



THE SUPREME COURT
HISTORICAL SOCIETY

Quarterly

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Dinner Honors State Membership Chairs and Endowment Donors

The newly redecorated East Conference Room of the Supreme Court building was the scene of a special dinner held on January 10, 1991 to honor the current State Chairmen of the Membership Committee and to honor Leadership Endowment Donors to the Society's Endowment Fund. The event was under the direction of Society President Justin A. Stanley, Chairman of the Board, Erwin N. Griswold, and Honorary Chairman, Warren E. Burger. The Society was honored to have as a guest, Justice David H. Souter.

The focus of the evening was on the membership and endowment fund-raising campaigns. These activities have been the focus of much of the Society's work and efforts during recent months and this occasion was used as a time to commemorate these special efforts. Award presentations were directed by Frank C. Jones, Chairman of the National Membership Committee, and Vincent C. Burke, Jr., Chairman of the Special Gifts

Committee. These dedicated members have worked hard to foster the interests of the Society in their respective areas of labor and much of the Society's success in these fields can be attributed to them.

As Chairman of the Membership Committee, Mr. Jones assembles and coordinates a network of some 54 chairmen in each of the states, with vice-chairs in some of the more populous states. These individuals spearhead membership recruitment activities within their own states. Each state chairman sets goals with Mr. Jones and pledges to work to obtain a specific number of members during a one-year period. State chairmen are provided materials and assistance from the Society's main offices and from Mr. Jones. Mr. Jones in turn is assisted at the national level by National Membership Committee members Thomas E. Deacy, Jr., Fulton Haight, James J. Kilpatrick, Harvey Koch,

--continued on page four



Above, left: Justice David Souter (left) greets Louisiana State Membership Chairman Harvey Koch (right) as Society Trustee M. Truman Woodward, Jr. (center) looks on. Mr. Koch was recognized for his outstanding service at an award ceremony last year. Mr. Woodward was recognized for his membership recruiting efforts at the dinner. Above, right: Justice Souter (left) presents an Endowment Leadership Award to Society Trustee William T. Coleman, Jr. in recognition of a \$25,000 endowment contribution by the firm of O'Melveny & Myers, of which Mr. Coleman is a partner.

A Letter from the President

Justin A. Stanley

In some respects it is fair to say that we started 1991 with a bang. Our membership total climbed to 3,600, a new high, and the pledges and payments to our endowment fund reached \$2,000,000.

Shortly after the first of the year we distributed our new *Journal of Supreme Court History* (previously the *Yearbook*) which was the earliest distribution date that any of us can remember.

On January 3 we gave a small dinner at the Cosmos Club for the Board of Editors of the *Journal*, at which Chief Justice Burger and Justices O'Connor and Powell were present and on January 10 we gave another dinner, this time at the Court for State Membership Chairmen and Leadership Donors. Justice Souter was there and presented the awards to membership and leadership recipients. This was, for many of us, our first opportunity to meet Justice Souter. We were much taken with his humility, charm and grace and we were complimented to have him join us.

Then, to the surprise of most, I announced special awards to Erwin N. Griswold, our Chairman, and to Chief Justice Burger, our Honorary Chairman, who have done so very much for the Society over so many years. Justice Souter presented the marble awards. This is what I said about our two very special honorees:

Erwin, as Chairman of the Society you have done your job with your customary, dedication and skill. Your own firm--Jones-Day-- is one of our leadership donors. You yourself have performed services in the trenches.

There probably are very few, if any, lawyers in the country whose achievements have more closely matched the promise of their early years. Outstanding success has marked every step--

Below: Associate Justice Sandra Day O'Connor (right) talks with Professor Craig Joyce (center), a member of the Board of Editors for the Society's *Journal of Supreme Court History*, and Vance K. Opperman (left), of the firm of Opperman, Heins & Paquin, a Leadership Donor to the Society's Endowment.



from Cleveland to Oberlin to Harvard, where you are still affectionately known as The Dean--to the Solicitor General's office--to Washington as a private practitioner with broad public interests.

I believe you have about as many honorary degrees as Father Hesburgh--

And you have appeared before the Court more than any other living person.

You honor us by your devotion to the Society and we are happy to give you this slight token of our appreciation.

Mr. Chief Justice Burger:

My memory is that at your confirmation hearings you gave recognition to the duty of the Chief Justice to make our system of justice work better and you added that, if confirmed, you



Above: Society President Justin A. Stanley (left) invites Chief Justice Burger (right) to the podium where Justice Souter (middle) presented the retired Chief Justice with a special award recognizing his many years of commitment to the Society. Chief Justice Burger serves as the Society's Honorary Chairman and was principally responsible for its founding in 1974. Below: Justice Souter (left) presents a special award recognizing Dean Erwin Griswold's efforts on behalf of the Society. Justice Souter attended Harvard Law School during Dean Griswold's long tenure at that institution and attended the January 10th dinner at the Dean's invitation in his capacity as Society Chairman.



would expect to devote "every moment of the rest of [your] life to that end."

You have kept that promise, as Vera would attest if she were here.

The list of your practical achievements in improving our system is long--too long to recite here. But no Chief Justice has surpassed what you have done.

The good fortune of the Society is that, with remarkable

prescience, you saw the great need for our creation and for the work which we are now attempting to do.

You inspired others to help carry out your views, and because of you, we are.

I can only hope that what we are building will constitute an achievement in which you will take pride.

We are in your debt and so it is appropriate to give you this symbol of our gratitude and of our pride in you.

