THE SUPREME COURT
HISTORICAL SOCIETY

Quarterly

VOLUME V, NO. 2 SPRING 1983

Society Marks Eighth Anniversary

On Friday, May 6th, the Society held its eighth annual meeting in Washington, D.C. The day's activities commenced with the annual lecture presented in the restored Court chamber in the U.S. Capitol. This year's speaker was the Honorable Robert H. Bork, a former professor at the Yale Law School and Solicitor General of the United States, currently a judge of the United States Court of Appeals for the District of Columbia Circuit. Judge Bork's lecture, entitled "Styles in Constitutional Theory" examined traditional and contemporary methods of interpreting the constitution.

Following the lecture, many members crossed the Capitol grounds to visit the Society's new headquarters building, and to tour the Supreme Court Building. At 6:00 PM the Society's Board of Trustees held its annual meeting. In addition to other business, the Board elected Kenneth Rush to a three-year term as Chairman, Linwood Holton to another three-year term as President, Charles T. Duncan to a three-year term as a Vice-President, and Elizabeth Black and J. Roderick Heller III to one-year terms on the Executive Committee. The Trustees also adopted special memorial tributes honoring the contributions of two of the Society's founding members — Robert T. Stevens and Fred M. Vinson, Jr.

Following the trustees' meeting, Linwood Holton called to order the eighth annual meeting of the Society's general membership, and presented the president's report on the Society's status. Following the report of the nominating committee, the membership elected the following to three-year terms on the Society's Board of Trustees: Gwendolyn D. Cafritz, Patricia C. Dwinnell, Francis R. Kirkham, William Barnabas McHenry, Richard A. Moore, David A. Morse, Alice L. O'Donnell, Walter S. Rosenberry III, Bernard G. Segal, Obert C. Tanner and J. Albert Woll. President Holton then recognized the Society's Honorary Chairman, Chief Justice Warren E. Burger, who spoke briefly to the membership. Following his remarks, the meeting was adjourned.

The Society's annual reception and dinner were once again held in the Court's East and West Conference Rooms and Great Hall. Chamber music during the reception was provided by string ensembles of the U.S. Army Band. Some 265 of the society's members from across the country attended this year's dinner, the largest contingent from outside the metropolitan Washington area coming from Texas. Following dinner, a short musical program was provided by the U.S. Army Band's "Strolling Strings" and "Chorale." Chief Judge Howard T. Markey, chairman of the annual meeting committee, concluded the days events by thanking the performers, and all those who had made the meeting such a successful one. He also thanked the membership for its strong and enthusiastic support.

Supreme Court Historical Society

Judge Robert H. Bork (left) greets members of the Society following the annual lecture.

The Supreme Court: A "Bench Happily Filled"

Throughout the nearly two hundred years that the Supreme Court has existed, the process set out in Article III of the Constitution for the appointment and confirmation of justices of the high court has produced a considerable degree of consternation. Given the rigors of the job — from the burden of riding circuit in the early years to the overwhelming crunch of a burgeoning caseload in more recent years — it is not surprising that a career on the Court would not appeal to everyone. In fact, there is a rather long list of lawyers who shared the view of the notorious Civil War General, William Tecumseh Sherman, who was offered the presidency at the close of the Grant Administration: "If nominated, I will not run; if elected, I will not serve."

Undoubtedly, the task of judging requires a certain temperament and disposition. Potential candidates for the Court who have declined such service may have questioned their own lack of judicial experience and competency for the job. Others may not have relished the unavoidable political and social isolation that life on the Court imposes. Some may even have wondered about their chances for Senate confirmation, and decided not to risk the potential embarrassment of a Senate rejection. Although 73 of the Court's 102 justices have been confirmed by voice vote in the Senate since 1789, some twenty-six presidential appointees failed to gain Senate approval. Eleven nominations were rejected, four postponed, five withdrawn in the face of opposition, and six died for lack of Senate action. Interestingly, two nominees in this group subsequently became members of the Court: Roger Brooke Taney's nomination as an Associate Justice was postponed by the Senate in retaliation for his vigorous opposition as President Jackson's Attorney General and Secretary of the Treasury to the Second Bank of the United States. Yet, he was confirmed in 1836 by a vote of 29-15, less than a year later, as Jackson's choice to succeed Chief Justice John Marshall. When Stanley Matthews was nominated as an Associate Justice in 1881, the Senate rejected the nomination. Although Matthews was serving as U.S. Senator from Ohio at the time, his colleagues criticized the appointment, viewing it as a blatant "pay-off" for Matthews' support of Hayes in the Republican's disputed presidential victory over Samuel J. Tilden. Matthews was renominated by Hayes' successor in the White House, President Garfield, but Senate opposition to the nomination continued. On May 12, 1881, Matthews was finally confirmed by a vote of 24-23, the only justice to have sat on the Court by a one-vote margin.

