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Teachers Get Supreme Knowledge

by Spencer S. Hsu
Washington Post Staff Writer

Former independent counsel Kenneth W. Starr recently briefed an unusual audience at the U.S. Supreme

try, local school officials hope to capitalize on the stock of experts in one of the world's great civics laboratories.

"Teachers love the pursuit of knowledge," said Roceal M. Duke, a social studies content specialist for D.C. public schools, who recruited instructors for the program. "The city is their classroom. When they go out on field trips, they're constantly applying what they see to what they teach."

Funded with a \$40,000 grant by the private Supreme Court Historical Society, which is seeking additional support, the new education program poses no cost to

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Elaine Todd (left), a teacher at Ellington School of the Arts, was a participant in the special program for DC educators sponsored by the Society. She is shown here at the party honoring participants with one of her students, Gary Fisher. They are conversing with Mrs. Thurgood Marshall.

Court. Instead of justices, jurors or the occasional U.S. senator, he talked to 20 District social studies and history teachers.

D.C. educators, in a quest to elevate the quality of classroom instruction, are enlisting high-profile help for a special semester-long teacher training session on the Supreme Court. Just as a trip to Washington crowns the academic year for thousands of students across the coun-



Trever Asam, who teaches at Paul Junior High School, and Candice Glenn, an instructor at Shaw Junior High School, spoke with Justice Kennedy at the reception honoring completion of the enrichment course.

A Letter From the President

Twenty secondary school teachers from the District of Columbia Public Schools listened attentively on May 3rd as Justice Kennedy pressed home the importance of improving high school students' understanding of constitutional history. A few weeks later, on June 19th, Justice Sandra Day O'Connor imparted some of her infectious enthusiasm for that topic to thirty more teachers from around the country. And, only a week later still another group of thirty teachers were beguiled by Justice Souter whose remarks, like those of his colleagues, made real the experience of learning first-hand about the Supreme Court and the rich constitutional heritage surrounding it.

All three events took place in association with the Society's commitment to educational outreach—the first as part of a two-year pilot program aimed at teachers in the District of Columbia Public School System—and the latter two culminating week-long seminars for teachers enrolled in the Society's Supreme Court Summer Institute for Teachers.

The Supreme Court Summer Institute for Teachers is an ongoing program that the Society sponsors in cooperation with Street Law, Inc. and Georgetown University. It started with thirty teachers who came to Wash-



Professor Jamin Raskin is the author of a new book devoted to assisting secondary school students comprehend the importance and significance of constitutional principles. His text, *We the Students*, was cosponsored by the Supreme Court Historical Society and is designed to provide a springboard for teaching about Supreme Court cases that are directly applicable to young people.

ington for a four-day course on the history of the Supreme Court. Those teachers returned to their own districts to convey their newly acquired knowledge and experiences to colleagues and students in their respective schools. As the program has attracted more funding, notably from the Park Foundation, the State Farm Foundation and the Hazen-Polsky Foundation, we have been enabled to expand the program to bring sixty teachers to Washington in two week-long sessions of thirty teachers apiece. Justice O'Connor, a loyal supporter of the program has labeled it "the most important of the Society's undertakings."

The D.C. School Initiative began this year with generous funding from the Park Foundation, the Cafritz Foundation, and a number of substantial gifts donated in honor of Judge Kenneth Starr, who together with other



Justice Anthony M. Kennedy hosted a reception honoring instructors and other faculty members of the District of Columbia Public School System. Justice Kennedy spoke of the importance of teaching constitutional principles to students.

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Justice Kennedy conversed with Gary Fisher, a student from Ellington School for the Arts. Each teacher who completed the seminar was invited to bring a student to the reception which was held in the West Conference Room of the Supreme Court Building.

practitioners before the Court, participated as instructors in the program. Like the Summer Institute, the Initiative is also co-sponsored by Street Law, Inc. as well as the District of Columbia Public School System which has incorporated the program into its continuing education regimen aimed at enhancing teachers' skills and resources.

Another instructor in the program was Professor Jamin Raskin of American University, whose own con-

siderable knowledge about the Court recently culminated in publication of his new book titled *We the Students: Supreme Court Cases For And About Students*, which the Society co-sponsored.

The Society modeled the D.C. School Initiative as a two-year pilot project. If it is successful we will attempt its expansion to encompass other school systems across the nation. Such an endeavor would necessitate strong regional support by Society members, additional administrative support and, of course, a substantial increase in the Society's financial commitment, but it is a tantalizing opportunity to broaden public understanding of the Court and the Constitution.

Elsewhere in this issue of the *Quarterly* you will find a reprint of a Washington Post article on the Institute that I urge you to read with some care, as well as with an eye toward how such a program might be transposed into your own area's schools. If you would be willing to share your thoughts with Program Committee Chairman Philip Lacovara, the Society would be grateful for your input. You can send correspondence to Phil in care of Jennifer Lowe at the Society's headquarters at Opperman House, 224 East Capitol Street, N.E., Washington, D.C. 20003, or via email to JennML@aol.com.

Leon Silverman

Trivia Quiz: Final Resting Places

by James B. O'Hara

Some Justices were laid to rest in cemeteries where other notable figures are also buried. Can you match them.

1. Name the Justice buried in the same cemetery with J. Edgar Hoover and John Phillips Sousa.
2. Benjamin Franklin is buried in the same churchyard as this Justice.
3. Name a Justice buried in the same cemetery as world heavyweight champion Joe Louis.
4. John C. Calhoun is buried in the same churchyard as this Justice.
5. This Justice shares a cemetery with Francis Scott Key.
6. This Justice's remains are in the same cemetery as those of CIA Director Allan Dulles and presidential assassin John Wilkes Booth.
7. Four Justices are to be found in the same cemetery as Henry W. Longfellow. Name any one.
8. These two Justices rest in the same cemetery as two presidents of the United States.
9. Alexander Hamilton lies in the same churchyard as this Justice.
10. The founder of the American Girl Scouts and the composer of "Jingle Bells" share a cemetery with this Justice.