Endowment Fund Donors of \$25,000

As of March 20, 1991

Individuals:

Mr. S. Howard Goldman
Mr. William T. Gossett
Mr. William J. Harte
Mr. David Lloyd Kreeger
Mr. Jeremiah Marsh
Mr. Dwight D. Opperman
Mr. Bernard G. Segal
Mr. Justin A. Stanley

Law Firms:

Alzheimer & Gray
Anderson Kill Olick & Oshinsky
Arnold & Porter
Baker & McKenzie
Breed, Abbott & Morgan
Clark, Gagliardi & Miller
Cleary, Gottlieb, Steen & Hamilton
Covington & Burling
Cravath, Swaine & Moore
Davis, Polk & Wardwell
Donovan Leisure Newton & Irvine
Dykema Gossett
Freeman & Hawkins
Fried, Frank, Harris, Shriver & Jacobson
Haight, Brown & Bonesteel
Hogan & Hartson
Hunton & Williams

Law Firms (continued)

Jenner & Block
Jones, Day, Reavis & Pogue
King & Spalding
Mayer, Brown & Platt
Milbank, Tweed, Hadley & McCloy
Milberg Weiss Bershad, Specthrie & Lerach
Mudge, Rose, Guthrie, Alexander & Ferdon
O'Melveny & Myers
Oppenheimer, Wolff & Donnelly
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Pillsbury, Madison & Sutro
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Sidley & Austin
Skadden Arps, Slate, Meagher & Flom
Sullivan & Cromwell
Sutherland, Asbill & Brennan
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Wachtell, Lipton, Rosen & Katz
Weil, Gotshal & Manges
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The Fletcher Jones Foundation
The Mary And Daniel Loughran Foundation
Minnesota Mining and Manufacturing Foundation
Robert Wood Johnson Foundation
Southwestern Bell Foundation

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Managing Editor.....Kathleen Shurtleff
Consulting Editors.....Kenneth S. Geller
E. Barrett Prettyman, Jr.

Dinner (continued from page one)

Keith Libbey, Henry G. Miller, Charles B. Renfrew, William Bradford Reynolds, Richard L. Sutton and M. Truman Woodward, Jr.

The state chairman's network has recently undergone a substantive change in membership with the result that most chairmen have just set their goals and are now commencing activities to solicit new members. With this in mind, Mr. Jones mentioned some of the special goals that have been set within particular states and then called upon those chairmen who were present to give a short report on membership efforts in their states. All membership chairpersons and their spouses were invited to attend. Membership representatives present that evening were:

- Foster D. Arnett, State Chair, Tennessee
- William H. M. Beckett, Co-Chair, New Hampshire
- Rutledge C. Clement, Vice-Chair, Louisiana
- Raphael Escalera, Vice-Chair, Puerto Rico
- Wayne Fisher, State Chair, Texas
- Ben J. Gantt, Jr., State Chair, Washington
- Joan M. Hall, State Chair, Illinois
- Andrew C. Hartzell, Jr., Co-Chair, New York
- Paul M. Hawkins, Vice-Chair, Georgia
- Harvey C. Koch, State Chair, Louisiana
- John T. Marshall, State Chair, Georgia
- Jack B. Middleton, State Chair, New Hampshire



Above: Membership Committee Chairman Frank Jones addresses guests at the January 10th dinner in the Supreme Court building honoring State Membership Chairs and Endowment Leadership Donors. Mr. Jones is also a Vice President of the Society and a member of the firm of King & Spalding, one of the Leadership Donors to the Society's Endowment. Right: Justice Souter "loans" New Hampshire Membership Chairman Jack Middleton a marble award for his fellow statesman's prospective membership recruiting efforts.



Henry G. Miller, Co-Chair, New York
James D. Miller, State Chair, District of Columbia
Vance K. Opperman, Vice-Chair, Minnesota
Henry E. Simpson, Vice-Chair, Alabama
Joseph K. Skelley, State Chair, Connecticut
Richard L. Sutton, State Chair, Delaware
Lively Wilson, State Chair, Kentucky

As the current network of state chairs was only recently completed, yearly goals have not yet been completed hence those awards could not be made last January. It is Mr. Jones' hope that many of the state chairmen will receive awards for completed membership goals at the Annual Meeting in June. As



Left, facing page: Special Gifts Committee Chairman Vincent C. Burke, Jr. describes the Society's endowment campaign to guests at the January 10th dinner. Below: Associate Justice Souter (left) presents an award to Jack Beasley in recognition of BellSouth Corporation's endowment contribution. The marble awards given to State Chairs who reach their annual goals and Endowment Leadership Donors are actual pieces of the Supreme Court building affixed with the Seal of the Supreme Court.



a special presentation, state chairman for New Hampshire, Jack B. Middleton, was given an award in recognition of his pledge to meet his membership goal for 1991. The award was presented by Justice Souter who, of course, only recently left New Hampshire to join the U. S. Supreme Court bench. Mr. Middleton received the special award made of marble which was formerly part of the Supreme Court building. Justice Souter looked a bit concerned as the source of the marble was indicated. Asked to explain this concern, he indicated that he was not as worried where the marble came from in the building, so much as he was concerned that the marble might be Vermont marble, rather than New Hampshire marble.

Several good-natured special challenges were issued between state chairmen. Henry Miller of New York pledged to obtain one new member from New York for every five members obtained nationwide. Joan Hall issued a challenge on behalf of herself, Becky Klemt of Wyoming and Elizabeth L. Peoples of Maine that the female Chairs would out-perform their male counterparts on a per capita basis.

The next portion of the program was devoted to recognition of endowment donors. Mr. Burke took the podium to announce these awards. He commenced his remarks by noting that the endowment fund goal is \$2.5 million net money. He said the fund now stands at a little over \$2 million in payments and pledges. He explained that plans call for completion of the goal by June 1991, but "we will keep working until we accomplish our goal." He added, "Tonight, it is our pleasure to present special marble paperweights to the \$25,000 Leadership Donors who

have not yet received this token of appreciation from the Society. As was noted by Mr. Jones, the award is crafted from marble which until recently was part of the Supreme Court building and is decorated with a replica of the seal of the Supreme Court of the United States." Assisted by Justice Souter, Mr. Burke presented awards to the following:

- John Beasley--representing Mr. Walter H. Alford and the BellSouth Corporation
- Paul M. Hawkins--Freeman & Hawkins
- Donald Ayer--Jones, Day, Reavis & Pogue
- Adlai S. Hardin--Milbank, Tweed, Hadley & McCloy
- Melvin I. Weiss--Milberg, Weiss, Bershad, Specthrie & Lerach
- William T. Coleman, Jr.--O'Melveny & Myers
- Vance K. Opperman--Opperman, Heins & Paquin
- William Bradford Reynolds--Ross & Hardies
- W. Foster Wollen--Shearman & Sterling
- Judge Samuel B. Sterrett--representing J. Evans Attwell of Vinson and Elkins
- Gary Fairchild--Winston & Strawn

After the endowment presentations were made, Mr. Stanley made surprise presentations to Dean Griswold and Chief Justice Burger in honor of their years of dedication and involvement in the Society, noting some of their many contributions to the Society. The text of his remarks appears in the "Letter From The President" portion of this issue.

The presentation of the special awards concluded the evening's program.