Supreme Court Historical Society

Chief Justice Roger Brooke Taney

Supreme Court Historical Society

Supreme Court Historical Society

Stanley Matthews (left) and Nathan Clifford barely survived Senate opposition to take their seats on the Court.

Matthews, however, was not the only justice to have faced stiff Senate opposition. Associate Justice Nathan Clifford, a "Maine Yankee" who could trace his American roots back three generations, was considered too sympathetic to the South by many of his fellow northerners in 1857 when President Buchanan sent his name to the Senate. Despite strong opposition, Clifford was confirmed on January 12, 1858 by a vote of 26-23. Even though he had staunchly advocated reconciliation and cooperation during the difficult years of Reconstruction, Lucius Quintus Cincinnatus Lamar's service as a Confederate diplomat and colonel in the 18th Mississippi Regiment was more than many Senators could accept. Nominated by President Cleveland in 1887 to fill a vacancy created by the death of Associate Justice William Woods, Lamar — a Mississippi Democrat — was strongly opposed in the Republican-dominated Senate. Nevertheless, a group of Senators led by Stanford of California and Stewart of Nevada convinced their colleagues that rejecting the nomination of the former Senator and Secretary of Interior would be interpreted by the nation as a ban against all Confederate veterans. On January 16, 1888, the Senate confirmed Lamar by the narrow vote of 32-28. The same year, the Senate narrowly confirmed Chief Justice Melville Weston Fuller. An Illinois Democrat who had managed Stephen Douglas' presidential campaign in 1858 against Abraham Lincoln in Chicago, Fuller was proclaimed by one Philadelphia newspaper to be the most obscure man ever nominated as Chief Justice. Despite strong opposition to the Cleveland appointment, Fuller was confirmed on July 20, 1888, by a vote of 41-20.

The argument made against Fuller, namely, that he lacked sufficient experience and national prominence to serve as Chief Justice, was particularly unconvincing in light of the historical record. When Chief Justice Salmon P. Chase died in 1873, President Grant had difficulty finding a nominee who could survive the politically charged Senate. Two of his nominees for the position — George H. Williams and Caleb Cushing — were withdrawn from consideration when it became clear that they would be rejected. Another nominee refused to accept Grant's offer to fill the center chair. Morrison Remick Waite, a relatively obscure Ohio lawyer whose only national service was as a member of the American delegation to the Geneva Arbitration which settled Civil War claim cases, was Grant's fourth choice for the position. The first justice ever to be confirmed by the Senate by a unanimous roll call vote, 63-0, Waite's selection came as a complete surprise to both the nation and the candidate.

Only President Tyler had more difficulty than President Grant with his Supreme Court appointments — only one of his five nominees, Samuel Nelson, gained Senate approval. Of the others, John C. Spencer was rejected, Reuben Walworth withdrawn, Edward King — nominated twice — postponed and later withdrawn, and John M. Read's nomination died for want of Senate action. In Grant's case, the problem was as much finding men who would serve as in gaining their confirmation. Grant's first choice to succeed Chief Justice Chase was Senator Roscoe Conkling, who refused to serve. Nine years later in 1882, President Arthur nominated Conkling once again. Confirmed by a vote of 39-12 following a bitter floor fight in the Senate, Conkling once again refused a position on the Court. Grant's other great disappointment was Edwin M. Stanton. A prominent Civil War figure and member of the Cabinet, Stanton was confirmed by the Senate on December 20, 1869 by a vote of 46-11. Ill when confirmed, the new Associate Justice died four days later without having taken the oath of office.

Library of Congress

Office of the Curator, U.S. Senate

Senator Roscoe Conkling (right) refused to serve on the Court even though he had been confirmed by colleagues; Secretary of State Stanton was willing to serve, but died before he could take the oath of office.