"A Public and a Private Calamity"

The Reenactment of the Funeral Services for Justice James Iredell

On October 20, 1999 the James Iredell Association and the Historical Edenton State Historic Site sponsored a program commemorating the 200th anniversary of the death of Justice James Iredell. The opening event of the day was the laying of a commemorative wreath on the grave of Justice Iredell at the Johnston Family Graveyard at Hayes Plantation, just across a causeway from downtown Edenton. The wreath was laid by Secretary Betty Ray McCain of the North Carolina Department of Cultural Resources and representatives of the James Iredell Association and the Edenton Tea Party Chapter, D.A.R. The funeral reenactment, which included excerpts from Iredell's original 1799 funeral service, was presented in St. Paul's Episcopal Church in Edenton. Dr. Willis P. Whichard, a former Justice on the Supreme Court of North Carolina, and a biographer of Justice Iredell, presented a study of Justice Iredell. The text of his talk appears below.

James Iredell: A Look at the Private Man

by Willis P. Whichard

We gather in appropriate observance of the two hundredth anniversary of the death of James Iredell. I say "appropriate" because Iredell was, arguably, the most significant North Carolinian of the eighteenth century. Without question, his name would be prominent on a very short list of those from which that selection would be made. To view him merely as a North Carolinian would, however, slight him severely and be unduly provincial. During much of his life he was a truly national figure. Arthur Schlesinger Sr., an eminent late-twentieth-century historian, has ranked him—along with Elbridge Gerry, John Jay, George Mason, James Monroe and others—just behind the "giants" of the formative era of American history.

In considering your kind invitation to address this distinguished gathering on this significant anniversary, I concluded that the occasion calls for a look at the private man, not the public figure. My mind immediately turned to Bishop Pettigrew's address at the funeral, in which he characterized Iredell as "the tender and loving husband," "the kind and indulgent father," "the affectionate brother," "the humane master," and the "sincere"

and "familiar" friend. What can we say about these assertions, in the cold light of history, two hundred years later?

"THE TENDER AND LOVING HUSBAND"

Early in Iredell's American stay, his third cousin and closest English friend, Margaret Macartney, urged him to "guard your heart with watchful caution till you are better able to maintain a wife and family." Another cousin, Henry Eustace McCulloh, whose port collectorship Iredell had assumed, likewise exhorted him to constrain his youthful passions until he could afford to give them sway. "Your time of life," he counseled, "is the hour of application and reserve." The impatience of young love would brook no such delay, however. Iredell's collector duties and his obligations to his family in England did not deter a fervent courtship of Hannah Johnston, sister of his law teacher and general mentor, Samuel Johnston. Every moment apart from her distressed him, he said, and "filled him with anxiety I can scarce support." He "behaved to[ward] her with a particularity of attention that . . . engaged the eyes of the



The 200th anniversary of the death of Justice James Iredell was commemorated in St. Paul's Church in Edenton, North Carolina. The Church, shown in this picture, is largely unchanged from the days when Iredell was a parishioner.

world." "[H]er affections are engaged," he said, "and a thousand agreeable circumstances which crowd upon my memory convince me I am the happy owner of them."

Marriage failed to diminish Iredell's ardor. More than four years later, he still found any absence from Hannah "dreadfully disagreeable." He could not read or write when wishing for her. On the fifteenth anniversary of their union, he continued to revel in his state of blessedness. The day, he said, had united him "to one of the best of wives and most excellent of women." "May God be praised for his goodness in preserving us so long together," he continued, pledging his every hour to making her "as happy as possible."

While most of the surviving evidence indicates that the relationship was close, loving, and devoted on the part of both partners, it was not tension-free. In 1779 Iredell did something that deeply offended Hannah and strained their association over a period of months. Hannah was hurt, and her manifestations of the wound, combined with Iredell's own conscience, anguished him greatly. He was quite penitent and prepared to devote his entire future life to atoning for the past. He prayed that he would not cause her such pain again and begged her, "[f]or God's sake, banish me not forever from your confidence and regard."

Banish him she did not. When tensions entered the marriage at other times, they arose largely from Iredell's frequent and prolonged absences, either in the practice of law or the public service. The Supreme Court years only exacerbated the separation angst, for they enhanced both the distances between them and the intervals be-

tween reunions. Mail was extremely important to both spouses, and each found absence of letters from the other painful.

James and Hannah Iredell epitomized the aphorism that "opposites attract." Iredell was the consummate *bonhomme*, who clearly liked people and thrived on social situations. Hannah, by contrast, was reticent and retiring. By her own admission, she was "never . . . intended to move out of the circle of my own family" and "almost as helpless as a child amongst strangers." That introspective nature made Hannah's life in the new nation's capital miserable. She incurred "social debts" and wondered where she would get "the spirits" to pay them without Iredell there to accompany her when he was traveling the circuits. Writing to him and attending to her children, not socializing in the nation's capital, would be her "most pleasing amusement" in his absence. Hannah, indeed, steadfastly resisted James's importunings toward the social scene. "I have made no visits," she would inform him emphatically. He could not make a "fashionable woman" of her, she said, and thus should resettle her

in Edenton to attend to her children and visit others only on the rarest of occasions.

Episodic tensions and differences notwithstanding, the answer to Hannah's question—"could you wish a more obedient wife, my dear Mr. Iredell?"—was clearly "no." And the answer to the question of whether Iredell deserved Bishop Pettigrew's appellation as "the tender and loving husband" is clearly "yes."

"THE KIND AND INDULGENT FATHER"

For more than eleven years, the Iredells' marriage



James Iredell was, arguably, the most significant North Carolinian of the eighteenth century. But he was for much of his life a truly national figure as well, serving as a delegate to North Carolina's first ratifying convention where he fought for the adoption of the Constitution, and later serving on the Supreme Court. This portrait by noted engraver Charles Balthazar Fevret de Saint-Memin, dates from 1799.



Iredell conducted a fervent courtship of Hannah Johnston, sister of his law teacher and general mentor, Samuel Johnston. The couple married in 1773. Terming their absences from one another "dreadfully disagreeable," the couple were dedicated correspondents when Iredell was away from home.

was barren. Their first child, a boy named Thomas, was born October 1, 1784. Iredell evidently shared news of the expectancy with his friends very early in the gestation period. Almost eight months before the infant's appearance, William Hooper, a signer of the Declaration of Independence and a longtime Iredell friend, sent the prospective father his congratulations "upon the happy addition to your family." "May it be the forerunner and harbinger of many such causes of rejoicing," he said. Fortunately, other such "causes of rejoicing" would materialize, for this one soon turned to profound grief when the child died two days after its birth. The loss affected Iredell appreciably. It left "a settled melancholy in his countenance, which he in vain endeavors to dispel," said Hannah's cousin Penelope Dawson. "Good heaven," she lamented, "why was his hope so raised to be blasted again in a moment." The joy of other children soon quelled the nightmarish anguish Iredell suffered at the loss of his firstborn. Except for a miscarriage Hannah experienced in the summer of 1794, the black angel of death that then hovered so menacingly near all children did not darken Iredell's doorway again during his lifetime.