Above: Associate Justice Souter (right) and Joan Hall, the Society's State Membership Chairwoman for Illinois, listen as other State Membership Chairs exchange good-natured challenges to out-perform one another in this year's membership drive. At left: Justice Souter (left) presents an award to Henry Miller, whose firm, Clark, Gagliardi & Miller is an Endowment Leadership Donor. Mr. Miller also serves as one of two State Membership Co-Chairmen for New York.

John Rutledge:

Confirmation Without Service, Service Without Confirmation

John Rutledge's tenure on the Supreme Court was highly unusual: although twice appointed to serve on it he never attended a formal session of the full Court. He also has the distinction of being the only Justice to have resigned from the Supreme Court to become a state court judge, and the only Chief Justice of the United States to hold an interim appointment to preside over a summer term but fail confirmation by the Senate when it reconvened in the fall. Rutledge is best known as a South Carolina native who served his state in nearly every top post and represented South Carolina at the major colonial congresses and the Constitutional Convention. Although primarily an advocate of the interests of his colony's privileged planter class, he was instrumental at rallying Southern support for independence and the Constitution.

In September 1739 John Rutledge was born in Charleston to fifteen-year-old Sarah (Hext) Rutledge, an extremely wealthy South Carolina heiress, and Dr. John Rutledge. His father, a physician who had emigrated from Ireland at a young age, died in 1750. He left his widow, then only twenty-six, with seven children. Young John studied law in the office of his uncle, Andrew Rutledge, who was Speaker of the South Carolina Commons House of Assembly. Following his uncle's death, he read law under prominent attorney James Parsons before setting sail for London to attend the Middle Temple. After three years of study, on February 9, 1790, he was called to the English bar.

Within four months of his return to South Carolina he was admitted to the state bar and elected to the provincial legislature. Thanks in part to his family's wealth and political connections, he quickly developed a prestigious and lucrative law practice in a colony renowned for the quality of its bar. In 1763 he married Elizabeth Grimke, daughter of a venerable Charleston family and aunt of Angelina and Sarah Grimke, sisters who would become South Carolina's most prominent reformers and abolitionists in the 1830s. The couple produced ten children, including John Jr. who went on to serve in the United States House of Representatives from 1797 to 1803.

A powerful public speaker, Rutledge was appointed Attorney General in 1764 by the Royal Governor in a not altogether successful bid to secure his allegiance to the king against the rebellious provincial assembly. Rutledge's political career got a boost ten months later when he was sent with the South Carolina delegation to the Stamp Act Congress in New York. As chairman of the Committee on Resolutions, Rutledge, the youngest delegate, drafted a respectful appeal to the House of Lords for repeal of the burdensome stamp tax. The request was met within the year.

In 1774 Rutledge was elected to head the South Carolina delegation to the First Continental Congress in Philadelphia. He united with other conservatives against complete independence from England, but spoke out for colonial rights. While most delegates urged a commercial embargo with the mother country, even though it would entail considerable sacrifice, Rutledge stood firm for his home province's economic welfare. In the interest of unanimity, the Congress conceded to Rutledge's demand to exempt one commodity from their embargo--rice--the



During the Revolutionary War John Rutledge served as the chief executive officer of South Carolina. His powerful influence earned him the nickname "Dictator John." During the Constitutional Convention he was adamantly opposed to the idea that the chief executive should appoint Federal judges.

principal export of South Carolina. Rutledge then managed to convince both the irate South Carolina radicals and the indigo growers that his stand had saved the colony from ruin, and urged rice planters to pay compensation to other growers.

Returned to the Second Continental Congress the following year, Rutledge was partially swayed by the movement toward independence. After the Congress adjourned, he helped stabilize conditions in his colony by drafting a new state constitution providing for an independent government. When the new state assembly convened in March 1776, it elected John Rutledge the first president of the South Carolina Republic. He addressed the assembly at its spring adjournment:

"Let it be known that this Constitution is but temporary, till an accommodation of the unhappy difference between Great Britain and America can be obtained; and that such an event is still desired by men who yet remember former friendships and intimate connections, though for defending their persons and provinces they are stigmatized and treated as rebels."

Three months after his election, the British navy gathered forces to attack Fort Sullivan, a palmetto log fortification that protected Charleston harbor. Convinced of its strategic importance, Rutledge boldly countermanded the order of General

Gift Ideas from the Supreme Court Historical Society

Members of the Society receive a 20% discount. Members prices are listed in bold.

Item 341 Desk Folder Cloth-backed vinyl with brass-plated corners, this finely constructed business accessory will keep your papers clean and unruffled for important meetings. Inside flap and letter-size ruled pad included. Maroon color, smooth finish with gold stamped picture of the Supreme Court building in the lower right corner. "Supreme Court of the United States" printed in gold beneath the image. \$13.99. **Members \$11.20.**

Item 342 Padded Leather Folder This is our very best folder, made of top grade leather, maroon in color, with a satin lining. It comes to you with an inside flap, brass corners and a letter size ruled pad. In the lower right hand corner you'll find embossed in gold the scales of Justice resting on a lawbook with "Equal Justice Under Law" captioned below. \$28.95. **\$23.15.**

Item 354 Small Note Pad The newest note pad to our collection comes in an assortment of colors--red, black, green, or blue. Vinyl covered and small enough to fit in a purse or briefcase, each has an ample supply of paper and a refill order form. Depicted on the front cover in gold is the center facade of the Supreme Court building. Only \$3.95. **\$3.15.**

Item 314 Brass Gavel Our brass gavels are perfect for their decorative appeal or for actual use. Each piece is turned from solid brass and highly polished and is a little more than one-half scale of the full-sized wooden gavels. \$8.99. **\$7.20.**

Item 316 Wooden Gavel The engraved wooden gavel is perfectly balanced and is made of solid walnut with "Supreme Court of the United States" engraved on its gold band. \$17.95. **\$14.35.**

Item 304 Walnut Gavel Plaque Our large, impressive plaque measures 9 by 12 inches, is made of rich solid walnut and makes a perfect presentation gift. The plaque is ornamented with the Society's enamel seal, a solid walnut gavel and a 2" x 4" polished brass plate ready for engraving and gift giving. \$47.00. **\$37.60.**

Item 321 Ceramic Inkwell These ceramic inkwells are replicas of those used in the Colonial period. They are hand fired in "The Old Dominion" from Virginia clay. Each piece is hand signed and individually painted with a colorful cobalt blue design. Each inkwell comes with a handcut pair of quill pens. \$12.00. **\$9.60.**