Supreme Court Historical Society

Chief Justice Morrison Waite

Another interesting confirmation vote involving a Chief Justice was the 1930 Senate approval of President Hoover's nomination of Charles Evans Hughes to succeed Chief Justice William Howard Taft. Appointed to the Court twenty years earlier by then President William Howard Taft, Hughes had been confirmed by an overwhelmingly favorable voice vote in the Senate. He resigned as an Associate Justice in 1916 to run for President, but lost in a close election to Woodrow Wilson. During the Harding Administration, he was appointed Secretary of State, a post which he also held during the Coolidge Administration. Having spent the greater portion of his adult life as a public servant, Hughes was confronted with considerable opposition to his appointment as Chief Justice. The fact that he had represented big corporations while in private practice, and that he was familiar with many of the nation's wealthiest and

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Justice Joseph Catron: In Defense of the Union

When the Supreme Court adjourned its Spring term in March 1861, most of the justices remained in Washington anxious about news of the developing secession crisis; however, two of the Court's members traveled South. Justices John Archibald Campbell of Alabama and Joseph P. Catron of Tennessee, concerned about the prospects of war, both rushed home, but on missions far different from one another. Justice Campbell, unwilling to serve in a government prepared to war against his southern homeland, resigned his seat on the high court. He made his way to New Orleans, where he served through much of the war as an Assistant Secretary of War for the Confederate States of America. Justice Catron, a long time resident of Tennessee who shared with Justice Campbell many characteristically southern social and political views, reacted quite differently than his brother on the bench. He traveled to his hometown of Nashville with the hope of restoring federal authority in the region. The states of Kentucky, Missouri and Tennessee which comprised Catron's eighth circuit were in a state of near rebellion and seriously considering secession. The Tennessee state legislature had already pledged military assistance to the southern cause when Catron reached Nashville in mid-March. The local marshal's refusal to provide any protection for the Justice and warning that the Justice's life might be endangered should he attempt to open court, convinced Catron not to press his "Yankee" views. After holding a brief session of court in St. Louis during which the Justice denounced the rebel cause, Catron returned to Nashville where he again attempted to hold court. This time he was greeted by an ugly mob demanding either his resignation or his immediate departure from the City. Catron was forced to depart the city under a military escort, leaving behind his ailing wife — who subsequently rejoined her husband in Washington — and an estate valued at over $100,000.

Ironically, Catron was in many respects as much a Southerner as Campbell, who chose from the outset to resign from the Court. Catron's defense of states' rights and acceptance of the institution of slavery found frequent expression throughout his judicial career — a notable example being his concurrence in the *Dred Scott* decision of 1857. Like Justice Campbell, Catron had resided much of his life in the South. Unlike Justice Campbell, however, Catron had not been born into the South's landed aristocracy. His father, Peter Catron, was the son of a German immigrant who arrived in Pennsylvania in 1764. The Catrons had little money, but some experience in working with horses. In the early 1780s, Peter Catron moved to Virginia to work on one of the Old Dominion's renowned horse farms. He relocated again to Kentucky in 1804, with the hope of establishing his own horse farm. Some question remains as to whether John Catron was born before the family left Pennsylvania or after they arrived in Virginia, as his birth date is variously reported between 1779 and 1786. The family's social position probably accounts for the political and philosophical distance which developed between Catron and the South's well-established "old guard," and explains why Catron pursued a course quite different than his close friends and neighbors in Nashville in 1861.

Office of the Curator, Supreme Court

Associate Justice Joseph P. Catron (1837-1865)

Another factor which may have separated Justice Catron from his peers was the lack of a formal education, typical of members of the South's ruling elite. Though a bright student with an exceptional memory, Catron was unable to afford the considerable expense of a private education. While helping to support his family by working various odd jobs, including herding cattle and grooming horses, the future justice apparently found time to read the classics and acquire basic academic skills, and was unusually well read in history and geography.

Around 1812, Joseph Catron moved to Sparta, Tennessee. He married, and may have started a family. This period of his life is largely undocumented; his wife's name is not known, nor is it recorded whether they had any children. He read law briefly in Sparta under the guidance of George W. Gibbs, but interrupted his studies to join a local corps of volunteers raised to avenge the massacre of the Fort Mims garrison by the Creek Indians. The unit, known as the Second Tennessee Regiment, eventually joined General Andrew Jackson's army in Alabama and participated in various campaigns during the later years of the War of 1812. Catron was elevated through a field promotion to the rank of sargeant major, and most likely fought in the famous Battle of New Orleans.