On December 22, 1785, Annie Isabella Iredell first graced her parents' household. She was named for Hannah's sisters, one of whom had died suddenly in 1766, a few days before her impending wedding to Joseph Hewes, later a signer of the Declaration of Inde-

pendence. Nelly Blair, Hannah's niece, soon told the oft-absent father what a spirited youngster he had. Annie was "the property of the whole family," Nelly wrote, "in high spirits at play," walking "about as stout as anybody," and saying "yes and no and two or three other words quite plain." Iredell, ever mindful that death tarried near, wondered how he would live without Annie. She had increased both their happiness and their anxiety, he told Hannah. As he traveled, the mail had enhanced significance now. He eagerly sought news of the "little angel"; his love for her was "unutterable," and he longed to see her. When she learned to write, he thrived on her "charming" letters and hoped she would favor him with them frequently.

On November 2, 1788, when Annie was not quite three, a brother named James further enlarged the Iredell household. James proved to be a fine boy. By the time he was three, travelers from Philadelphia to Edenton dwelt "with rapture on the perfections of Master James." The child grew "very fond of his book" when he went to school. His position at the head of his class delighted his doting father, who reported himself "very near telling it to several." "Tell the dear little fellow it has made me very happy," Iredell instructed Hannah, "and I hope he will keep his place." Iredell's "heart glow[ed]" when Samuel Johnston called ten-year-old James "the finest boy [I] ever knew at his age." Johnston's son James told his young cousin, "you cannot think of the pleasure it gives your affectionate father to hear every person speak so highly of you."

The last child arrived almost two years after Iredell's Supreme Court appointment. Helen Scrimseure Iredell, named for Hannah's mother, was born January 19, 1792. Needless to say, Iredell adored this child as well. He bought her a hat and a doll, promised sugar plums and another doll, and committed to "a very pretty book" when she could read—indeed, promised not to forget her whenever he had money to spare.

As his family grew, Iredell began to refer to his children in multiples or collectively, sending tenderest love and warm kisses to all. He bragged to relatives about Annie and James. All were "most promising children,

and he claimed that he "could not desire finer children than heaven has blessed me with." It bothered Iredell that he was away when his children began school. Despite absence, he followed their academic progress with interest and concern. His concern extended to his children's health, and he dreaded the loss of both Annie and James to illness. Perhaps prompted by his keen sense of their susceptibility to disease and death, Iredell lavished his tots with gifts. He wanted Hannah to post him on "the wants and wishes of the dear children." He would send Annie a locket, James a drum, and Helen a book. There was calico and other materials to be used in making clothes for the children. There was an umbrella for Annie, a copy of *Robinson Crusoe* for James, and a picture for Helen. "I can never go about anything with greater alacrity than obliging my dear children when they are good," Iredell would say as he listed for Hannah the items he was sending.

Notwithstanding occasional shortcomings as a father, largely because of preoccupation with public responsibilities, Iredell clearly doted on his children and cared for them well. Without question, Bishop Pettigrew's funeral oration depicting him as "the kind and indulgent father" is apt.

"THE AFFECTIONATE BROTHER"

Iredell had four brothers. Two of them died while he was attaining fame across the sea. Francis, the oldest, died in 1772 at age twenty, cause unknown. Charles, the next oldest, was killed in action in 1782 or 1783, at about age thirty, while serving as a midshipman in the British navy against the French in India. Little is known about Iredell's relationship with the two siblings except that he grieved deeply over their passing.

Iredell's two youngest brothers, Arthur and Tom, outlived him, and extended absence did not abate his affection for them. Sixteen years after Iredell's arrival in America, the youngest brother, Tom, joined him here. Arthur had earlier conveyed to Iredell his concerns about their younger sibling. The military experience, Arthur thought, was always detrimental and had been so with Tom. "He has naturally a liveliness and propension to gaiety which a military life has indulged," Arthur wrote, "& how far he will be able to turn his mind to any serious pursuit, much less to habilitate himself to severe application, may well be a question." Tom's manners, Arthur said, were somewhat tainted. He had, though,

Arthur said, a very good, if uncultivated, head, and an excellent heart.

Iredell took Tom in despite the fact that it left him with no spare room in his house. Tom's early comportment and commitment to his studies exceeded expectations, especially, Iredell said, in "the dry study of my profession." Tom served as master and clerk of the Edenton superior court in the 1780s and 1790s. Iredell was pleased, not only with Tom's behavior and application to studies but also that Tom's "health, thank God, is also perfectly good."

Unfortunately, the health report would change. Tom appears to have acquired a fairly unremitting form of rheumatism. Iredell informed their uncle, also named Thomas Iredell, in March 1790: "My poor brother Tom has had the rheumatism with extreme severity almost the whole of this winter. He is now getting better, but I greatly fear it is a chronic disease fixed upon him more or less for life." Iredell was sadly prophetic, for Tom's complaint remained recurrent. By the winter of 1792, Iredell was informing their brother Arthur that Tom's prospects were "not very good, he having thought proper to quit the profession of law altogether." Over the years, while on their journeys to the North, Iredell and Samuel Johnston bought sarsaparilla, opium, and laudanum with which to relieve Tom's pain. As commonly occurs, health problems adversely affected Tom's life generally. The promise evidenced early in his American stay van-



For most of his adult life, Iredell maintained a home in Edenton (shown above.) He made a brief attempt to relocate Hannah in Washington after his appointment to the Supreme Court, but she was extremely unhappy. By her own admission, Hannah claimed that she was "never . . . intended to move out of the circle of my own family."



Iredell developed a strong bond with his Supreme Court colleague James Wilson (left). Wilson's years on the Court were marred by severe financial difficulties occasioned by ventures in land speculation. At the time of his death, Wilson's widow could not even afford to purchase a burial plot. Moved to pity by her plight, Iredell provided a burial place for his colleague in the Johnston Family Graveyard.

ished, and he appears to have lived largely indisposed and inactive and at least somewhat at Iredell's expense.

