



Justice Breyer Speaks at Twenty-Fifth Annual Meeting

Justice Stephen G. Breyer addressed a capacity audience at 2 PM in the Supreme Court Chamber on June 5. Opening the day's events of the Twenty-fifth Annual Meeting, the Justice spoke on the topic of the Cherokee Indian cases before the Supreme Court. The complete text of the Justice's remarks will be printed in a future issue of the *Journal of Supreme Court History*. Adding a note of poignancy to the afternoon was the presentation of the flag of the Eastern Band of the Cherokee Nation made by the acting Chief Justice of the tribe, Harry C. Martin. Representatives of the Cherokee Nation from

Oklahoma also attended and participated in the events of the day. Led by Chief Justice Philip Viles, they represent the largest portion of the Cherokee Nation who relocated to Oklahoma. Chief Justice Viles presented a flag of the Cherokee Nation to the Supreme Court Historical Society in a separate ceremony.



Justice Stephen Breyer presented the Annual Lecture. His topic was "The Cherokee Indian cases before the Supreme Court."



The Alexandria Harmonizers provided a program that was both moving and entertaining. The group celebrated its 50th anniversary in June 1998 with a book titled "The Alexandria Harmonizers: Breathless Moments."

Tours of the building were conducted by staff members of the Office of the Curator of the Supreme Court. An Open House was

held in the afternoon at Opperman House, the Society's new headquarters building. Members were invited to tour the building and admire the beautiful architecture and furnishings, as well as preview the library collection donated by Dr. James B. O'Hara (see story on page 10).

Leon Silverman presided over the Meeting of the General Membership which convened at 6 PM. Noting the absence of Dwight D. Opperman, Chairman of the Board of Trustees, who was unable to be present, Mr. Silverman presented a combined report. Of paramount importance in the year was the completion of the new headquarters building in which the architecture and interior design are "truly exceptional." On behalf of the

continued page four

A Letter From the President



Court—*Supreme Court Decisions and Women's Rights: Milestones to Equality*.

The book is the product of three years of research by its Editor, Society Publications Director Clare Cushman, who also edited the Society's widely acclaimed *Supreme Court Justices, Illustrated Biographies, 1789 to 1995*. Receiving the book on behalf of the Court will be Justice Ruth Bader Ginsburg, who not only contributed a Foreword to this groundbreaking volume, but also lent her considerable knowledge of the subject of gender law to its editorial development.

Supreme Court Decisions and Women's Rights is being published in cooperation with CQ Press, which also published the *Illustrated Biographies* volume. At nearly 300 pages, it is the most thorough and up-to-date examination of gender issues and the law ever developed for a general audience.

Covering cases from the post-Civil War era through the Court's 2000 Term, the book not only informs the reader of the historical background of gender issues in the law but provides a cutting edge understanding of the current controversies in our Nation's quest for gender equality. Along the way readers will learn of the evolution of gender law in property rights, access to education, equality in employment, reproductive issues, and a host of other topics. Indeed, some of the decisions have changed society. The implications of some gender law cases are only now beginning to impact the whole of the populace—opening the full range of rights and privileges in our society to our sons, daughters, grandsons and granddaughters.

Supreme Court Decisions and Women's Rights is an eminently readable account of the evolution and ongoing

struggle to attain gender equality—one of the major legal legacies of the twentieth century. Readers learn not only the details of specific cases, but are afforded profiles of major litigants and litigators who have shaped that struggle. Each case story exposes a discriminatory practice either condoned by or actually embodied in the law.

Take, for example, the case of Sally Reed, who challenged her state's appointment of her former husband as administrator of their deceased son's estate based upon a statutory preference for automatically granting such a right to the father. The value of the estate was *de minimus* by most standards, but to Mrs. Reed the principle was of overriding importance—no aspect of the law should automatically discriminate against women simply because of their gender.

Or consider the case of Joseph Oncale who quit his job on an off-shore oil-rig following claims that two male fellow workers had sexually harassed him. Having been turned away by the Fifth Circuit Court of Appeals, which ruled that Title VII gave no protection to victims of same-sex harassment, he brought his case to the Supreme Court in 1998, asserting a claim of equal protection. Writing for a unanimous Court, Justice Antonin Scalia affirmed the rights of all litigants, regardless of sex, to Title VII protection in instances where the misconduct is "...so persuasive and offensive as to make it difficult for the victim to get his or her job done."

Supreme Court Decisions and Women's Rights brings these and some seventy-five other stories to light, tracing a complex and sometimes circuitous path toward gender equality. It is the culmination of an engaging body of research of which the Society and its members can be proud. The book can be purchased through the Society's

The Supreme Court Historical Society Quarterly

Published four times yearly in Spring, Summer, Fall and Winter by the Supreme Court Historical Society, 224 E. Capitol Street, NE, Washington, DC 20003, telephone 202/543-0400. Distributed to members of the Society, law libraries, interested individuals and professional associations.

Managing Editor
Assistant Editor

Kathleen Shurtleff
James B. O'Hara

Gift Shop at the Supreme Court by telephoning 202-554-8300, or toll-free 1-888-LEX GIFT. The retail price is \$29.95, but members of the Society receive a 20% discount on any publication or other merchandise sold at the Gift Shop.

The educational objectives and purposes of the Society are of paramount importance in the selection of programs and activities undertaken by the Society. Such was the case in the production of this volume which grew out of conversations with and the recommendations of research librarians. But whether it be production of a volume treating a specific topic, instructional programs for teachers, seminars for graduate students and faculty members, lecture programs produced for varied audiences, or documentary publications produced for scholars, the principal objective of the Society is to enhance an understanding of the Supreme Court and the importance and significance of its decisions in American life.

Whatever other outcomes may transpire on election night, members of the Society can rest assured they have chosen to support a winning ticket with a platform dedicated to the production of outstanding scholarship, programs and publications.

Leon Silverman

2000 Lecture Series Commences

The lecture series topic for the year 2000 focuses on the Supreme Court and the written word. Speakers come from a variety of backgrounds and will provide a rich view of the importance of language and the Supreme Court. Call (202) 5343-0400 to make reservations.

- | | |
|-------------|--|
| October 12 | The Supreme Court Justice as Extra-Judicial Author
Professor James B. O'Hara |
| November 8 | The Art of Opinion Writing in the Early Republic
Professor R. Kent Newmyer |
| November 16 | The Role of the Supreme Court Reporter in History
Frank Wagner, Reporter of Decisions |
| November 30 | Panel Discussion of the Supreme Court in Fiction - Louis Auchincloss, Louis Begley, Beverly Lowry, Brad Meltzer, Robert Stone |
| December 13 | The Supreme Court Opinion as Literature
Professor James Boyd |

Trivia Quiz: Leaving the Bench

by James B. O'Hara

Most modern Justices have left the Supreme Court by retiring. But many Justices in the past have moved to other positions or to pursue other public purposes. Name the Justices from the clues.