Following the war, Catron returned to Tennessee, exhausted and ill. He resumed his legal studies and was admitted to the state bar in 1815. During this time, he became a close friend of Isaac Thomas, a prominent local attorney. When Thomas was elected to Congress in 1815, Catron took over his mentor's practice.

During the years of his military service, Catron had come to know and respect General Andrew Jackson, with whom he corresponded on a regular basis. In 1818, Jackson recommended that Catron move to Nashville, a frontier city which Jackson believed had tremendous potential for growth. Catron had acquired a considerable reputation for land title law which comprised a significant part of the litigation before the state's courts during Tennessee's early years. The young attorney decided to take Jackson's advice; he quickly developed a lucrative law practice in the hub of Tennessee's burgeoning economy. Catron became a member of the politically active Davidson County bar, and by 1824, his mastery of land title law and his political acumen earned him an appointment to the newly expanded bench of Tennessee's highest court. At the time of his appointment, the Court of Errors and Appeals was mired in litigation resulting from conflicting land claims in the rapidly developing region. Catron helped impose order upon this chaotic situation by establishing legal principles for the resolution of title conflicts. While serving on the court, the judge and several partners invested in Tennessee's fledgling iron industry, founding the successful Buffalo Iron Works. Despite the demands of his judicial career, Catron took an active interest in the administration of this new business, and also found time to assume an active role in local politics.

By the early 1830s, Judge Catron was a prosperous and respected member of Nashville's ruling elite. A leading Jacksonian Democrat, he was rewarded with the newly created position of Chief Justice of Tennessee's high court in 1831. This appointment reflected Catron's reputation as a distinguished lawyer, and his growing reputation as a politically reliable jurist of high moral character. He opposed gambling, drunkenness, and the wasteful destruction of "fearless and valuable men" through the practice of duelling. His scathing attack on the Bank of the United States, published in June 1829, predated and anticipated the concerted assault on the Bank by his friend — now President — Andrew Jackson. Catron also generally upheld states' rights, and consistently supported the institution of slavery. In *Fisher's Negroes* v. *Dabbs*, 14 Tennessee 119 (1834), Catron asserted that the state reserved the right to approve contracts of manumission between slave and owner, as freed slaves in a slave-holding region frequently had an adverse effect upon the unemancipated labor force. It was Catron's view that "generally, and almost universally, society suffers and the negro suffers by manumission." His opinion required that freed slaves agree to relocation to Liberia as a prerequisite to their gaining freedom. This view, and others expressed by the judge, enjoyed wide acceptance within his party and state during the 1830s.

Bureau of Engraving and Printing

A friend and political ally, President Jackson appointed Catron to the high court in 1837.

A new state constitution passed in 1834 reorganized Tennessee's judiciary, and abolished the Court of Errors and Appeals. Catron returned to private practice, but remained active in Democratic politics, directing Martin Van Buren's 1836 presidential campaign in Tennessee. Catron's service to the party and his respected record as a judge did not go unrewarded. On his last day in office — March 3, 1837 — President Jackson sent Catron's name to the Senate as one of two appointees to fill two new seats on the Supreme Court bench created by the Judiciary Act of 1837. Five days later, the Senate confirmed Catron by a vote of 28-15.

Catron was in his fifties when he took his seat on the high bench, joining five other Jackson appointees. Although Chief Justice Taney is frequently described as characteristic of a Jacksonian Democrat, this description more aptly fits Catron. Unlike the Chief Justice and fellow southerners Campbell and Daniel, Catron assumed a middle ground with regard to federal jurisdiction over corporations. During the height of the Civil War, Catron also differed with Taney in his handling of writs of habeas corpus; while Taney confounded military authorities by ordering enforcement of such writs, Catron frequently refused to order the defendant's release if there was evidence that he was an enemy sympathizer. This suspension of the defendant's constitutional rights was justified in Catron's opinion by the state of emergency which existed.

In a case before him on circuit, Catron upheld the confiscation of a local newspaper in *U.S.* v. *Republican Banner Officers*, 27 Fed. Cases 783 (No. 16, 148). Citing Congress' intention to deter persons from "using and employing their property as to aid and promote the insurrection then underway," Justice Catron emphasized the congressional prerogative and took an expansive view of the federal government's war powers.