Item 319 Pewter Inkwell with Quill Pens Patterned after those made by silversmiths of the Colonial period, this highly polished inkwell has the look and feel of silver and will add a bit of history to any home or office. Each piece comes with a pair of handcut goose quill pens and makes a charming gift. \$29.99. **\$23.99.**

Item 330 Pewter Plate Richly detailed with no two exactly identical, the plates are crafted in a Queen Anne style. The plates measures 10 inches in diameter are hand cast and polished to a burnished sheen. Each plate has the seal of the Supreme Court of the United States

centered on it with edging to highlight the detail of the seal. \$49.95; **Members: \$39.95.**

Item 349 Marble Paperweight Our newest desk item is a distinctive 3 x 3 inch white Carrara marble paperweight. This impressive white marble has veining throughout and is embellished with a richly detailed casting in bronze of the Supreme Court Seal. \$12.95. **\$10.35.**

Item 332 Porcelain Handled Letter Opener This attractive letter opener has a pistol grip handle of black porcelain. The seal of the Supreme Court is embossed on the handle in gold. The blade is Sheffield stainless steel. This attractive and useful accessory is boxed in royal blue for an elegant look. \$8.00. **\$7.20.**

The four desk items that follow are companion pieces.

Item 302 Memo Caddy The memo caddy is crafted from natural walnut and bears the full color enamel seal of the Society. Each tray includes a matching pen and a generous supply of memo sheets which measure 8 1/4" by 4 1/4". Order forms are included for future paper refills. \$32.00. **\$25.50.**

Item 303 Bookends The handsome bookends are decorated with the full color enamel seal of the Supreme Court Historical Society on each piece. The bottom of each piece is covered with cork to prevent damage to furniture. \$32.00. **\$25.50.**

Item 300 Single Pen Set The companion piece to the memo caddy and bookends, this walnut pen set also features the Society's richly detailed color enamel seal. The bottom is felt covered to prevent damage to fine furniture. The set measures 4 x 5 inches. \$24.00. **\$19.20.**

Item 301 Double Pen Set Solid walnut base with three-inch Supreme Court Historical Society seal in full color enamel. Each set measures 4" by 10" and comes with matching pens. It is a companion piece to the three items above. \$28.00. **\$24.00.**

Item 312 Round Laser Etched Box Each box is four inches in diameter and carved from a solid piece of walnut. The boxes are felt lined and have the Supreme Court seal laser etched on the lid with exacting detail. These circular boxes are perfect for holding stamps, paper clips, jewelry or other small items. Appropriate for either home or office use. \$11.99. **\$9.60.**

Item 305 Walnut Single Pen Set is a classic design crafted of hand-rubbed wood polished to a glossy sheen. A two-inch gold plated medallion of the Supreme Court seal complements the natural wood beauty. Felt squares on the base of the pen set prevent furniture damage. Packaged in a gift box. \$45.00. **\$36.00**

Item 306 Matching Walnut Pencil Caddy with two inch gold plated medallion of the seal of the Supreme Court. This piece stands five inches high, and is large enough to hold an ample supply of writing instruments. A perfect companion piece to the pen set, above, it is similarly fitted with felt pads on its base. \$38.00. \$30.40.

Item 356 Quill Ballpoint Pen Our finest ballpoint feels extremely comfortable and glides effortlessly across your documents. The body has a smooth matte black finish with gold accents. Etched into the cap in gold is "Supreme Court of the United States." our pen is gift boxed, writes in black ink and refills may be obtained from any stationery store. Made in the U.S.A. and guaranteed for life. \$24.95. \$19.95.

Item 317 Wooden Business Card Holder The newest addition to our collection of desk items is our solid wood business card holder. This item is handcrafted from walnut, chestnut, and oak hardwoods, and each comes with the Society's enameled seal recessed into the front of the piece. The holder has a protective felt bottom. Please specify choice of wood. \$16.95 \$13.55.

Item 343 Walnut Constitution Our most impressive gift item, this limited edition stainless steel walnut Constitution is very distinctive. Measuring 16 x 22 inches, the unabridged Constitution of the United States is etched into a stainless steel plate which is then mounted on a hand rubbed walnut plaque. This piece is suitable for an attorney's office. \$217.95. \$174.35.

Glass items

Item 415 Lead Crystal Box measures two and three-quarter inches square and is acid-etched with the seal of the Supreme Court of the United States on the top panel. Useful for keeping small items on a desk; and the two halves can be used separately. This item is gift-boxed for convenient gift giving. \$10.95 \$8.75

Item 405 Glass Set This is a set of four double old-fashioned sized glasses. The seal of the Supreme Court of the United States has been acid-etched onto each glass. \$14.99 \$11.99

Item 420 Crystal Inkwell A true Victorian reproduction handblown into an original 19th century mold. The inkwell is square with a round cover, made of full lead crystal and available in clear or cobalt blue glass. Totally functional and beautiful, each comes with a hand made, polished pewter cover. Excellent value at \$48.95. \$39.15.

Item 413 Glass Suncatcher The suncatcher is a striking lead crystal diamond shaped piece that measures 3 by 3 inches and has the seal of the Supreme Court acid-etched in its center. The beveled edge creates dazzling effects when struck by light. This lovely design comes with a ribbon tie so that it may be used as a Christmas ornament, or use the enclosed suction cup to hang in a window and enjoy all year. Individually boxed. \$5.95. \$4.80.

Item 413 Glass Paperweight is circular and has a delicately fluted edge. The seal of the Supreme Court is acid-etched in the center of the piece. A popular item, this unusual paperweight measures almost four inches in diameter. \$7.98. \$6.40.

Item 411 French Crystal Vase is an elegant and impressively designed gift. The Supreme Court seal is hand engraved on the front of the one foot tall piece. \$25.00. \$20.00.

Ornaments

Item 352 Finished in 24K gold, these 3 by 3 1/2 inch oval, metal cutwork ornaments are available in three designs: the Supreme Court building, the seal of the Supreme Court, and the figure of Lady Justice. Each is presented in a folio which includes a short history of the design. \$7.95 or \$6.35 each. Please specify design.