1. Believe it or not, this Justice resigned to become Chief Justice of South Carolina.
2. This Justice resigned because of ill health, but lived another twenty-five years before his death.
3. This Justice left the Court to become United States Senator from Illinois.
4. This Justice resigned to accept the Republican nomination for President.
5. This Justice resigned to lead a public campaign urging U.S. entry into the League of Nations.
6. This Justice left to become Governor of New York.
7. This Justice left to devote his time to the celebration of the Bicentennial of the U.S. Constitution.
8. Upon leaving the High Court, this Justice became Dean of the University of Pennsylvania Law School.
9. This Justice resigned at the request of the President to become Ambassador to the United Nations.
10. This Justice left to become "Assistant President" to Franklin D. Roosevelt during World War II.

Answers start on page seventeen



Justice Thomas presented Gene Lafitte with an award in recognition of his work as National Membership Chairman.

Lester C. Hess, Jr. of West Virginia, received an award from Justice Thomas for his work as State Chair for West Virginia.



other Officers and Trustees and the general membership, he noted all concerned are "grateful beyond words to all of those involved in bringing that project to fruition. I would especially like to express the profound appreciation to Dwight Opperman, Dorothy Goldman, Agnes Williams, and of course, the Clark-Winchcole Foundation, whose substantial support enabled the Society to complete its renovation with no diminution of program support." Enumerating some of the principal educational programs, Mr. Silverman mentioned the oral histories of former Solicitors and Attorneys General, literary prizes awarded for book-length historical scholarship as well as article-length works, teacher training for teachers in the District of Columbia Public Schools, the Supreme Court Summer Institute for Teachers, and the regular publications of the Society. The celebration of the twenty-fifth year of operation finds the "Society has been able to publish more books, fund more research, invest in more public education programs, and conduct more community outreach than at any other time in its history."

The creation of a website has provided a way for thousands to access the products of the research and publication programs of the Society to provide expanded access to the materials produced by these projects.

Following Mr. Silverman's remarks, Mr. Cohen, Treasurer, provided an overview of the financial status of the Society. Total liabilities and net assets exceed \$8.5 million which is approximately one-half million dollars over the previous year's total. The headquarters building accounts for approximately \$2.6 million of those assets and is free of mortgage or financial encumbrance. Membership dues and donations continue to provide substantive portion of the operating budget each year. In addition, gifts and grants provide much-needed support for program activities. A recent grant award from the National Endowment for the Humanities (NEH) will make possible a Graduate Symposium in Constitutional History, while continuing grant support from the National Historical Publications and Records Commission supports completion of the *Documentary History of the*



Professor Kent Newmyer was awarded the Hughes Gossett Literary Prize. Justice Thomas presented the award to Professor Newmyer who teaches at the University of Connecticut in Storrs.

Recognized for her personal support of the programs and her work in the renovation of the Headquarters Building, Dorothy Goldman receives an award from Justice Thomas.



Rita Silverman, Chief Justice Rehnquist and Margaret Mone share conversation during the Twenty-fifth Annual Meeting.

Supreme Court: 1789-1800. Income continues to exceed revenue, and an investment program will provide stability and growth for the future.

Returning to the podium, Mr. Silverman observed that the educational programs and initiatives planned for the future require an increased level of financial commitment. To that end, plans are being formulated by the Development Committee, under the direction of **Frank C. Jones**, to establish a capital campaign to raise significant funds to underwrite the costs associated with programs like the Institute for Constitutional Studies (see page 7 for an article about the program) and Public School Initiatives patterned after the pilot program given for the District of Columbia. The support of members will be required to accomplish these objectives.

Reporting for the Nominating Committee, Virginia Warren Daly, Chairperson, presented a slate of candidates for election to the Board of Trustees. Elections

Society Vice President Vincent C. Burke, Jr. (left) shakes hands with Society Trustee F. Elwood Davis while Laury Estrada looks on.



were held and the following individuals were elected to serve an initial three-year term on the Board of Trustees: **Peter Angelos; Frank Boardman; Charles Cooper; James Duff; Miguel Estrada; and James B. O'Hara**. A second group of candidates was elected to service for an additional three-year term on the Board of Trustees: **Herman Belz; Hugo Black, Jr.; William T. Coleman, Jr.; George Didden, III; Charlton Dietz; John Elam; James Ellis; Wayne Fisher; Dorothy Goldman; James J. Kilpatrick; Jerome Libin; Maureen Mahoney; Howard T. Markey; James Morris; Thurgood Marshall, Jr.; Harry Reasoner; William Bradford Reynolds; Jonathan Rose; and Foster Wollen**.



Mr. and Mrs. Joseph Moderow visit with Justice Ginsburg. Mr. Moderow received an award recognizing the contributions of the United Parcel Service Foundation.

The Annual Meeting of the Board of Trustees followed the meeting of the General Membership. In the absence of Dwight D. Opperman, Chairman of the Board, Mr. Silverman presided. Having already completed a report of the state of the Society, he called upon Mrs. Daly to present the Report of the Nominating Committee of candidates for election as Officers of the Society. Mrs. Daly presented the following slate of candidates nominated to serve in the offices indicated: **Leon Silverman, President for a Three-Year Term; Vincent C. Burke, Jr., Vice President for a Three-Year Term;**

continued page six

As At-Large Members of the Executive Committee for a One-Year Term: **Robert Juceam; Jerome Libin; Mrs. Cecilia Marshall; John Nannes; Leon Polsky; and Agnes Williams.** The voting was unanimous, and all those nominated were elected to serve.

A special Award Ceremony followed the business meetings. The ceremony recognized the accomplishments of several individuals. The first awards announced were the Hughes-Gossett Literary Awards for Historical Excellence. These awards are given to recognize out-

standing scholarly research and publication on the history of the Court for articles published in *The Journal of Supreme Court History*. Justice Thomas presented awards to first-prize winner, **Kent Newmyer**, a Professor of History at the University of Connecticut for his article "**Chief Justice Marshall's Last Campaign: Georgia, Jackson and the**



Justice Thomas, Artemus Ward and Society Trustee James J. Kilpatrick, converse during the reception. Mr. Ward (second from left) received the Hughes-Gossett Student Literary Prize for his article concerning the retirement of Justice William O. Douglas.

Cherokee Cases." Professor Newmyer's article was selected by the Board of Editors to receive this honor, and in a remarkable coincidence, anticipated the topic of Justice Breyer's annual lecture. The student prize was awarded to **Artemus Ward**, formerly a doctoral candidate at Cornell University, now a Professor of Political Science at California State University at Chico. His paper was titled "**The Tenth Justice: The Retirement of William O. Douglas.**" Professor Ward's article was also chosen by the Board of Editors for recognition.