Despite such vigorous support of federal authority, Cat-

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Catron *(continued)*

ron nevertheless opposed the exercise of such extraordinary power by an unbridled executive branch. In 1863, Catron dissented against the majority's decision in the *Prize Cases*, arguing that it was unconstitutional for the President to assume war powers without appropriate authorization from Congress. President Lincoln's order to blockade southern ports and to seize vessels carrying freight to and from the rebelling states prior to a declaration of war by Congress was viewed by Justice Catron as an unlawful extension of presidential authority.

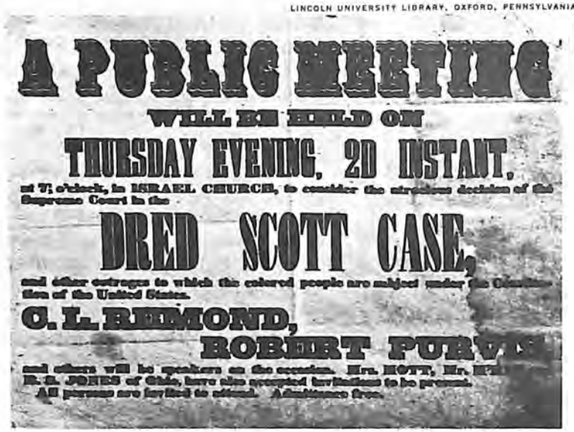
With few exceptions, however, Catron was an unexpectedly strong supporter of the national government throughout the war. He worked strenuously to uphold federal authority in the eighth circuit until the judicial districts were reorganized in 1863. In his remaining two years on the bench, he was assigned to the newly constituted sixth circuit, which included Tennessee, Arkansas, Louisiana, Texas and Kentucky. During this period, he remained in close contact with President Lincoln to assure cooperation between the executive and judicial branches of the government, and to make certain that vacancies on federal benches were filled as rapidly as possible to avoid any possible disruption.

Despite Justice Catron's distinguished judicial career and personal sacrifice in defense of the Union, his years of service were scarred by his concurrence in the *Dred Scott* decision. Writing for the Court, Chief Justice Taney held that slaves were not citizens, but property, and thus lacked standing to bring suit in the courts. His disastrous opinion went even further, overturning the Missouri Compromise of 1820 and denying congressional authority to exclude slaves

Library of Congress

When Chief Justice Taney (left) administered the oath of office to President Buchanan (right) in 1857, both hoped that the issue of slavery could be resolved peacefully through decisive Court action.

LINCOLN UNIVERSITY LIBRARY, OXFORD, PENNSYLVANIA


A PUBLIC MEETING
WILL BE HELD ON
THURSDAY EVENING, 2D INSTANT,
at 7½ o'clock, in ISRAEL CHURCH, to consider the atrocious decision of the Supreme Court in the
DRED SCOTT CASE,
and other outrages to which the colored people are subject under the Constitution of the United States.
C. L. REMOND,
ROBERT PURVIS
and others will be speakers on the occasion. Mrs. MOTT, Mr. [illegible]
R. R. JONES of Ohio, have also accepted invitations to be present.
All persons are invited to attend. Admittance free.

A poster in Philadelphia in 1857 announces a public meeting to consider the "atrocious decision" of the Supreme Court in the case of *Dred Scott* v. *Sanford*.

from the territories. Justice Catron himself may have been primarily responsible for this part of the decision. He apparently argued persuasively in conference that a treaty signed with France at the time of the Louisiana Purchase forbade any subsequent abridgement of property rights in the ceded territory. As slaves were legally considered property, Congress had bound itself to recognize the property rights of slave owners.

Unfortunately, Catron's legally precise position was more likely motivated by political considerations than by a concern for the strict interpretation and application of the law. President-elect James Buchanan, anxious to announce a resolution to the slavery controversy at his inauguration address, sent a letter to Catron seeking information regarding the Court's disposition of the *Dred Scott* case. In what was clearly a breach of judicial tradition and good common sense, Catron informed Buchanan that a decision was imminent, and advised the president-elect that Justice Grier was straddling the fence on the territorial issue. In the hope of settling the conflict through a decisive opinion by the Court, Buchanan urged Justice Grier to support Chief Justice Taney's opinion.

It is not surprising that amidst the angry outcry which met the Court's controversial 7-2 decision, at least one northern newspaper singled out Justice Catron for particular abuse. Had the abolitionists and radical Republicans been fully aware of Catron's involvement in the decision, such criticism would undoubtedly have been even more strident. Without question, the *Dred Scott* decision irreparably damaged Catron's reputation as a distinguished jurist, and for the remainder of his life he was politically and philosophically suspect in his adopted union camp.

