justice of the United States.
12. Letter of John Jay to John Adams, December 18, 1800, John Adams, *Works*, vol. IX, pp. 91-92.
13. *John Marshall: Major Opinions and Other Writings*, ed. John P. Roche, p. xxxii.
14. Chief Justice William Howard Taft, who also despised dissents, spoke of this practice of one opinion as "Marshalling the Court" (William F. Swindler, *The Constitution and Chief Justice Marshall*, p. 13).
15. Baker, *John Marshall*, p. 414.
16. Francis Stiles, *John Marshall*, p. 115.
17. Letter of Thomas Jefferson to James Pleasant, December 26, 1821, *The Works of Thomas Jefferson*, ed. P. L. Ford, vol. XII, p. 216.
18. Stiles, *John Marshall*, p. 118.
19. *Bank v. Dandridge*, 12 Wheat. 64, 90 (1827).
20. William Crosskey, *Politics and the Constitution in the History of the United States*, vol. II, p. 1080.
21. Alpheus T. Mason and William M. Beaney, *American Constitutional Law*, 7th ed., p. 2.