Awards were presented in recognition of the efforts of State Chairs who have worked within their states to encourage new members in the Society. Justice Thomas assisted in recognizing these efforts by presenting awards to the following individuals: **Edwin Harnden of Oregon; Lester C. Hess, Jr. of West Virginia and Benjamin V. (Terry) White of Rhode Island.**

Individuals, firms and foundations whose special gifts throughout the year provide substantial funding to

programs are recognized periodically. At the Annual Meeting, several significant individuals were recognized for their great service to the Society. First to be recognized was **Dorothy Tapper Goldman**, recognized for her financial contributions as well as her work in assisting with interior design for the new headquarters building. Second was **Joseph Moderow** representing the **United Parcel Service Foundation.** **Jerome Libin**, was recognized for his commitment, as well as for the significant contributions to the success of the Society made

by the **Park Foundation.** **Vincent C. Burke, Jr.**, a Vice President of the Society, was recognized for his untiring support and assistance personally, and as an agent of the **Clark-Winchcole Foundation.**

Professor James B. O'Hara was recognized in absentia for his contribution to the Society of a library comprised of more than 1,000 volumes. This collection, the result of lifetime of collecting, contains biographies of Justices, books written by Jus-

tices on a variety of subjects, volumes treating the Supreme Court as an institution, and books concerning the homes in which various Justice have lived.

Following the business meetings, the traditional black tie reception and dinner commenced at 7 PM. Performing for the seventh time for the Society, the **Alexandria Harmonizers** performed a program of Broadway songs, patriotic tunes and traditional favorites. The group performs under the leadership of **Scott Werner**, Musical Director, and **Geri Geiss**, artistic director. A 100-voice men's chorus, the group performs traditional barbershop harmony with a Broadway flair. Originally chartered in 1948, the Harmonizers have performed at the White House, Wolf Trap and other prestigious venues and have won several International Chorus Championship medals. The musical program concluded the activities for the evening, after **Annual Meeting Chair, William Bradford Reynolds** thanked everyone for their participation and adjourned the meeting.

Institute for Constitutional Studies: A Developing Program

As the Society has matured and grown in recent years, its educational mission has become an area of increasing focus and effort. For several years the highly successful Supreme Court Summer Institute for Secondary Teachers has prepared instructors at the secondary level to teach about the Supreme Court, the Constitution, and the federal judiciary. Participants in the program have influenced the learning of their students and fellow faculty members through seminars and classroom teaching, and surveys indicate a growing interest in the Constitution and the Supreme Court at the high school level. However, this has not been the case on the undergraduate, or even graduate school level.

Regrettably, a review of college curricula over the

last decade reveals a patent disregard for constitutional studies in America's universities; as few as 12% of the universities in the country include any constitutional history course in undergraduate class offerings. Acutely aware of this limited interest and eager to counteract it, a preliminary meeting of scholars was convened at the Supreme Court in June 1997 to discuss the problem at the graduate level. Sponsored by the Supreme Court Historical Society, the participants expressed many varying viewpoints. A consensus emerged that it would be worthwhile to devise a program for graduate study in this area, which in turn would foster interest in similar course work at the undergraduate level. Of course designing a program was not enough; it would then be necessary to attract funding to facilitate the implementation of such a program.

Scholars considering the problem came from different academic backgrounds and disciplines, hence their suggestions concerning the possible content and implementation of a program were also varied. While they had common interests and similar goals, it eventually became clear that reconciling the basic structural and cultural differences between students and faculty in law schools and those in liberal arts programs would be virtually impossible. It then became apparent that a program based solely in either a law school or an academic department would not succeed. Despite the differences in opinion on how it should best be approached, it was clear there was significant interest in creating an interdisciplinary program that would promote constitutional studies.

continued page eight



Celebrating the Centennial of the Constitution, this woodcut was part of a commemorative volume published in 1887. The Constitutional Law Institute is dedicated to the continuing study of the role and significance of this "most singular charter" in American life.

Pursuant to the meeting, the Society applied for and won a planning grant from the National Endowment for the Humanities (NEH). As a result of this critical grant, the concept of establishing an Institute for Constitutional Studies was considered seriously and carefully. Under the direction of Dr. Maeva Marcus, editor of the *Documentary History of the Supreme Court of the United States: 1789-1800* (sponsored by the Society), Professor Melvin Urofsky, Chairman of the Board of Editors for the *Journal of Supreme Court History*, and Dr. Milton Greenberg, former provost of American University, a model curriculum was developed and presented to the profession, and discussions for refinement of the concept commenced.

The phrase *constitutional studies* was chosen to reflect the intention that the program created would not be restricted to the law, to history, or to political science departments, but would instead take an interdisciplinary approach, borrowing the best from individual disciplines and melding them into a unified whole. All proposed activities and curricula incorporated this theme.

Under the direction of the Program Committee of The Supreme Court Historical Society, in cooperation with the Consortium of Universities of the Washington Metropolitan Area (CUWMA), work has commenced to establish the Institute for Constitutional Studies. With American University acting as the host university, the Institute has been designed to allow Washington area schools to develop a doctoral-level concentration in constitutional studies.

This partnership provides a unique institutional con-

text for the Institute. The Supreme Court Historical Society, from its incorporation in 1974, has been dedicated to the promotion and implementation of educational programs. To this end, the Society has supported historic research, collected artifacts relating to the Court's history, published a journal that contains the most recent scholarship on the Supreme Court's history, and has annually sponsored major lecture series as well as workshops for teachers.

The members of the Washington Consortium that grant doctoral degrees – American University, Catholic University, George Mason University, George Washington University, Georgetown University, Howard Uni-

versity, and the University of Maryland – see the creation of an Institute as an opportunity to put their cooperative experience to use in a novel doctoral level program. Aimed at utilizing the strengths of the member universities, the program will produce benefits for graduate students throughout the metropolitan area, blending together qualified faculty from liberal arts campuses and law schools.

The first tangible fruit of the Constitutional Studies program was a summer seminar, conducted for two weeks in June 1999, featuring two leading constitutional scholars: William Wiecek of Syracuse University, author of many books on constitutional subjects, who is currently engaged in writing the Oliver Wendell Holmes Devise History of the Supreme Court volume on the Stone and Vinson Courts; and Dennis Hutchinson of the University of Chicago Law School, whose recent works include a biography of Justice Byron White. Professor

Hutchinson is also the editor of the *Supreme Court Review*.

The rubric for the seminar was "Topics in Twentieth-Century American Constitutional History." The seminar was publicized via H-LAW and doctoral students and junior faculty members were invited to participate. Applicants were requested to provide the topic of their current research and to indicate how the seminar would assist them in completing their work. As an added benefit, participants received a stipend to assist with the costs of transportation to Washington, as well as subsistence. Housing was provided in the Georgetown University Law Center residence hall, convenient to the site of the seminar, Justice White's conference room in the Thurgood Marshall Federal Judiciary Building.