Justice Catron died on May 30, 1865, twenty-eight years after Congress had created a seat on the Court in time for his good friend Andrew Jackson to put him on the bench. Ironically, shortly after Catron's death Congress removed the same seat in an effort to deny President Andrew Johnson the opportunity to nominate a successor.

Supreme Court *(continued from page three)*

most influential power brokers were cited as reasons he should not be confirmed. Despite such opposition, Hughes was confirmed by the Senate on February 13, 1930 by a vote of 52-26.

Supreme Court Historical Society *Supreme Court Historical Society*

Chief Justice Melville Fuller (left) and Chief Justice Charles Evans Hughes both encountered stiff Senate opposition reflecting the political realities of the appointment process.

Undoubtedly, the most notorious confirmation battle was over the appointment of John Rutledge as Chief Justice by President George Washington in 1795. Having been appointed by Washington in 1789 as one of the original Associate Justices on the high court, Rutledge had resigned in 1791 to accept what he believed to be a more prestigious position—Chief Justice of South Carolina. When John Jay resigned as Chief Justice in 1795 to become Governor of New York, Rutledge informed Washington of his desire to succeed Jay. Washington appointed Rutledge during the summer of 1795 while the Senate was not in session. His recess appointee presided over the August term, during which two cases were heard. Unfortunately, his appointment was opposed by many Senators—probably due to his criticism of the Jay Treaty which his predecessor had negotiated and which his party had supported. After some debate, his appointment as Chief Justice was rejected by the Senate on December 15, 1795 by a vote of 10-14, making Rutledge the only justice ever to have served under a recess appointment who was not subsequently confirmed by the Senate.

In addition to Rutledge, fourteen other justices have served under recess appointments, the most recent examples being Chief Justice Earl Warren—appointed by President Eisenhower in October 1953 and confirmed by the Senate in March 1954; Associate Justice William Brennan, Jr.—appointed by President Eisenhower in October 1956 and confirmed by the Senate in March 1957; and Associate Justice Potter Stewart, appointed by President Eisenhower in October 1958 and confirmed by the Senate in May 1959.

Perhaps the most interesting trend in recent confirmation history is the increased use of roll call votes in the Senate. Of the current members of the Court, only the two senior Associate Justices were confirmed by voice vote; the Chief Justice and the other Associate Justices were all confirmed by roll call votes. Three of the Associate Justices share with Chief Justice Waite the distinction of having been confirmed by unanimous roll call votes: Associate Justice Harry Blackmun on May 14, 1970 by a vote of 94-0; Associate Justice John Paul Stevens on December 17, 1975 by a vote of 98-0; and Associate Justice Sandra Day O'Connor on September 22, 1981 by a vote of 99-0.

Office of the Curator, Supreme Court

John Rutledge, who served as Chief Justice for a term of Court under a recess appointment, was not confirmed by the Senate. He thereby became the only Chief Justice to serve without confirmation.

Supreme Court Historical Society

Associate Justice Sandra Day O'Connor, the first woman on the Court, was confirmed by the largest "yea" vote ever cast in favor of a Supreme Court appointee—99 to 0.

Project '87 Prepares for Bicentennial

Project '87, sponsored by the American Historical Association and the American Political Science Association to commemorate the bicentennial of the Constitution, recently announced several activities already underway and others which will soon begin to take shape. Under the direction of Co-Chairmen James MacGregor Burns and Richard B. Morris, a volume of papers entitled *Liberty and Equality Under the Constitution* is being readied for publication. An outgrowth of a conference held at the National Humanities Center in 1980, this volume is the fourth of a series based on scholarly conferences sponsored by the project.

A curriculum resource book on the Constitution for secondary school teachers is also being produced by John J. Patrick of the Social Studies Citizenship Development Program of the Mershon Center at Ohio State University. This publication resulted from a recommendation of the Project's 1980 conference on teaching the Constitution in American schools and is intended as a new resource book to be used by high school teachers in conjunction with traditional secondary school textbooks. The resource book was made possible by a grant from the National Endowment for the Humanities.

Supported by a grant from the Lilly Foundation, Project '87 will offer a series of seminars to college faculty during the summer. The goal of these seminars will be to encourage the incorporation of the recent scholarship on the Constitution into introductory American history and government courses.