James Iredell's other brother, Arthur, could have been Dickens's model for Pip in *Great Expectations*, for, like Pip, he spent much of his life awaiting a pecuniary expectancy. The brothers' wealthy bachelor uncle, Thomas Iredell, reacted quite negatively to James's involvement on the American side in the Revolution and disinherited him in favor of Arthur. The death of his uncle in 1796 and the resulting slight of disinheritance, even though long anticipated, nevertheless affected James greatly. He was hurt by his uncle's persevering mistreatment of him, he told Hannah; and the omission of a legacy for Tom, who "had done nothing to offend him," was cruel.

As he often did, Samuel Johnston offered Iredell perspective on the matter. Having heard that the uncle "had once made a declaration to that purpose," Johnston said, the actual disinheritance was hardly surprising: "Whenever old men form a resolution founded on religious or political prejudices, however erroneous or unjust, they have seldom courage or liberality enough to alter it, even though sensible of their error. Had your uncle been forty years younger, I am inclined to think that he would have acted otherwise." Despite that matter, which Arthur appears to have encouraged, and despite Arthur's well-documented perfidy in sending their alcoholic mother to James's household without even a

hint as to her condition, James demonstrated his magnanimity by maintaining a close epistolary relationship with this sibling throughout his life, save only during the Revolutionary War, when political events severed the connection. Each craved communication from the other and upbraided the other when it was not forthcoming. The delight from Arthur's letters was inexpressible, James said, as was his anxiety for Arthur's welfare.

Arthur kept James posted on the status of his clergy career and sought his investment advice, particularly regarding tracts of land in America. He clearly idolized his brother. Even before James's Supreme Court appointment, Arthur noted that his brother's conduct had always brought credit both to himself and the family. The judicial selection brought new "triumph" in his sibling's success. He craved information about his

brother's work and his politics. The respect in which James was held, Arthur said, was "highly flattering to me, who so well know your worth, & most sensibly feel every event in your life."

From the time they resumed communication following the Revolutionary War until shortly before James's death, the brothers continuously expressed their desire to see one another again. Both lamented the separation, but neither managed to separate himself from his own affairs so as to make a visit to the other possible. Arthur even contemplated moving to America to be near James, but neither a visit nor the move materialized. Sadly, the reunion for which the brothers hankered never occurred. Arthur continued to perform clerical duties in the South Mall area of England through the late 1790s while simultaneously managing his hereditary properties in Jamaica. He died in Jamaica from a "bilious fever" on November 4, 1804, five years after James's demise. Without question James Iredell was, as Bishop Pettigrew asserted, "the affectionate brother."

"THE HUMANE MASTER"

James Iredell, along with Washington, Jefferson, and other leaders of his time, embodied the haunting moral contradiction inherent in the simultaneous personal abhorrence of slavery in principle and the actual ownership of slaves. Jefferson perhaps described the dilemma best when he said it was like having a wolf by the ears

you could afford neither to hold on to it nor to let it go. As a Revolutionary-period essayist, Iredell eloquently attacked the concept of human slavery. While he was addressing the political slavery of the American colonies to Great Britain, the relevance to individual human bondage of the thoughts expressed could hardly have escaped him. And, in his advocacy of ratification of the Constitution, he could not have articulated his opposition to the institution of human slavery more clearly. Still, throughout his adult life he used slaves extensively in his work and in personal and family matters. While he clearly manumitted some, he still owned others at his death, as did Hannah at hers twenty-seven years later. As a lawyer, he handled the sale of slaves for clients.

One slave in particular is an integral part of the Iredell saga. Peter was Iredell's traveling companion for more than twenty years. Their devotion to one another is conspicuous. Iredell reported to Hannah on Peter's health almost as often as on his own. He cared for Peter virtually as he would have a child. He exercised every precaution for Peter's health and would not make him travel unless convinced it could be done "with perfect safety." He often asked Hannah to tell Peter's "wife," Sarah, that Peter was well. In turn, Peter attended Iredell in illness "with the greatest tenderness and care." When the Iredells moved in 1790 from Edenton to New York and soon afterward to Philadelphia, they took their servants with them. The family returned to Edenton in the fall of 1793,

however, leaving Peter behind in Philadelphia, along with two other slaves, Edy and Dundee. It is evident that Iredell manumitted these three. Peter made his living thereafter by cutting wood, but he continued to attend Iredell when the former master was in the capital. Iredell paid Peter more for assisting him during those brief periods than Peter received from his other work during the remainder of the year. Iredell likewise concerned himself with the welfare of Edy and Dundee during his return trips to Philadelphia. Another slave, Hannibal, accompanied Iredell on some of his travels, and Iredell cared for him as well. He "answers every purpose I could wish for," Iredell said.

Substantial evidence, then, supports Bishop Pettigrew's claim that Iredell was "the humane master." Nothing in the surviving historical record in any way impugns it.

THE "SINCERE" AND "FAMILIAR" FRIEND

"As a friend," said Bishop Pettigrew, "he was sincere and transparent, easy and familiar." James Iredell was, indeed, a good and beneficent friend to many. Certain of his friendships clearly were special, William R. Davie's among them. Theirs was an easy intimacy, forged initially in the courthouses of North Carolina and strengthened by their joint efforts in the long and difficult struggle to secure ratification of the federal Constitution. Perhaps sensing that his demise was imminent, shortly before his death Iredell had a portrait made in Philadelphia and sent copies to Davie and other friends. It was "a fine likeness," Davie responded, "and nothing could have been more acceptable."

Iredell and Davie would have been pleased if they could have known that in 1836 North Carolina would form a new county, adjacent to the one bearing Iredell's name, and name it for Davie. In life they had stood together in many endeavors, foremost among them the ratification of the Constitution and the founding of the University of North Carolina. In death their principal memorials would now exist side by side in perpetuity.

Iredell's friendships with William Hooper and his wife Ann were equally noteworthy. Early in Iredell's legal career, Hooper, soon to be a signer of the Declaration of Independence, saw himself as "much the gainer in intellectual improvement and amusement" from the association. Iredell, though, received more tangible benefits from the affiliation. He was a frequent guest in the

On October 20, 1999, a commemorative wreath was presented at Justice Iredell's grave by Denise Iredell, whose husband is a descendant of the Justice's brother, Arthur. John Smith of the James Iredell Association assisted in laying the wreath.