Prior to the seminar, each of the ten participants provided the topics of his or her current research, as well as a short bibliography of pertinent materials. All were asked to read and review these materials prior to attending the seminar. At the sessions, each member made a presentation outlining the thesis, the methodological issues, and problems associated with the project, and these were reviewed and discussed. Seminar leaders and fellow students joined in the review process and also provided important information regarding additional archival and other sources for improving the projects. Participants in the 1999 program reported this personal review as the most valuable aspect of the seminar, citing the opportunity to discuss their work with interested colleagues for a sustained period of time as another great benefit.

An important element of the seminar was the participation of guest lecturers. These experts gave presentations based on their own work, or some current historiographical issue, providing rich supplemental information and opportunities.

Building on the success of the 1999 Institute, a second seminar took place in June 2000. The seminar was increased to fourteen students, and was expanded to three weeks to allow more time for individual research and further enrichment. The topic chosen for summer 2000 was "Creating the Federal Republic." Seminar leaders were chosen for their expertise in this field of study. This year's leaders were Professor Jack Rakove, a Stanford University historian, and Professor Akhil Reed Amar of the Yale Law School. Professor Rakove is the Pulitzer prize winning author of *Original Meanings*. Professor

Amar, a prolific constitutional scholar, recently published *The Bill of Rights*

Seminar sessions were held in Opperman House, the Society's new headquarters building on Capitol Hill. The participants in the seminar were geographically diverse, including a law lecturer from Australia and a graduate student from Britain. Their participation is indicative of the increased international importance and significance of the U.S. constitution in the development of constitutional governments throughout the world.

This second seminar concluded on a high note with the appearance of Justice Antonin Scalia. The Justice conducted a question and answer session during the last day of the program, providing a rare opportunity for students of the constitution to hear a sitting Justice discuss his use of history in formulating Supreme Court decisions.

Recent recognition of the value of the program includes a second grant award from The National Endowment for the Humanities (NEH). This new grant totals \$235,000 over a period of three years for the continued development and implementation of the Institute for Constitutional Studies. Of the total amount awarded by the NEH, \$30,000 must be matched by gifts to the Society for the support of the Institute. Gifts from members for this purpose would be greatly appreciated as we strive to fulfill this latest challenge in fundraising efforts. The generous grant from the NEH will enable the Society to continue and expand this important educational effort.

The Society is committed to this innovative program seeking to promote and foster the understanding of our most singular charter. Even though the second session of the institute has only just been completed, plans for the 2001 seminar are already well in hand. The topic will be "The Constitutional Transformation of the American Presidency." Graduate students and junior faculty members interested in learning more about the program's requirements and benefits, may write to Professor Mel Urofsky or Dr. Maeva Marcus in care of the Society's headquarters at 224 East Capitol Street, NE, Washington, DC 20003 or send email to dochistsc@aol.com.

For more information about the programs and activities of the Supreme Court Historical Society Visit the website www.supremecourthistory.org



Participants in the second session of the Constitutional Law Institute included fourteen students and two instructors, Professor Akhil R. Amar, and Professor Jack Rakove. The students are shown in this picture attending a reception at the Supreme Court.

Books for a Library

By James B. O'Hara

Last year, when the Society moved to its new quarters at Opperman House, Professor O'Hara donated over a thousand books on the Supreme Court to form the nucleus of its library. The editors have asked him to tell the story of this collection.

What strikes me most, as I recall building this collection of books on the Court and its Justices, is how random and haphazard the whole undertaking was. Certainly, there was no grand plan at the beginning. I have always loved American history, and have always loved books, but my formal education was in philosophy, and most of my academic life has been as an administrator, rather than in teaching and research.

What started it all was a decision to read the lives of the Chief Justices. It was somewhat startling to discover that there were no biographies of some of the Chiefs, and for others the only biographical studies were very old or in doctoral dissertations, themselves quite dated. Often libraries did not have copies. Second hand bookstores were an obvious answer.

Baltimore, where I live, had only a few high quality antique bookshops, but I started there and was pleased to find that they actually had sections on law and legal history. I quickly discovered that Beveridge's classic life of Marshall—in four volumes—was not rare, that Walker Lewis' life of Taney was around, along with Merlo Pusey's *Charles Evans Hughes*. But it was clear that a little collection on Chief Justices would be no easy task.

If that goal was not possible, perhaps it might be wiser to go with what was available: some biographies of other Justices. I found myself buying *Roosevelt and Frankfurter*, a collection of letters, and an early biography of Holmes. I even bought one of William O. Douglas's books on his travels to Tibet. After a year or so, my little library had books about or by some ten Justices. The collecting was still completely unsystematic. There was still no overall plan to collect books on the Supreme Court, and even if there had been, there was no internet to help. And all the books bought in the beginning were from only two stores: Kelmscott Books, and Tiber Books—both located on the same street in Baltimore.

While on vacation in Charlottesville, Virginia, I hap-

pened on a paperback copy of the second edition of Henry Abraham's *Justices and Presidents*. What originally caught my eye as I paged through it was a bibliography on each of the Justices. That clinched the sale! For a while, that bibliography was the paradigm, and the search was on.

But it was clear that a few local bookstores with no specialization in legal history would not be adequate for a collection. Washington was less than fifty miles away, and some wonderful sources might be found there. Very quickly, I found Georgetown Books (then in Georgetown, but now in Bethesda), Bartleby's Books (then in Bethesda, but now in Georgetown), Q. M. Dabney, and Second Story Books. The Dabney legal offerings were quite large, the others, smaller but quite respectable. And all had large turnover, so that visits a month or so apart would provide new titles.

Every visit to a new city for vacation or for a conference provided an opportunity to continue the search. Over time, a real collection began to take shape. Manifestly, it was impossible for a private collector of modest means to buy every book on the Supreme Court! There had to be some limit to the scope. A friend of long standing who was himself a major collector of Americana suggested that my collection might center around books about or by the Justices. So that became the criterion. If a Justice's name was on the book, I wanted it! If a Justice wrote the book, or some major portion of it, I wanted that too. Thus *The Federalist* became part of the library because of John Jay. And Douglas's books, even if they were about Texas or the Pacific Northwest, became part too. Incidentally, having a Justice's name in the title threw me off track at least once. There is a book called *Louis Brandeis Slept Here* which isn't about Brandeis at all, it is a brief history of Judaism in the United States. You will find a copy, nonetheless, in the library.

Walking into a strange bookshop in a strange city to look for Supreme Court biographies is an adventure. Some shops have no section on law, but if they do, a Justice's life might be found under "Biography." A book on Taft will be found with "Presidents." James F. Byrnes or Charles Evans Hughes might be in "Foreign Policy" or "Diplomacy." Some Justices might be found in "Americana" or by State or City. I found my copy of

Justice Clarke's life under "Ohio," and Justice Shiras under "Pittsburgh." Of course, all of this is part of the discovery and the pleasure.