Publications

Item 242 The Documentary History of the Supreme Court of the United States, 1789-1800. The first and second volumes of the Documentary History Project are now available. **Volume I** deals with the structure of the Supreme Court and the official records of its activities from 1789-1800, and serves as an introduction to the planned seven volume series. This volume contains primary source materials including manuscripts, correspondence, private papers, newspaper articles, and official records of the period. **Volume II, The Justices on Circuit, 1790-94,** details the early workings of the federal judicial system. The documents in this volume also touch on topics that figured prominently in the law and politics of the era: neutrality, the boundary between state and federal crimes, and others. **Volume III, the Justices on Circuit, 1795-1800,** examines the practice of sending Supreme Court Justices around the country to serve as judges at sessions of the various federal circuit courts. Each volume: \$85.00. \$65.00.

Item 261 The Supreme Court at Work This book, written by Congressional Quarterly, covers in depth the first and second century of the Court's history by tracing its development from its origins of power to the contemporary Court of today. Represented in the text are the operations and traditions of the Court, the Justices and their supporting personnel, biographies of each Justice, and major decisions of the Court. \$17.95. \$14.35

Jewelry

Jewelry with the seal of the Supreme Court. Each piece features a highly detailed medallion of the Court seal in a heavy gold plate.

Item 606 Money Clip Reg. \$29.99. Members \$23.99

Item 607 Tie Bar Reg. \$18.50. Members \$14.80.

Item 608 Tie Pin Reg. \$11.99 Members \$9.60.

Item 610 Cuff Links Reg. \$28.95 Members \$23.15

Item 604 Elegant 10-K Gold Filled Jewelry featuring the seal of the Supreme Court. Ladies' Charm, \$24.00. \$19.20.

Our Most Popular Items

Item 334 Gavel Pencils This unique pencil has a double-headed eraser which gives it the look of a gavel. The barrel is inscribed with the words "With Liberty and Justice for All", and "The Supreme Court of the United States." The pencils are available in cream, metallic gold, and silver colors. \$.65 each or \$7.50 per dozen. Members: \$.52 each and \$6.25 per dozen.

Item 400 Mugs Crafted of ironstone for durability, the mug is cobalt blue with the Supreme Court building traced in gold. The rim is trimmed in gold for an added touch of class. \$6.49. \$5.20.

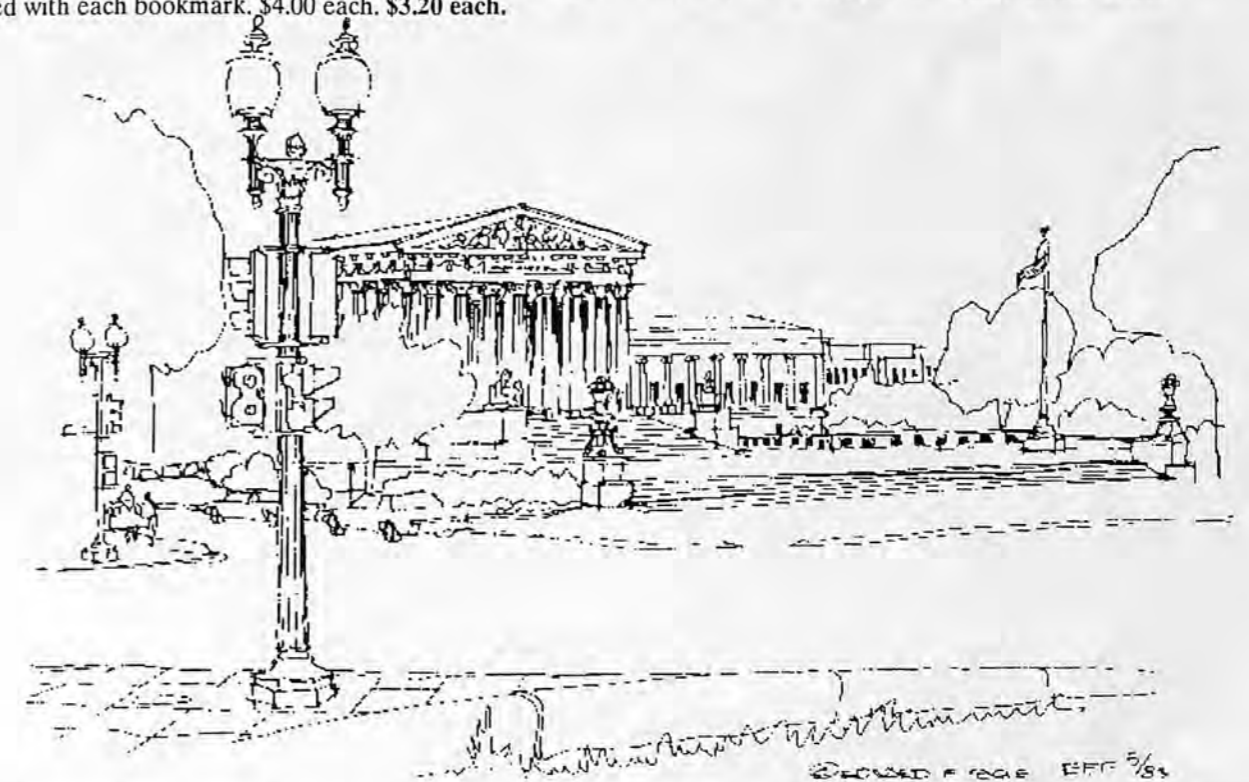
Item 344 Small Scales

Item 345 Large Scales

Scales of Justice These beautiful scales are made of solid brass, have brass ropes, and are capped with a majestic eagle. They are available in two sizes: the smaller is 11 inches tall, the larger is over 15 inches in height. Small: \$21.95. \$17.55. Large is \$42.95. \$34.35.

Item 720 Supreme Court Building Model Perfect for children or attorneys of any age. Our wooden model of the Court building measures 9 inches long and 2 3/4 inches tall. A highly detailed rendition of the front of the Court looks equally "Supreme" in the playroom or on any office bookshelf. Crafted of solid wood in the U.S.A. \$5.99. \$1.10.

Item 338 Bookmarks are finished in 24k gold over intricate metal cut work. Designs include: the seal of the Supreme Court, the U.S. Capitol, the Supreme Court building, and the Great Seal of the United States. A brief description and history of the design is included with each bookmark. \$4.00 each. \$3.20 each.