Back Jackson, Historic Sites Section of the NC Dept. of Cultural Resources

Hoopers' home; indeed, they forbade him to stay elsewhere when he was in their vicinity. He said he could not be happier except when with his own family.

Iredell was a sensitive man who felt the loss of friends keenly. "My disposition is not such," he said, "that I can feel such a situation with indifference." From his own experiences with grief, Iredell perceived the wisdom in Davie's comment to him that "there is something in the sympathy of a friend which can be gotten from no other source." As a consequence, he was truly kind and sympathetic to those who mourned.

Iredell's kindly, sympathetic friendship found its most notable expression in the tragic, poignant circumstances surrounding the death of his Supreme Court colleague James Wilson. Early in their joint tenures, Iredell developed a special fondness for his new associate. When Iredell made his acquaintance, Wilson was a widower, his first wife having died in 1786. In 1793, at age fifty-one, Wilson married Hannah Gray of Boston, who was nineteen. Lamentably, the new groom would soon suffer financial reverses that would lead to his ruin and untimely demise. Wilson had speculated extensively in undeveloped lands in several states. Like other speculators of the period, he began to default on his loans. He was soon writing his son for bail money and reporting that he was being hunted like a wild beast. As Wilson approached death, he was so destitute that neither he nor his young wife even had clothes sufficient for circuit travel.

Iredell and his family were pained observers of their friend's decline. Approximately six months before his death, Wilson settled on Iredell's hometown of Edenton as a sanctuary from his creditors. His economic distresses were taking an inexorable toll. Iredell returned from the August 1798 court term in Philadelphia to find Wilson "speechless." Wilson died soon thereafter, almost certainly at Horniblow's Tavern. His destitution was so severe that the family could not afford to return him to Philadelphia for interment. The Johnston cemetery at Edenton thus accommodated the remains for more than a century. In 1906 Wilson's body was disinterred and ceremoniously returned to his home state for reinterment at Christ Church, Philadelphia.

Wilson's death did not end Iredell's involvement with his affairs. He urged prompt filling of the Court vacancy, and he continued to comfort and assist the bereft family and widow. The young widow lived in

Iredell's home for several months while recovering from her ordeal and settling her husband's affairs in Edenton. Three months before his own death the next fall, Iredell was still assisting the family, remaining especially attentive to Mrs. Wilson.

There is a twentieth-century sequel to the Wilson-Iredell story. In the 1930s the Pennsylvania Bar Association presented a portrait of Wilson to the Supreme Court of the United States upon the dedication of the Court's new building and suggested that the North Carolina bar do the same for Iredell. It was the Depression era, and North Carolina bar leaders responded that funds simply were not available for that purpose. As a consequence, a portrait of Wilson hung at the Court for four decades before a likeness of his distinguished friend and compeer joined it. Only in 1976, under the leadership of Chief Justice Warren Burger and in conjunction with the celebration of the nation's bicentennial, was a portrait of Iredell commissioned and presented to the Court. The Wilson and Iredell portraits now hang near one another in the Court's Early Justices Hall.

To Davie, the Hoopers, the Wilsons, and many others, James Iredell was indeed "[a]s a friend . . . sincere and transparent, easy and familiar."

Human life hung by a precarious thread in late-eighteenth-century America, and death, that "[d]ark mother ever gliding near with soft feet," came to Iredell before he had fully bloomed. Even at a tender age, he had reflected pensively upon that inevitable eventuality. "Death has been very busy in his attacks of late—perhaps, in turn, he may pay me a visit," he wrote at age eighteen, adding fatalistically: "If so, God's will be done. Let me endeavor to regulate my conduct in such a manner as to have no gloomy fears at his approach." A lifelong proclivity for nettlesome minor illnesses may have prompted these ruminations. Shortly before age nineteen, he described himself as "very unwell." The following year he informed his mother that he had been "more severely [ill] than I ever was before." As an adult, he frequently endured colds, fevers, intestinal complaints, and stomach disorders. He suffered from rheumatism, an eye inflammation, and a near-fatal attack of cholera morbus. The primitive state of late-eighteenth-century medicine worked against him. He treated his complaints with bark, bitters, chicken water, cream tartar, magnesia, rhubarb, salts, and snake root. An occasional "bleeding" was a supposed safeguard to protect his health while travel-

ing. More-curative medicaments were then unknown. Geography likewise was not in his favor. Edenton was at least widely believed to be "a most extreme unhealthy spot; trying beyond measure to the best constitution." The tug of Edenton kept him there, though, notwithstanding substantial importunings to move westward.

Probably the foremost enemy to Iredell's physical well-being, though, was neither the primitive state of medicine nor geographic location, but the man himself. An abiding penchant for hard work on the part of one so frailly constituted could hardly have been salutary. There clearly was a drivenness about the Iredell persona that militated against robust good health. He lived under constant pressure and time constraints. He was "very quick in his walk and movements," a man of "gravity" who never did things "by halves."

Almost fourteen years before Iredell's death, a physician friend chided him about his physical habits, and a relative reported the doctor as "very particular in his inquiries about . . . [Iredell's] health." Others who knew the man shared the medic's concerns. Iredell's life-style remained largely unchanged, however, especially on the federal circuits. Without question, these endeavors eroded his health and contributed significantly to his early demise.

Although Iredell's final summons arrived rather suddenly, premonitions that the Grim Reaper's process soon would be served were plenteous. Over the last few months of his life, health-related complaints were common. Indeed, Iredell must have known that he was failing. The Philadelphia winter had been severe, making, he said, for "abominable walking" and thereby further diminishing his already too-limited physical exercise.

A sense that his brush with mortality loomed near may well have impelled his largess in sending his portrait to numerous friends during that last excursion to the capital city. When he later postponed the May 1799 court in Richmond to an appointed day in June, he carefully hedged a commitment to "certainly be there" when the court reconvened, with the caveat "if I am alive and well." The futility of his June effort to recover his strength at

Richmond and proceed to Philadelphia also must have told him something, for he returned home to give assiduous devotion of waning strength to his unfinished legal treatises.

"Old Time, that greatest and longest-established Spinner of all," ceased to weave for Iredell on October 20, 1799, early in his forty-ninth year.