During a visit to San Francisco more than ten years ago, I discovered Meyer Boswell Books, a veritable warehouse with thousands and thousands of books, all of them on law and legal history, and almost all out-of-print. The proprietor, Jordan (Joe) Luttrell, seems to know every book he has, and his regular catalogues have been an on-going source of information and have led to the purchase of some books about the Justices which appear in none of the standard bibliographies.

Over the years, my collecting did become less haphazard and more sophisticated. Catalogues arrived regularly, and often there would be a title worth adding. But for sheer fun, there is nothing quite like walking in bookshop in some new city or town and finding a long-sought title. In a sleepy little town in North Carolina, there was a copy of an early life of Holmes; in San Antonio, Texas, the only (and very rare) life of Clarke; in a large warehouse outlet in Maine, a children's life of Earl Warren.

I have wonderful memories of singular finds. In a shop in Ellicott City, Maryland, I found a copy of the biography of Justice Shiras, seldom seen because only a thousand copies were printed and most are in university libraries. The price was only five dollars. When I told the proprietor the price seemed low, she thanked me for my honesty, but confessed she had only paid five cents for it. In Santa Monica, I found a pristine first edition of Justice William Johnson's life of General Nathaniel Greene, complete with hand colored maps and dating

from 1822. I recently saw the same title in a catalogue for over a thousand dollars—ten times what I paid for it.

When my collection was given to the Society last year, I was asked to keep my eyes open for books to add. Just two months ago, while vacationing in Cape Cod, I visited a bookstore. The man who ran the place told me they didn't have much on the law, but he took me to the area where there were two shelves, mostly of old legal textbooks and the ubiquitous copy of *The Brethren*. There in the middle was a copy of Trimble's *Chief Justice Waite*. I had been looking for that book for fifteen years! The search goes on.

Editors' Note: Professor O'Hara's collection is rich and varied. It includes many volumes now out of print, as well as pamphlets, copies of unpublished doctoral and master theses and even a few videocassettes. The collection also contains standard works on the Justices, about the Supreme Court and on constitutional issues. Most of the titles have a readily discernible connection to the

Court and its members, but some of the titles present more challenge when attempting to determine a relationship to the Court: Last Will and Testament of George Washington (included because Associate Justice Bushrod Washington was his uncle George's principal heir); Glimpses of Colonial Society and the Life at Princeton College 1766-1773 (included because of the association of Associate Justice William Paterson, a 1763 graduate of Princeton, and his connections to the area, the university, and as author of the volume itself; My Dearest Polly, the letters of Chief Justice John Marshall to his beloved wife; the videocassette The Magnificent Yankee, a dramatic portrayal of the life of Oliver Wendell Holmes, Jr.; and 16th Street Architecture, which contains a photograph and information about the home of Horace Gray in Washington, D.C.



Professor James B. O'Hara (far right) stands amid his collection of volumes in the Howard S. Dorothy Tapper Goldman Library at Opperman House. Society Treasurer Sheldon S. Cohen and his wife Faye, are also shown in the picture. The collection totals more than 1000 volumes.

Justice Willis Van Devanter and The Case of the Improvident Brother

By David N. Atkinson*

Justice Willis Van Devanter was always concerned about money and he always respected and admired successful people. Both themes converged in his troubled relationship with his youngest brother, Spencer.

Van Devanter's father, Isaac, was a lawyer in Marion, Indiana. The senior Van Devanter suffered a severe stroke in 1878, when Willis was only 19. This difficulty required Willis to leave college (Indiana Asbury, which

left college without obtaining a degree. In 1894 Willis and his wife, Dellice, left Marion for good. His father's former law partner, John W. Lacey, had been appointed Chief Justice of the Wyoming Territorial Supreme Court and Willis, anxious for a new start in life, followed Lacey to Cheyenne.

In Wyoming Van Devanter prospered. A successful lawyer, he became active in Republican politics and soon



Wyoming State Archives, Museums and Historical Dept.

When Van Devanter moved to the territory of Wyoming in 1884, it was still a rough and tumble area. His primary clients were cattle ranchers and railroads. Wyoming was admitted as the forty-fourth state in 1890. The members of the Wyoming jury in this picture exhibit flags celebrating Wyoming's statehood.

later became DePauw University) before graduation in order to take responsibility for the family. There were six other children at the time, Elizabeth, b. 1861; Isaac, b. 1863; Nora b. 1866; Mary, b. 1867; Louis, b. 1873; and Florence, b. 1875. A seventh sibling, Spencer, was born the following year, in 1879. Isaac Van Devanter senior did recover sufficiently to return to work. Following his recovery, Willis was encouraged by his parents to attend law school. Although Willis had been happy pursuing farming, he dutifully enrolled in the Cincinnati Law School in 1879, nine months after he had

he and his powerful clients, such as the Union Pacific Railroad, became a force with which to be reckoned. Success marked his career at all stages: he was elected to the territorial legislature; he was appointed Chief Justice of the territory of Wyoming; when Wyoming became a state he was elected to the state Supreme Court but served only a few days before resigning to return to private practice; President William McKinley appointed him Assistant Attorney General at the Department of the Interior; and President Theodore Roosevelt appointed him to a judgeship on the Eighth Circuit Court of Ap

peals. This record of personal achievement and distinguished service resulted in an appointment to the United States by President William Howard Taft in 1910.

This long record of public service also meant that Van Devanter had foregone the opportunity to accumulate great wealth in his earlier years. We now know (from the Justice's memoirs) that had the Congress not changed the retirement law in 1932, limiting the retirement pay to \$10,000 and effectively halving his retirement benefits, the Justice would have retired from the Court five years before he did in 1937. Had that happened, and had President Franklin D. Roosevelt had the opportunity to appoint a new Justice in 1932, the course of American constitutional law would, obviously, have been significantly changed.

But Van Devanter needed the money, and so he stayed on. It was not until 1934 that he able to buy a farm. He said then, "I've always wanted to own a farm and now I've got one. . . ." He had waited a long time.

In the midst of his declining years, Van Devanter's brother, Spencer—a perennial ne'er do well—beseached him regularly for money. He never denied his brother funds, but it clearly was not easy for him to acquiesce to such persistent entreaties.

On April 16, 1936, Van Devanter reminded Spencer that he had shouldered many family financial burdens. First, he had financially supported their Mother, Violetta, who lived until 1933, and when she had died at the age of 94, he had paid to erect a monument to her memory. Moreover, he had opened his home to their sister, Mary,

Bound by a genuine love for the land, Van Devanter pursued farming in his younger years. His father encouraged him to pursue a formal education, however, and he enrolled in Indiana Asbury University.



