Mr. Justice Wayne's opinion (721-722)

1. We have issues concerning 'private rights of value, and constitutional principles of the highest importance' (721). So the 'peace and harmony of the country' require a judicial decision, and the Chief Justice's reasoning and conclusion are correct.

2. Unanimity is 'rare...upon constitutional questions of moment' (721), but there is as large a majority as can be expected for the issues in this case. Only two dissent, and a third dissents on a single point. Six declare the Missouri Compromise unconstitutional.

3. Jurisdiction?
   a. If the case came from a state court, then if there were no jurisdiction, there would be no discussion of the merits of the case.
   b. But if the case came from a Circuit Court, then the first question to ask is whether it had jurisdiction (722).
      i. But 'as the power of review of cases from a federal court, by this court, is not limited by the law to a part of the case, this court may correct an error upon the merits' (722).
      ii. Not to allow the Supreme Court to review Circuit Court judgments 'would tend to enlarge the jurisdiction of the Circuit Court' (722).