The shock of Iredell's departure would pain his family and friends well into the future. They perhaps could have found solace in the words of one of his mourners, the president who had appointed him to the Supreme Court, as expressed to Henry Knox upon the death of Knox's son. "He that gave, you know, has a right to take away," said Washington, "his ways are wise, they are inscrutable, and irresistible."

Today, as Edenton is once again draped in black in observation of the bicentennial of the death of its most famous son, perhaps we can find solace in these words as well. We should also heed Shakespeare's advice: "Do not let your grief be measured by his worth, for then your sorrow has no end."

Editor's Note: Mr. Whichard, dean of the Norman Adrian Wiggins School of Law at Campbell University in Buies Creek and previously an associate justice of the North Carolina Supreme Court, is currently working on a biography of James Iredell. This article was originally printed in Carolina Comments.



Justice Willis Whichard (center) a biographer of James Iredell, presented a paper "James Iredell: A Look at the Private Man" at the funeral reenactment. John Collins Sykes' (left) paper considered funeral customs in Eighteenth-Century Albemarle County. Donna Kelly is the editor of the forthcoming volume III of the Papers of James Iredell.

Supreme Knowledge (continued from page one)

D.C. taxpayers. About 60 of the city's 300 social studies instructors have applied for the course, which is taught by Street Law Inc., a nonprofit legal education group. Teachers receive a small stipend, credit for in-service recertification or graduate degree credit at Trinity College.



Jamin Raskin (center) and his wife Sarah, (left) and Mrs. Thurgood Marshall discuss his book *We the Students: Supreme Court Cases for and About Students*, at a reception honoring the DC Public Schools Initiative. The textbook was used by instructors during the course of study.

The 12-week syllabus borrows liberally from court decisions likely to stir interest, including disputes over search and seizure of youths, sexual harassment, freedom of expression and religion in the schools, privacy issues and discrimination. It also offers sessions on voting rights and District history and a guide to Internet tools.

The course this spring features a presentation by American University law professor Jamin B. Raskin, architect of the suit seeking District voting rights in Congress. There will also be an evening reception at the Supreme Court hosted by a justice, with each teacher enrolled in the program permitted to bring a student.

Starr declined an interview request to talk about his class lecture, but those who attended said the former U.S. solicitor general addressed a number of courtroom controversies—though not his famous investigation of President Clinton. Supreme Court policy excludes reporters from events not sponsored by justices, so Starr's March 27 talk at the court was closed to the media.

David T. Pride, executive director of the nonprofit historical society, said part of the program's funding came from friends of Starr as a gift in his honor.

"We've learned that only 12 percent of colleges and universities in this country offer constitutional history as a course," Pride said, calling that "pretty shocking" to members of the historical society, which was created to broaden understanding of the least-known branch of government. "Familiarity doesn't exactly breed contempt, but ignorance I think can breed disdain."

Teachers praised the rigor and sophistication of the class. They said instructors supply cases, Internet sources and other materials that teachers can use in their classrooms. And students, they added, have a natural interest in the law, albeit sometimes an adversarial one.

"My students are very concerned about their rights," said Carlton Funn, who teaches eighth-grade American history at Hine Junior High School in Southeast Washington. Each year when lessons turn to the nation's judicial system, Funn said, their hands go up.

"When they go to a store, they don't want to be followed," Funn said. "It's the first thing they talk about."

On a recent rainy afternoon, after teaching their own classes, 15 D.C. teachers in the course filed in to Room



Justice Anthony M. Kennedy (left) spoke with Judge Kenneth Starr (right) (Lindsey Jensen appears in the background) during the reception honoring teachers from the District of Columbia Public School System. Judge Starr taught during the seminar. He also teaches once a week in a public school in Anacostia.

111 at the aging Logan Middle School behind Union Station. They shook out their coats and munched on slices of deli meat, chocolate chip cookies and lemonade in small plastic cups. The instructor's voice carried over a roaring window fan.

Seated in a U-shaped arrangement of desks, the teachers began a three-hour discussion about freedom of expression in the public schools—sort of a cross between a PBS round-table and the 1973 law school film "The Paper Chase." Instructor Judith A. Zimmer played John Houseman's professor role.

This day's lesson focused on the influential 1988 case involving a St. Louis high school, *Hazelwood v. Kuhlmeier*, in which the court affirmed the right of the principal and school administrators to censor articles on teen pregnancy and divorce in the school-supported paper.

"What were the facts in theinker case?" Zimmer asked, interrogating her charges. "What's being weighed here? What was going on in the Hazelwood case?"

Paul Grady was game. "The school class had a newspaper and they wanted to print some information, and some of that information was about someone's pregnancy and someone's father," said Grady, a history and government teacher at Oak Hill Academy, the school for D.C. students confined to the juvenile detention facility in Laurel. "The principal said no. . . . The question was whether the students' freedom of speech was violated by not letting information in the newspaper be published."

That answer displeased many of the teachers in the class, one of whom objected aloud. "If I were the teacher who published the paper, I would want the students to have more control of the newspaper," said Simeon Stolzberg, 29, a first-year U.S. history teacher at Roosevelt High School in Northwest Washington. "They learn from that how to publish without having someone

tell them what they ought to write and say and think."

Should a seventh-grade student be allowed to write a junior high school newspaper review of the R-rated 1988 film "Mississippi Burning"?

Nope, that's a school-funded activity under the discretion of the principal, and it might promote underage moviegoing, said Tom Graham, a 20-year education veteran who teaches

American history at Cardozo High School in Northwest Washington.

Can a school board cancel a high school production of "Hair"—with its partial nudity—even after students have rehearsed, advertised and sold tickets?

You bet. A drama class's work is part of the school's curriculum, said Patricia West, chairwoman of social studies at Johnson Junior High School in Southeast



Justice Kennedy talked with Dana Bedden, Principal of the School Without Walls Senior High School. Two instructors from Mr. Bedden's school, Sylvia Isaac and Tanga Lewis, successfully completed the seminar program.

Washington.

And what about the student who slipped some sexual innuendo into a speech nominating a friend for a student council seat? He's suspended, said Sylvia Isaac, a 13-year teaching veteran at the School Without Walls high school in Northwest Washington, whose answer won agreement from the strict crowd.