Wyoming State Archives, Museums and Historical Dept.

when she became fatally ill. This was at a time when her husband was still alive, although unable to manage their affairs. He paid for her needs and made no claim on her farm. After October, 1934, he similarly took care of their sister, Louise. Van Devanter's wife had died in that same year.

Although he was free of debt, Van Devanter explained to his brother that: "I mention these things in order that you may realize that I have been attentive to my family obligations. It has cost me, all in all, a good deal of money. I do not regret any part of it; but it has left me with less property than I otherwise would have. I will be 77 tomorrow, and it is right that I should think of my own advancing years and the needs which may come with them."

Spencer Van Devanter was a wildcatter trying to find successful oil wells in Kansas; he never managed to do so. He worked out of Severy, a small town in southeastern Kansas midway between Wichita and the Missouri border. Any money he made or received from his brother went into speculation. Often, his family were in need of necessities. On June 28, 1935, Van Devanter wrote: "Louise [their sister] is sending you a box containing used winter underwear of mine which we hope will be of some use to you, and also a dress and coat of Louise's which we hope will be of some benefit to your wife."

In response to a request for \$150 in 1936, Willis reminded his brother of his past requests:



Library of Congress, US262 32655

Active in Republican politics, President William P. McKinley (left) recognized Van Devanter's service to the party with an appointment as Assistant Attorney General at the Department of the Interior, bringing Van Devanter to Washington in 1897.

continued page fourteen

"You know that from time to time I have made advances for your benefit. None of these has ever been repaid. I am not complaining about it, and am not regretting I made the advances. Whether the advances have done you any good I am unable to tell. At times you have been expecting that you soon would be able to repay them. But your expectations have not been realized."

Concerning the specific request for \$150, he continued: "The thing that gives me serious thought is that I do not know whether the advance will be of any benefit to you. If it is going to be of no benefit I would rather keep the money. It would hurt me to say "No" to you and it would hurt also to give you the money and have it turn out that you got no benefit from it and are unable to return it. . . ." Van Devanter reminded his brother that "A year or two ago when asking for an advance you stated that you would be able to get along if the advance was made and that you would not ask me for anything more. Since then you have requested other advances and your requests have been granted."

Van Devanter sent the \$150, as



Nicknamed the "Four Horsemen," an allusion to both the four Horsemen of the Apocalypse and Notre Dame's defensive football team, Van Devanter (middle picture in right column), James C. McReynolds (second from left on the top row), George Sutherland (bottom left column) and Pierce Butler (middle picture in left column) became a consistent voting block against FDR's New Deal Legislation.

he sent the other requests for money, but he did so regretfully. "If it does not do you any good I am inflicting on myself a needless loss in sending it."

Spencer's response reflected, as usual, an unwillingness to take responsibility for anything:

"Willis I was glad to receive your clear candid letter and was of course sorry to hear that you had been called upon to assume some responsibilities to which you refer and certainly appreciate your kindness to Louise. Another thing I appreciate is that it

is hard for you to feel that you really know me, not having had personal contact all these years. We all know that regardless of the facts or our intentions, few of us escape unjust criticism."

Although he clearly cared about him, Justice Van Devanter was not at all close to Spencer. The nature of the relationship was reflected in an uncharacteristic moment of introspection, when he wrote: "I have turned the hill and am on the descent. It behooves me to think of my own possible needs in the future and also to think of my own immediate family."

Spencer wrote frequently to his brother, but most of his letters contained a request of one kind or another. For example, while acknowledging the receipt of underwear and additional things for Anna [his wife], he

took the opportunity to tell his brother he was \$400 in debt to his landlady, a woman "greatly in need of money." His concern for his landlady encouraged him to ask his brother for another \$300 for her.

Characteristically, Spencer was optimistic that his current oil wells would relieve his financial distress and when he asked for money, he was always deferential. A typical sentence with which he ended a letter was "Please understand that you are under no obligation to do this but I

it is possible to do so it would certainly be a wonderful help to me." This sort of language made it difficult for the elder Van Devanter to deny his brother the requested funds. As always, Van Devanter sent the money.

Spencer was usually explicit about what he wanted the money for. When he asked his brother for \$150 on September 24, 1939, he said it was for the purpose of "paying lease rentals to the Penn Mutual Life Ins. Co. on oil leases I hold from them in this district." As customary, the request was accompanied by a tale of woe, although in this case Spencer expected the war to lessen his financial burdens. "Willis under the miserable conditions I have been able to carry my property and keep rentals paid also forge ahead to a considerable extent. [sic] In fact my properties are spoken of as being valuable, and I

am not at all fearful of the outcome, and that I will be well able to take care of my obligations to you. The war has already had a stimulating effect on the oil business and while that is nothing substantial yet it is a help." He also took the occasion to tell the Justice that an "attorney friend of mine" had advised him to incorporate his properties and that he wanted to see him and discuss the matter since he did trust his attorney friend with the details of his business. There is no correspondence indicating that Spencer acted on this idea.

When the Justice tried to find out exactly what his brother's "holdings" were, he encountered a good deal of coyness. For example, Spencer responded, "Regarding the value of properties I hold it would be impossible to put a set value on them." When asked what he meant by "hold-

ings," Spencer said he meant leases, but was never clear as to what leases he controlled. When asked if he could obtain associates to help him in the business, he dismissed the suggestion: "It is no trouble to get associates in these kind of leases for drilling purposes but it usually means grief. Individuals disagree and the major companies eat you up with their overhead." His continuing failure to earn a living was vaguely justified when he said: "Hind sight is always better than foresight and I see now where I have tried to carry too much outside stuff and my rentals have eaten me up."

However, attached to the letter of November 20, 1939, from which the above responses were taken, is a letter from Spencer's wife, Anna. Unaware that the Justice's wife had died earlier, the letter was addressed to "Mrs. Van Devanter." Following a plea for confidentiality and an assurance her husband knew nothing about what she was doing, she asks Mrs. Van Devanter if she wishes to invest in a half interest in some oil wells for \$5000. She then said "Willis does not need to know anything about this either." This further attempt to ease more money from Van Devanter and the lack of sophistication in the method used, reveals more than was intended about the Spencer Van Devaners.

Never chastened by failure, Spencer's bravado increased. On January 17, 1940, he confidently told his brother that ". . . it looks like we are in the big money here. . . ." After an effusive description of what he expected his wells to produce, Spencer explained that he was "writing to you about this matter because what little financing I have had has been

with you. I don't want you to worry about it for a minute and it may be that you are not in a position to consider it and if not I can make the raise elsewhere. . . ." He then proceeded to ask Van Devanter to invest \$1200 in his current venture. Two days later the Justice declined to invest this larger amount, and warned his brother about the speculative nature of the oil business, all of which resulted in another request from Spencer for an additional \$250 to quiet a title, a matter that had not previously been mentioned in their correspondence. This amount was advanced to Spencer, who took the opportunity to defend his choice of location for drilling. His belief was that oil could be reached in eastern Kansas by drilling only 2300 feet whereas one had to drill 5000 to 6000 feet in western Kansas or Oklahoma. To the extent this may have been accurate, it also meant that less expensive oil wells could be established with some hope of success.