Photographs

Photos of the current Justices as individuals and as a group are sold in black and white and in color. All individual portraits are matted and measure 8 x 10, including the matte. Color group photos may be purchased matted (20 x 16) or unmatted (13 1/2 x 10 1/2). Glossy group black and white photos are available in 8" x 10" only. Please call for availability and pricing on all photos.

Greeting Cards

Item 29 A Holiday Greeting Cards These two cards, both measuring 5" x 7", are beautiful full-color photographic images of either the "Capitol in the Snow" and the "Supreme Court in the Snow." The pictures are non-religious and the greeting reads "Wishing you the happiness and joy of this beautiful holiday season and throughout the coming year." The rich colors in the photographs are enhanced by the accompanying blue envelopes. Specify Court or Capitol picture. Individual cards \$.80 each. \$.64.

Item 29 B Embossed Note Card This white on white notecard features a blind embossing of the Supreme Court building for an understated, elegant look. The card is blank and can be used either for correspondence or as a notecard. It measures 4 1/2 by 6 inches and comes with a white envelope. \$1.15 each. \$.92.

Item 29 C Note Card Our newest design (pictured below) features a black ink sketch of the Supreme Court building by Edward F. Fogle on heavy white stock with matching envelopes. A short description of the Supreme Court and the history of its building appears on the back of the card. \$1.15 each. \$.92.

Item 30 Holiday Card Our newest holiday greeting card features the Court in a classic folk art rendition by Carol Dyer. Warm and colorful, the multitude of activity on the Courts' front plaza brings back memories of old fashioned holidays with family and friends. Available in boxes of 12 with envelopes, it bears the inscription: "Warm Greetings and Best Wishes for a Joyous Holiday and a Happy New Year." \$9.95. \$7.95.

Artwork

Item 811 Court Building Lithograph This limited edition 22 x 28 inch lithograph by Carolyn Anderson is prepared on museum quality stock, and each print is hand signed by the artist and numbered. The picture is a handsome watercolor rendering of the Supreme Court building, showing the dome of the original Library of Congress building in the background. \$20.00. **\$16.00.**

Item 819 Small Watercolor **Item 820 Large Watercolor**
Handcolored Watercolors of the Supreme Court building by Andy Dedula are double matted with beveled edge mats and are ready for framing. Small picture is 8 1/2 by 7 inches; the large one is 16 x 20 inches. Excellent values at \$7.95 and \$11.99. **\$6.35 & \$9.60**

Item 807 Poster of the Supreme Court Building by Susan Pear Meisel. This poster was made for the 1980 Washington Art Show by Meisel, a nationally noted artist. The poster is done in bright, vibrant tones and has a contemporary feeling. For a limited time, these posters are available signed by the artist. \$12.95. **\$10.35.**

Item 808 Doors of Washington, D.C. This poster is one of a series featuring interesting and unique doors. It features the bronze doors of the Supreme Court building as well as those of many private residences and buildings throughout the District of Columbia, and presents a unique view of Washington. \$8.99. **\$7.20.**

Ordering Information

To order, please send this form along with your check, money order or credit card number and expiration date to: The Supreme Court Historical Society, #1 First Street, N.E., Washington, D.C. 20543. Attn: Gift Shop. Mastercard and VISA users may also order by telephone by calling (202) 479-3450, between 10:00 AM and 4:00 PM (EST) weekdays. Minimum credit card order is \$10.00. Please allow three to four weeks for standard delivery. Special rush orders may be possible. Please telephone for information and availability.

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Quality	Item Number	Description	Price Each	Total Price

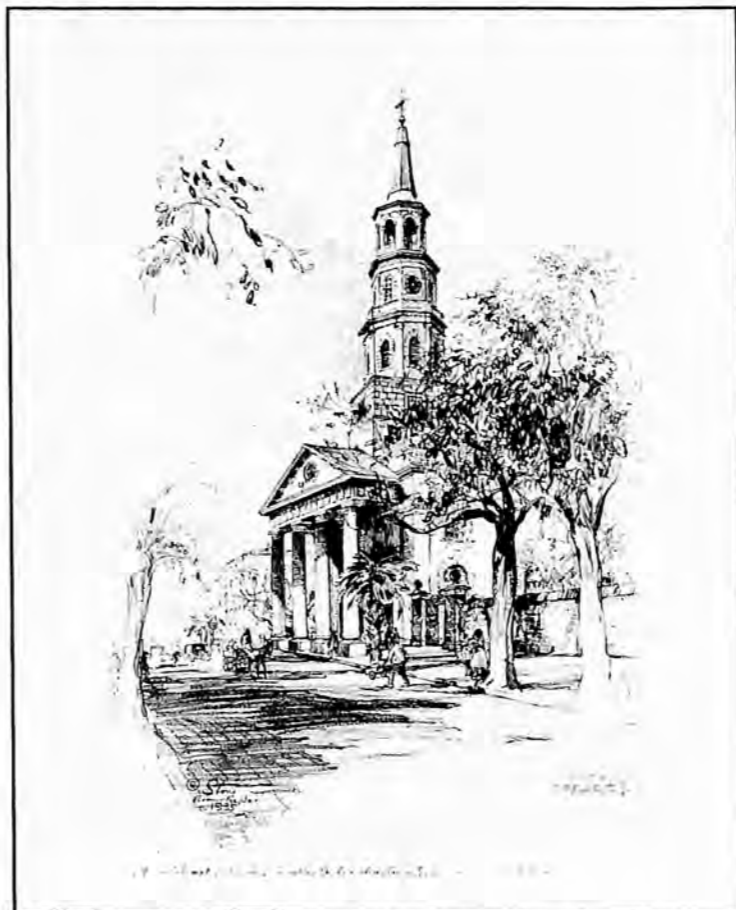
*Shipping available only in the continental U.S. Please notify us immediately of any damages or shortages.

	Sub Total
Shipping Charges: \$1.00--\$50.00 = \$3.75 \$51.00--\$100.00 = \$5.50 \$101.00--\$200.00 = \$7.50 \$201.00 and above = \$9.50	Shipping & Handling
	Grand Total

Charles Lee, Commander of the Southern Continental Army, to evacuate the vulnerable fort. Firepower from the fort and considerable good luck repulsed the British fleet, driving it from South Carolina's coast for nearly three years. A week after the battle was won, Rutledge's younger brother, Edward, who was a delegate at the Second Continental Congress, signed the Declaration of Independence in Philadelphia.