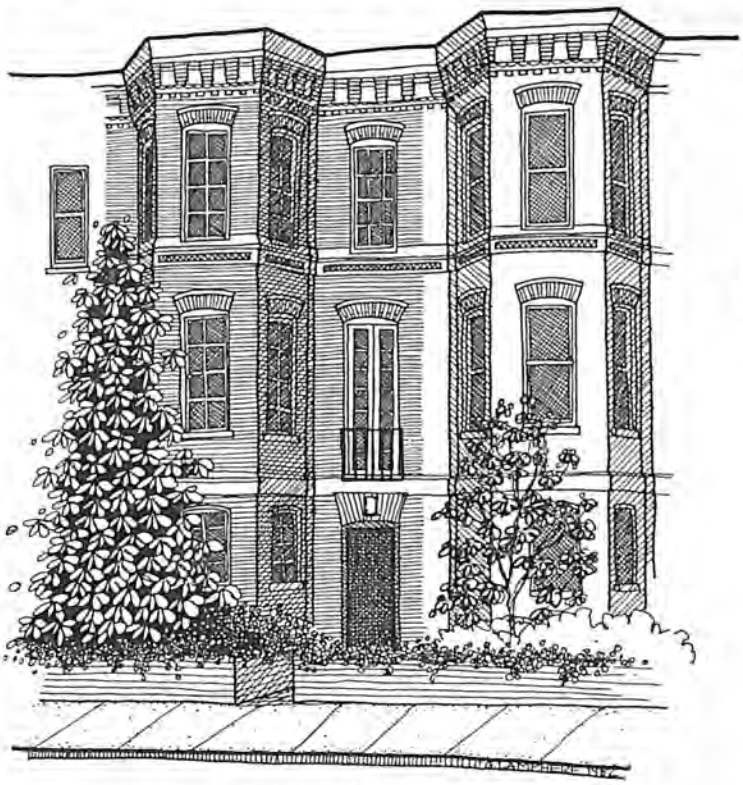
Project '87 is also looking forward to the publication of a new magazine chronicling the activities of the American Constitutional Bicentennial. The magazine will contain lively articles on constitutional issues, annotated original documents, and a resource section for planners of commemorative events. Information about media events, grants, and special programs, will also be included. Offered free to libraries, state and local agencies, foundations and public organizations interested in the bicentennial, the centerpiece of the first issue will be an article on the crucial constitutional questions of our time by Professors James MacGregor Burns and Richard B. Morris.

Further information on Project '87 and its programs can be obtained from the Project's Executive Director, 1527 New Hampshire Avenue, N.W., Washington, D.C. 20036.

Society Moves to New Headquarters

Early last month, the Executive Offices of the Society moved from their location in downtown Washington, three blocks from the White House, to their new location on Capitol Hill, less than a block from the Supreme Court. Although renovation of the 1880s townhouse is not yet completed, the building has become the Society's permanent home.

The new headquarters received considerable praise from members who visited the building as part of the annual meeting activities. The headquarter's location immediately adjacent to the Court was cited by many members as a significant improvement, and in the month since the move, numerous Society members visiting the Court have stopped by the building located at 111 Second Street, N.E. Several activities are currently being planned to encourage the membership to make greater use of the new facility, and a formal dedication ceremony will be held in the Fall.



111 Second Street, N.E.

"Preview" of Supreme Court Cases Continues to Inform Public

For the better part of the past fifteen years, an unusual publication compiled largely by volunteers has been providing accurate weekly reports on the work of the Court. Sponsored by the Association of American Law Schools — the project's original sponsor in the early 1960's — and by the American Law Institute-American Bar Association Committee on Continuing Professional Education, "Preview of United States Supreme Court Cases" provides brief summaries of the factual issues and points of law covered in Supreme Court opinions. Prepared by volunteer law professors who provide clear and concise statements of decisions, "Preview" has proven especially useful to those who cover the Court's business and report on it to the American public. The underlying goal of the publication is to help increase public understanding of the Court through more accurate and informed news media coverage. Available on a subscription basis to anyone interested in the Court's decisions, "Preview" continues to provide an important service as one of the few publications about the work of the Court prepared especially with the layman in mind. Anyone interested in receiving additional information about the project should contact the ALI-ABA Committee on Continuing Professional Education, 4025 Chestnut Street, Philadelphia, Pennsylvania 19104.