In 1940 the relationship between Willis and Spencer Van Devanter took a new turn. In his letter of February 2, Van Devanter asked his brother to determine how much money he was owed and to send a promissory note for the amount, at 2% annum from the date of the note. The Justice waived any earlier interest. He noted he was approaching eighty-one years of age and the matter needed to be settled.

In return correspondence Spencer asked if \$3000 would be sufficient. Van Devanter then stated that he thought something more than that was owed, but that he would settle for that amount. He then made a proposal to Spencer which would, he

continued page sixteen

hoped, "take some of the burden off your shoulders." The proposal was that there be three notes: one for \$1000 payable nine months after the date, a second note payable 18 months after the date, and a third one payable two years after the date. Each would pay interest at 2% per annum, "from the date of each note until paid." He further suggested that Spencer might want to pay off the debt even earlier if "convenient."

This elicited no response at all, so Van Devanter wrote on June 20 to inquire about "How are you getting along with your effort to quiet the title to the land under your lease or leases, and how are you getting along with the drilling or development work?" The response was entirely predictable. Spencer indicated that he had had an unspecified illness and that, plus a lack of immediate funds, had lost him his deal, that he had been unable to quiet title with the money sent to him, and that it had become "necessary for me to look elsewhere and make new deals." His incorrigible optimism remained unchanged. He predicted that very shortly he would be making \$5000 or more each month. With such riches shortly in the offing, he was magnanimous, and even expansive, toward the Justice's request for reimbursement:

"Your letter of Feb. offering to agree on \$3,000 as the amount I owe you was of course very kind. But you were kind enough to throw off the interest and I feel I should pay you all of the principal as near as we can get at it and the \$3,500 would be satisfactory with me and I will be able to take care of it. This obligation will be the first thing I will take care of. Then I will fix matters so that Anna will be comfortable if anything happens to me then I feel that I would like to do something for your boys. [Van Devanter had two sons.] It is not my idea to pile up a lot of money the last few years I am here as I want to know where it goes."

Justice Willis Van Devanter died a few months later, on February 8, 1941. There is no record he ever received any money whatsoever from his youngest brother, Spencer.

Editors' Note:

Van Devanter is probably best known as the philosophical leader of the so-called Four Horsemen of the Supreme Court. The group consisted of Van Devanter together with Justices Pierce Butler, James McReynolds and George Sutherland. Voting together along philosophical lines, the Four Horsemen provided consistent

conservative opposition to President Franklin D. Roosevelt's legislative attempts to cope with the problems created by the Great Depression. Feeling that the President's legislation posed a threat to the Constitution, the group consistently voted to strike down proposed legislation. The Four Horsemen survived the threat of Roosevelt's Court Packing proposal, but they were frequently the objects of derisive cartoons and editorials. The phrase was taken from a popular description of defensive players on the Notre Dame football team. Van Devanter's retirement in June, 1937 brought about the dissolution of the Horsemen.

Professor Atkinson discovered the correspondence between the Justice and his brother Spencer while doing research on a different topic. After some consideration, he wrote this article observing: "I've been thinking about the letters for some time now and I finally decided they are probably of interest to people curious about the lives of the Justices, reflecting as they do family difficulties where we might least expect them. I confess I have another interest in these letters as well. Since I've always been interested in how prominent people end their careers, it strikes me that this correspondence adds a further dimension on that level as well. Struggling with the infirmities of old age, a hostile President, an unsympathetic Congress, and the knowledge that the makeup of the Court was about to change—added to all of this—Van Devanter had to deal with a brother he didn't know but couldn't, on principle, ignore. It must have been difficult for him."



Library of Congress US202-107383

Van Devanter resigned from the Court in 1937 when his pension became available. By 1939, McReynolds (shown right) was the only one of the Four Horsemen still serving on the Court.

Recent Acquisition Activity

Several historical objects have recently been acquired by the Curator's Office using funds made available by the Society. Most of these have been small purchases to add to the Court's Collection in particular collecting areas. Some of the highlights include:

- A late 19th century bronze plaque of Chief Justice John Marshall by Moreau Vauthier. Based on a mold of a bust made of Marshall

from life while he was in France, this bronze was one of several that were presented as awards by an organization affiliated with the Johns Hopkins University. This particular plaque was awarded in 1902. The Court has another Marshall plaque, perhaps made from the same mold, that was given to the Court by Chief Justice Edward White in 1917.

- Two 19th century photographic portraits, one of Associate Justice Stanley Matthews by Mathew Brady's Studio and one of Associate Justice Lucius Q. C. Lamar by Napoleon Sarony. The Lamar photograph was taken in New York City in February 1890 during the

100th Anniversary Celebration of the first sitting of the Court.

- Several vintage newspapers and magazines including two 1804 newspapers documenting the impeachment trial of Samuel Chase, a December 1882 issue of the *Century Illustrated Monthly Magazine* containing sketches of the Justices and a drawing of the Court in session

that is new to the Court's collection, and a 1935 issue of the *Literary Digest* featuring a cover photograph of the "new" Supreme Court building.

- Several pieces of political memorabilia from William Howard Taft's presidential campaigns.

The Curator's Office is presently working on an exhibit to commemorate the bi-

centennial of the investiture of Chief Justice John Marshall. Should anyone reading this article have any "Marshall"-abilia they would consider donating or loaning to the Court for this exhibit, please contact the Curator's Office at (202) 479-3298 or the Society's Acquisitions Committee.

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.

Trivia Quiz: Answers Leaving The Bench

1. Justice John Rutledge resigned in 1791 to assume his judicial post in South Carolina. In 1795, he was given a recess appointment as Chief Justice of the United States by President Washington, and actually served for six months. Rutledge left the Court a second time when the Senate refused to confirm his appointment as Chief Justice.

Justice Thomas Johnson resigned in 1793, but lived in retirement until 1819.

President Washington considered appointing Rutledge to the post of Chief Justice, but decided there were too many prominent southerners in the government, and offered him an appointment as the senior Associate Justice instead. He took office in 1790, but because of bad health and a lack of cases, he never attended the first session in New York.

continued page eighteen



Collection of the Supreme Court of the United States

Trivia Quiz Answers

(continued from page seventeen)

3. Justice David W. Davis was elected to the Senate in 1876, and he took his seat in the Senate in 1877. In 1881, Davis was elected President pro temp of the Senate. He died in office in 1886.



Service on the Supreme Court was not as satisfying to Davis as he had anticipated, and eventually he was drawn back into politics, flirting with nomination as a presidential candidate for two splinter groups during the conventions of 1872. He served five more years before resigning from the Court after the Illinois legislature elected him to the U. S. Senate.