In March 1788 a new South Carolina constitution called for changing the republic to a state, the president to a governor without a legislative veto power, and for the popular election of both houses. Rutledge at first opposed it. Averse to simple democracy, he feared that the constitution was too liberal and precluded the possibility of reconciliation with Great Britain, but he resigned rather than fight it. His resignation was short-lived. The onslaught of British troops a year later prompted his election as governor and he was trusted with broad emergency powers.

When the British captured Charleston in 1780, Rutledge escaped to Philadelphia to fetch military aid. After reinforcements arrived, the British, led by Lord Cornwallis, were driven out of the Carolinas to Virginia, where they finally surrendered. Governor Rutledge quickly reestablished order in his state and, unable to succeed himself as governor, was elected to Congress in 1782. After a term in Congress, the well-respected lawyer got his first exposure to the judicial bench when he was appointed chief judge of South Carolina's new court of chancery. He had resisted two attempts to draw him back to the Confederate government, namely offers to serve as a federal judge or as minister to the Netherlands, because his private affairs had suffered greatly during the war and needed attention.



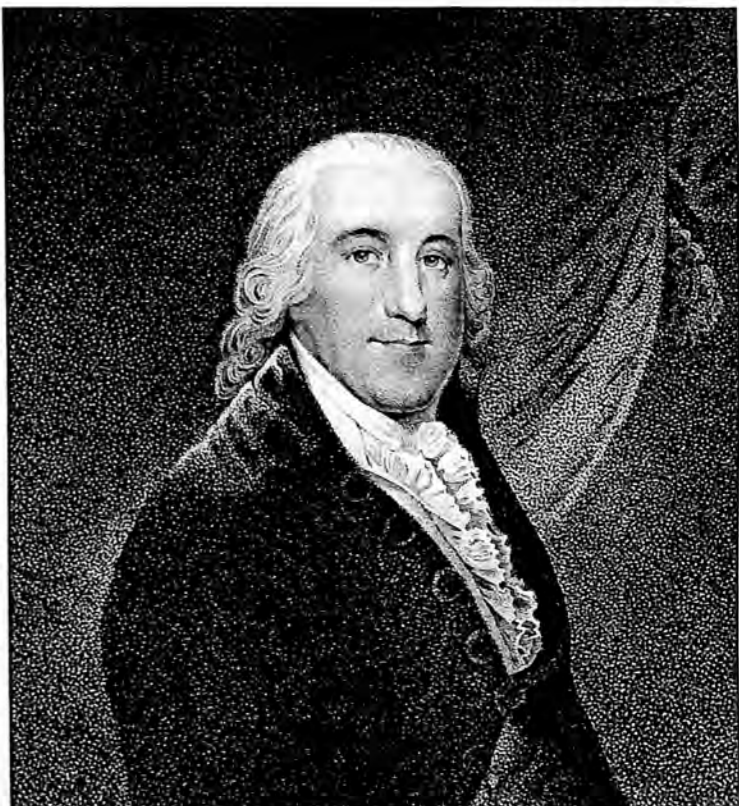
St. Michael's Church, a prominent landmark in Charleston, was the scene of John Rutledge's fiery oratory denouncing the Jay Treaty. Following his death in 1800, Rutledge was interred in St. Michael's Churchyard.

Although only one of a group of delegates sent by his state to the 1787 Constitutional Convention in Philadelphia, Rutledge's vast experience in government gave him a place of honor. William Pierce, a delegate from Georgia, described him as "a distinguished rank among the American Worthies...a Gentleman of distinction and fortune...but too rapid in his public speaking to be denominated a great orator." Rutledge was chairman of the Committee on Detail that proposed the first draft of the Constitution, and, with future Chief Justice Oliver Ellsworth, helped negotiate the compromise between large and small states.

Rutledge objected to strongly democratic proposals that allowed for direct representation by the people and he suggested that the number of representatives in the lower house correspond not to population but to "quotas of contribution" or taxes each state paid the national government. He supported property qualifications for elected officials, and opposed paying salaries to the upper house so that only the wealthy would serve there. Rutledge fought the ban on the slave trade by saying it was a question of commerce, not morality, and of "whether the Southern states shall or shall not be parties to the Union." When the final draft was completed, however, Rutledge heartily endorsed the Constitution and helped secure its ratification by a substantial majority in South Carolina.

President Washington seriously considered Rutledge for the post of Chief Justice on the newly-created Supreme Court. With many prominent Southerners already in the new government, the seat was offered to John Jay instead. A disappointed Rutledge settled for an appointment as the senior of five Associate Justices, and he took office on February 15, 1790. But, due to a debilitating attack of gout and a lack of cases before the Court, he never attended its first sessions in New York. He did, however,

—continued on page eight



In 1794, President Washington tendered Edward Rutledge an appointment as an Associate Justice of the Supreme Court which he declined. Had he accepted, he and John would have been the only two brothers to have served on the Court.

Rutledge (continued from page seven)

ride the first southern circuit with Associate Justice James Iredell, to consider motions for admissions of lawyers to the federal bar.

Lack of business before the Court, the long-distance travel required of circuit riding, and lingering irk at having been passed over for Chief Justice, combined to cause Justice Rutledge to question the wisdom of leaving his privileged position in South Carolina. He resigned in March 1791, to become Chief Justice of the South Carolina Court of Common Pleas. President Washington immediately tendered an unusual offer: in a joint letter he asked Rutledge's brother Edward, and C.C. Pinckney, scion of another powerful Charleston family, if either would replace John. In a joint reply to the President, both declined to serve.

As the prestige of the Supreme Court increased and Rutledge grew tired of hearing routine debt and estate cases, he came to regret his resignation. His wife had died suddenly in 1792, and he suffered serious financial reverses from unwise investments in merchant ships. Anticipating Chief Justice John Jay's imminent resignation from the Court, Rutledge offered his services to President Washington in a letter of June 12, 1795: "[W]hen the office of the Chief Justice of the United States becomes vacant, I feel that the duty which I owe my children should impel me to accept it, if offered: tho' more arduous and troublesome than my present station, because more respectable and honorable." Washington gladly tendered him an interim appointment, noting that he would get his temporary commission when he arrived in Philadelphia for the Supreme Court's August Term.