"Students have to be monitored, and some of their actions are inappropriate," said Isaac, an Advanced Placement government teacher. "This is a school function, it operates under the school's curriculum and it's inappropriate. Teachers are setting the tone."

Quipped Zimmer: "In law school, there's a lot of law review articles about prisons and schools. Those two are used in the same sentence, and not by accident."

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West, Patricia
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Williamson, Delores

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Millman, Laura D., Gaithersburg
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Patterson, Christine E., Frederick
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Wald, Martin, Bethesda
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Scott, Donald G, Kansas City
Spalty, Edward R., Kansas City
Vering, John A., III, Kansas City
Vuylsteke, Kenneth K., St. Louis
Whisler, Joe B., Kansas City

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Leahy, Mary Susan, Concord
Robinson, Kathleen M., Portsmouth

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Brown, Samford D., West Allenhurst
Lebowitz, Alan R., Chatham

New Mexico

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Cline, John D., Albuquerque
Gottlieb, Stuart L., J.D., Albuquerque
Hanson, Robert, Albuquerque
Mann, Russell D., Roswell
Michener, Roger E., Placitas
Mullins, Cerianne, Albuquerque
Shoobridge, William, Hobbs

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Candrea, Jeremiah Haley, New York
Esterhay, Susan E., New York
Hausler, Sanford, Brooklyn
MacAvoy, Janice, New York
Schatz, Philip R., New York
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Gardiner, Carole A, Asheville
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Michaels, Paul J., Raleigh
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Trivia Quiz: Answers Final Resting Places

1. Justice Philip B. Barbour is buried in Congressional Cemetery, Washington, D.C. with Hoover and Sousa.



J. Edgar Hoover (left) is buried in Congressional Cemetery, as is Justice Philip B. Barbour. In this photograph Hoover is shown with Justice Hugo L. Black prior to a swearing-in ceremony at the White House. In the early days of the Coolidge administration, Hoover was appointed to run the newly revamped Bureau of Investigation within the Justice Department by then-Attorney General, Harlan Fiske Stone.

2. Justice James Wilson is buried at Christ Church, Philadelphia, PA., along with Franklin. Franklin and Wilson are also members of a very select group who signed both the Declaration of Independence and the Constitution.

Justice Wilson is now buried at Christ Church in Philadelphia, PA. near Benjamin Franklin. But for 109 years his remains lay in a small private cemetery in Edenton, NC. In 1906, Pennsylvania determined to rehabilitate the reputation of their native son, and removed his remains to Philadelphia. This photograph was taken on November 21, 1906 at the cemetery in Edenton on the day the remains were exhumed.



Joe Louis is buried at Arlington Cemetery along with ten Justices and many other notable figures of American history. The outline for this photograph, dated 6/18/35, noted that "Louis, with only a year of professional boxing behind him, is the most intriguing figure in the realm of fistiana today." Louis went on to become heavyweight champion of the world, and one of the greats in the history of boxing.



3. This is a trick question. Joe Louis is buried at Arlington National Cemetery with ten Justices: Hugo L. Black, William J. Brennan, Jr., Warren Burger, William O. Douglas, Arthur Goldberg, Oliver Wendell Holmes, Jr., Thurgood Marshall, Potter Stewart, William H. Taft and Earl Warren.

4. Justice William Johnson is buried only a few yards from Calhoun in St. Philip's Churchyard, Charleston, SC.

5. Key is buried at Mount Olivet Cemetery, Frederick, MD., with Justice Thomas Johnson. Chief Justice Roger Taney, Key's brother-in-law, is also buried in Frederick, but at another place.



When Lewis F. Powell was laid to rest in Hollywood Cemetery, Richmond, VA., he joined Confederate President Jefferson Davis. Justice Powell's simple headstone (left) is in marked contrast to the monument marking Davis's grave (right), atop which is a life-sized sculpture of the only President of the Confederate States. The grave of President James Monroe (below), surrounded by a gazebo-like structure, is also located in the cemetery.



6. Justice John Archibald Campbell is buried at Green Mount Cemetery in Baltimore, MD., with Dulles and Booth.

7. Longfellow is buried at Mount Auburn Cemetery, Cambridge, Massachusetts, along with Justices Benjamin R. Curtis, Felix Frankfurter, Horace Gray and Joseph Story.

Trivia Quiz Answers

(continued from page seventeen)

8. Justice Peter V. Daniel and Lewis F. Powell, Jr. are buried in Hollywood Cemetery, Richmond, VA., as are Presidents James Monroe and John Tyler. Confederate President Jefferson Davis is also interred there.

9. Justice Brockholst Livingston is buried at Trinity Church in New York City along with Hamilton.

Library of Congress



Laurel Grove Cemetery in Savannah is the resting place of Girl Scout foundress Juliette Gordon Low (below left) and Justice James M. Wayne (below right). Wayne (shown left) served as an alderman and as mayor of Savannah. One of only twelve Justices to serve more than thirty years, Wayne joined the Court when John Marshall was Chief Justice and served until the end of the Civil War.

10. Justice James M. Wayne is buried in Laurel Grove Cemetery in Savannah, as is Girl Scout foundress Juliette Gordon Low and James Pierpont, the Christmas song composer.



Courtesy of James B. O'Hara



Courtesy of James B. O'Hara

2001-2002 Judicial Fellows Program

For the past twenty-seven years, the Judicial Fellows Program has enabled exceptionally talented people to contribute to the work of the Supreme Court of the United States and other federal judicial organizations. Founded by Chief Justice Burger, the program provides fellows an opportunity to study first-hand both the administrative machinery of the federal judiciary and the dynamics of inter-branch relations.

The Judicial Fellows Commission invites applications for the 2001-2002 Judicial Fellows Program. The Program, established in 1973 and patterned after the White House and Congressional Fellowships, seeks outstanding individuals from a variety of disciplinary backgrounds who are interested in the administration of justice and who show promise of making a contribution to the judiciary.

The Judicial Fellows Program seeks qualified individuals from diverse professions and academic backgrounds, including law, the social and behavioral sciences, public and business administration, systems research and analysis, communications and the humanities.

Up to four Fellows will be chosen to spend a calendar year, beginning in late August or early September 2001, in Washington, D.C., at the Supreme Court of the United States, the Federal Judicial Center, the Administrative Office of the United States Courts, or the United States Sentencing Commission. Candidates must be familiar with the federal judicial system, have at least one postgraduate degree and two or more years of successful professional experience. Fellowship stipends are based on salaries for comparable government work and on individual salary histories, but will not exceed the GS 15, step 3 level, presently \$87,900.

Work assignments and projects reflect the needs of the judiciary and the interests and capabilities of the fellows. Fellows gain an insight into the contemporary

policy issues facing the judiciary as well as an appreciation of the nature of more routine administrative tasks. Individuals best able to maximize the resources of the Judicial Fellows Program are those with initiative, poise, and adaptability.

The Judicial Fellows Program is administered by the Office of the Administrative Assistant to the Chief Justice in cooperation with the other three agencies involved. The Supreme Court Historical Society serves as the fiscal agent for the fellowship program.

A variety of educational and social opportunities broaden the fellowship experience. Fellows have access to some of the Federal Judicial Center's educational programs, including various colloquia and meetings relevant to their professional interests and specific projects. They also attend special luncheon seminars sponsored by the Administrative Assistant to the Chief Justice and lecture

WANTED

In the interest of preserving the valuable history of our highest court, the Supreme Court Historical Society would like to locate persons who might be able to assist the Society's Acquisitions Committee. The Society is endeavoring to acquire artifacts, memorabilia, literature or any other materials related to the history of the Court and its members. These items are often used in exhibits by the Curator's Office. If any of our members, or others, have anything they would care to share with us, please contact the Acquisitions Committee at the Society's headquarters, 224 E. Capitol Street, NE, Washington, DC 20003, or call 202/543-0400; www.supremecourthistory.org.

series sponsored by the Supreme Court Historical Society, and share some social and guest speaker activities with the White House Fellows. In recent years, fellows have participated in events with individual justices, law professors, the Attorney General, and the Director of the FBI. In addition, fellows are invited to participate in Judicial Fellows Program Alumni Association activities.

The Judicial Fellowship is a one-year appointment, beginning in August or September; the exact duration is subject to mutual agreement between each fellow and the program's executive director. Most fellows take a sabbatical or leave of absence without pay to participate in the program and return to their professional careers after the fellowship year has ended.

Information about the Judicial Fellows Program and application procedure is available upon request from Vanessa M. Yarnall, Administrative Director, Judicial Fellows Program, Supreme Court of the United States, Room 5, Washington, D.C. 20543. (202) 479-3415. The application deadline is November 3, 2000.

New Members *(continued from page fifteen)*

Redden, James A., Portland
Stewart, Janice M., Portland

Pennsylvania

Dienna, William D., Norristown
Felix, Elit R., Philadelphia
Madeira, Edward W., Jr., Philadelphia
Sherman, C. Leon, Pittsburgh
Wilkinson, Kathleen D., Philadelphia

Puerto Rico

Molina-Lopez, Daniel, Hato Rey, San Juan

Rhode Island

Cady, Judith A., Coventry
Cicilline, David N., Providence
Gearon, William J., Newport
Hagopian, Mark J., Providence
Kogan, Bruce I., Bristol
Lanni, Sandra A., Warwick
Merten, Howard A., Providence
Ruggieri, James A., Providence
Salem, George T., Jr., Providence
Sommers, Eric, Providence
Tate, Deborah M., Providence
Troiano, Nancy, Barrington

South Carolina

Jacobs, Harold W., Columbia
McKenzie, Robert A., Columbia

Tennessee

Hart, Lawrence H., Nashville
Wellford, Shea Silk, Memphis

Texas

Baker, Debra L., Houston
Boyd, Larry P., Houston
Branson, Frank L., Dallas
Carlock, David, Dallas

Creel, L. E., III, Dallas
Cummings, Larry E., Houston
Ebanks, James D., Houston
Edmonds, William Joseph, Fort Worth
Harris, Warren W., Houston
Lewis, Mark, Denton
Miers, Harriet, Dallas
Neill, John E., Cleburne
Radnofsky, Barbara, Houston
Raggio, Louise B., Dallas
Sapp, David R., Austin
Saunders, Charles A., Houston
Septimus, Susan S., Bellaire
Shank, Mark A., Dallas
Stell, Michael David, El Paso
Swift, Robert, Houston
Turley, Windle, Dallas
Venzke, John D., Houston
Villareal, Patricia J., Dallas
Yollick, Eric "Bulldog", The Woodlands

Utah

Burbidge, Brinton R., Salt Lake City
Fishler, Philip R., Salt Lake City
King, Colin, Salt Lake City Utah
Murphy, Michael R., Salt Lake City
Nelson, P. Keith, Salt Lake City
Sharp, Roger T., Salt Lake City
Wheeler, Max D., Salt Lake City

Vermont

Kempner, Maximilian W., South Royalton

Virginia

Carter, John Laughlin, Arlington
De Sanctis, Lisa, Arlington
Guymon, Glen, Arlington
Miceli, Orazio F., Clifton
Raphael, Stuart, McLean
Russell, Christopher B., Lexington

Schenk, Robert L., Manassas
Snell, Ann M., Arlington
Vecchio, Joseph, Falls Church
Watson, William E., Wellsburg

Washington

Morse, David L., Tacoma

Wisconsin

Ahrens, Gary A., Milwaukee
Benson, Paul E., Milwaukee
Brennan, Michael B., Pox Point
Busch, John A., Milwaukee
Cannon, David J., Milwaukee
Daugherty, Donald A., Jr., Milwaukee
DiMotto, Jean, Milwaukee
Graupner, Charles P., Milwaukee
Hanson, David J., Milwaukee
Linn, Paul F., Milwaukee
Mulcahy, Robert W., Milwaukee
Sapp, John R., Milwaukee
Trebatoski, Chris J., Milwaukee
Troupis, James R., Madison

West Virginia

Anetakis, George J., Weirton
Bell, Charles D., Wellsburg
Dittmarr, Nick, Weirton
Elkins, Robert L., Charleston
Emch, A. L., Charleston
Fahey, William T., Weirton
File, William H., Jr., Beckley
Fisher, John W., II, Morgantown
Hess, Lester C., Jr., Wheeling
Kolibash, William A., Wheeling
McCarthy, T. C., Jr., Wheeling
McMullen, J. P., Jr., Wellsburg
Musser, Ronald M., Wheeling
Seibert, James E., Wheeling
Shaffer, Harry Gus, Jr., Daniels

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