On July 16, 1795, probably before hearing of his appointment, Rutledge made a serious political gaffe that cost him dearly. In a meeting at St. Michael's Church in Charleston on July 16, 1795, he publicly denounced the provisions of the Jay Treaty as being so favorable to British interests that he would rather the President die than sign it. Outraged Federalists exaggerated the reports of Rutledge's political slight to Washington's administration, which backed the treaty, and circulated rumors of his mental unbalance. The President honored the temporary commission, however, and Rutledge presided over two cases during the 1795 August Term. When the Senate met in December, it rejected his permanent appointment by a vote of 14 to 10. The Philadelphia Aurora, a Republican newspaper, denounced his rejection as purely political: "It is the first instance in which [the Senate has] differed from [the President] in any nomination of importance, and what is remarkable in this case, is that the minority of the members on the Treaty were the minority on this nomination." Having been taken ill while performing circuit duties, Rutledge was in Charleston when news of the Senate vote reached him. He attempted to drown himself by jumping into the bay but was saved by two passing slaves. The former Justice became a recluse and suffered lapses of insanity until he died on June 21, 1800.

Rutledge's Nieces: An Historical Footnote



Sarah Grimke



Angelina Grimke

The Senate's refusal to confirm Chief Justice Rutledge was, largely speaking, the consequence of his outspoken advocacy of the unpopular Jay Treaty. Assumption of prominent and vocal roles in public controversies was a family trait he shared with his brother, Edward, who had put himself at risk as a signatory to the Declaration of Independence.

Uncommon for the time period, however, this family trait transcended boundaries of gender as evidenced in Rutledge's nieces, Sarah and Angelina Grimke, who attained fame in the North (and notoriety in the South) for their prominence in the abolition and nascent feminist movements during the 1830s. Historically intertwined with the Supreme Court through their familial connection, ironically the Grimke sisters themselves would spend much of their lives campaign-

ing for rights which anticipated civil rights cases in the Court for the next 150 years.

Both Sarah and Angelina Grimke were born in Charleston, South Carolina, converted to Quakerism, and adopted a strong aversion to slavery which led them to move to Philadelphia in the 1820s. It was there, in 1836, that Angelina penned her "Appeal to the Christian Women of the Southern States" followed by her sister's "An Epistle to the Clergy of the Southern States" which promoted both women to the forefront of the abolition movement.

By the end of the year, the sisters began lecturing on the subject and Angelina earned wide recognition within abolitionist circles for her powerful oratory. Vitriolic rebukes ensued from pro-slavery writers who condemned the sisters' abolitionist rhetoric and the sisters themselves for the impropriety of women assuming such active roles in political matters. Sarah responded with her "Letters on the Equality of the Sexes" (1837) which sought to identify attempts to constrain women's public activities with the moral bankruptcy of the pro-slavery movement.

Angelina Grimke married in 1838. Although both she and Sarah continued to support the abolition movement and women's rights to participate in formulating public policy, they ceased lecturing in subsequent years. Sarah died at age 81 in 1873. Angelina, who was thirteen years younger, lived until 1879. Both had survived to see the end of slavery in the United States and the beginning of a long struggle for civil rights which would occupy the Supreme Court's calendar throughout the next century.

Society Holds Dinner to Honor *Journal's* Board of Editors

Wednesday, January 3, 1991, the Board of Editors of the *Journal of Supreme Court History* met to discuss policy and future plans for the *Journal* (formerly the *Yearbook*). This marked the first occasion on which the Board of Editors were able to meet together. Participating in the meeting were Michael Cardozo, Chairman of the Committee, Professor Walter Gellhorn of Columbia University, Professor Craig Joyce of the University of Houston Law Center and Professor David M. O'Brien of the University of Virginia Department of Government. Those members of the Committee unable to attend were Professor Michael McConnell of the University of Chicago and Professor Charles Alan Wright of the University of Texas at Austin.

This distinguished group has given great service over the past few years in reviewing articles for publication and assisting in editorial work on the *Journal*. They have given generously of their time to perform this vital service to the Society. While most of the selective and editorial work will continue to be done by each individual in his own office, the meeting provided an opportunity for discussion of policy, as well as a forum for the exchange of creative ideas for improving the publication and ways to expand its readership.

Professor Cardozo requested opening up the discussion to include the members of the Publications Committee as well. Kenneth S. Geller, Chairman of the Committee, E. Barrett Prettyman, Jr. and Alice L. O'Donnell, members of the Publications Committee, joined the Board of Editors as did Society staff members Clare Cushman, David T. Pride and Kathleen Shurtleff for the meeting. A frank and open discussion was held covering a number of topics, including the process by which articles are reviewed and accepted for publication, editorial policy and methodology, ideas for increasing the circulation, appropriate indexing of the *Journal* and its articles, and assessing readership satisfaction and needs. Professor Joyce suggested conducting a readership survey to determine the specific interests and needs of the readers so that appropriate articles might be sought and given priority for publication. The Society hopes to implement this suggestion and plans are to distribute a questionnaire in the near future. We encourage members to submit articles for publication, as well as suggestions for topics of articles they would like to read in the *Journal* and the *Quarterly*.

As a special thank you for their service, the Society hosted a dinner that



Professor Michael Cardozo, Chairman of the Board of Editors for the Society's *Journal of Supreme Court History* addresses the guests at the dinner honoring him and his colleagues.

evening for the Editorial Board and Leadership Endowment Donors. Chief Justice Burger, Justice Powell and Justice O'Connor were also able to join the group for dinner. It was a pleasant evening honoring some of the individuals who have valiantly served and supported the Society.



Mrs. Cardozo (left), and Professor Cardozo (center) share a few moments of conversation after the dinner with Mrs. Griswold (seated) and Dean Erwin Griswold (right). The Dean attended the dinner in his capacity as Chairman of the Society's Board of Trustees.



Associate Justice Sandra Day O'Connor (right) talks with Noreen McGuire (center) and E. Barrett Prettyman, Jr., one of the Society's Vice Presidents and a member of the Publications Committee.

Membership Update

The following members have joined the Society between January 1, 1991 and February 28, 1991.
Names and honorifics appear as they do on membership applications.

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Mr. Warren M. Ballard, Philadelphia

New Members *(continued from page eleven)*

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The photographs used in the article on Chief Justice Rutledge are part of the Library of Congress collection. All other photographs in this issue of the Quarterly are taken from the Society's files.

Correction:

In a previous issue of the Quarterly we incorrectly reported the Term that C. Dickerman Williams clerked for Chief Justice Taft. Mr. Dickerman clerked for Chief Justice Taft during the 1924 Term.

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