4. Justice Charles Evans Hughes resigned to run against Woodrow Wilson for President of the United States in 1916. After losing the election, he served later as Secretary of State for Presidents Harding and Coolidge. In 1930, he returned to the court as Chief Justice.

5. Justice John H. Clarke resigned in 1922 after six years on the Court. After the defeat of the League of Nations, Clarke lived in retirement in San Diego until his death in 1945.

6. Chief Justice John Jay was elected Governor in 1795. In 1800, President John Adams asked Jay to return to the Court as Chief Justice, but Jay declined. Adams appointed John Marshall instead.

7. Chief Justice Warren Burger resigned in 1986 to serve as Chairman of the Commission on the Bicentennial of the United States Constitution.

8. Justice Owen Roberts resigned from the Court in 1944. He was Dean at the University of Pennsylvania from 1945 to 1951.



9. Justice Arthur Goldberg was appointed Ambassador to the United Nations by President Lyndon Johnson in 1965.

10. James F. Byrnes served briefly on the Court in 1941 and 1942. During the War, he essentially managed domestic issues so that Roosevelt could devote his attention to military and foreign affairs. Subsequently, Byrnes was Secretary of State under Truman, and later, Governor of South Carolina.



Secretary of State James F. Byrnes (right) briefed President Harry S. Truman in 1946 on the progress of the Paris Peace Conference. Justice James F. Byrnes became restless on the Court and resigned in the fall of 1942 to accept an appointment as director of the Office of Economic Stabilization. As Director of the Office of War Mobilization he became known as the "assistant president" because of his great influence on the domestic war effort.

Buffalo Bill Historical Center Frontier Justice Symposium

The Frontier Justice Symposium will address a number of contemporary topics, including: Indian rights, ranching and land use, the military and the West, and law enforcement and violence. The symposium will take place October 19-21 in Cody, Wyoming.

Frontier Justice invokes images of the Old West and the laws that governed it; the Frontier Justice Symposium will discuss those issues that still impact us today.

"The conference is organized with a vision for the future, taking into account the rich culture and history of western America's past, blending together a study of the law, history and economics. It is designed for the law practitioner, history buff, and Public Policy Specialist," Wallace Johnson said. Mr. Johnson, a Former Assistant Attorney General, Land and Resources Division, U.S. Department of Justice and Special Assistant to the President of the United States, is also a member of the steering committee of the Frontier Justice Symposium.

Historians, legal scholars, law enforcement officials, and business leaders will provide their insights into significant Old West issues that are still crucial. Distinguished speakers include: Alan K. Simpson, Former Senator; Griffin Bell, Former Attorney General of the United States; Lois Shiffer, Current Assistant Attorney General, U.S. Department of Justice Environmental and Natural Resources Division; Lindsay Robertson, Director, Center for Indian Law and Justice; Jerry Parkinson, Dean, University of Wyoming Law School; Charles Schroeder, CEO of the National Cattlemen's Association; Judge Ronald Holdaway, U.S. Court of Appeals for Veterans Claims; Renard Strickland, Dean, University of Oregon Law School, and B. Byron Price, Buffalo Bill Historical Center Executive Director.

For more information on the Frontier Justice Symposium or to register, visit the Buffalo Bill Historical Center website www.bbhc.org or call (307) 578-4084.

Membership Update July 1 to September 30, 2000

Alabama

Kevin Clark, Birmingham
Thomas Summers Hale, Birmingham
Harold Williams, Birmingham

Arizona

Daniel Katz, Scottsdale
Richard H. Ward, Phoenix

California

Margaret C. Bard, San Jose
Paul Chen, Duarte
Lila J. Cramer, La Jolla
Jo Ann Hendricks, San Francisco
Marybeth Herald, San Diego
Randa Issa, Culver City
Thomas R. Larmore, Santa Monica
Ronald F. Phillips, Malibu
Robert Price, San Diego
Jack Rakove, Stanford
Ward Stringham, Tulare
Ramsey Marcus Tuell, San Marcos
Sandra M. Wagner, San Diego

Colorado

Daniel Lobnitz, Denver

Connecticut

Akhil Amar, New Haven

District of Columbia

Ernest Cornish Baynard, III
John M. Brendel
Peter F. Fitzgerald
Sue Hemberger
John Joiner
Karen O'Connor
Brad Schlozman
Mark Schwimmer
Peter Shelton
Mitch Sollenberger
Scott A. Stengel
Armen Tashdminian

Florida

Gerald L. Andriole, Sarasota
Paul Bowen, Tampa
Douglas Chumbley, Miami
Sydelle R. Golub, Miami

Will Michaels, St Petersburg
James F. Schoener, Sarasota

Georgia

Diane Clark, J.D., Atlanta
Ann Hale-Smith, Atlanta
Todd C. Peppers, Tucker

Illinois

Matt Abbott, Inverness
Margaret Higgins, Western Springs
Marshall D. Krolick, Northbrook
Richard F. Pellegrino, Western Springs
Anthony Perrozzi, Harwood Heights
Stephen A. Yokich, Chicago

Indiana

Jon Paul Dilts, Bloomington

Kansas

Lawrence S. Wrightsman, Lawrence

Kentucky

Bruce A. Brightwell, Louisville

continued page twenty

Louisiana

Elizabeth Mazzarella, Harvey

Maine

Alison M. Burton, Kennebunk

Maryland

Kristen Brinster, Baltimore
Brooke Murdock, Baltimore
Ellen Pearson, Baltimore
Karen Wolman, Mitchellville

Massachusetts

Bar Association, Quincy
Mark C. Miller, Worcester
Kevin J. O'Dea, Boston

Michigan

Kristen Golick, Livonia
Kim Little, Okemos
Joey S. Niskar, Southfield
Tracey A., Yokich, St. Clair Shores

Minnesota

Terry Morrow, St. Peter

Missouri

Lars Johansen, Wentzville

Nebraska

Kim Upham, Lincoln

New Jersey

Emily Blanck, Glassboro
Frank J. Fahr, Mt. Laurel
John D. Healy, Little Falls

New York

Elizabeth Fiechter, New York
James J. Huben Hawthorne
James Alex Karagianides, New York
Stephen Kennedy, Brightwaters
Jeffrey E. Livingston, New York
Andrew J. Lorin, New York
Howard Malatzky, New York
Roland Marden, Brooklyn

North Carolina

Sandra M. King, Asheville
J. William Russell, Asheville

Ohio

C. Ellen Connally, Cleveland

Oklahoma

Charles W. Shipley, Tulsa

Oregon

George M. Joseph, Portland

Pennsylvania

Marc Harris, Altoona
Morton Krase, Philadelphia

Puerto Rico

Luis M. Rodriguez-Vazquez, San Juan

Texas

Finlay Gow, Frisco
Jerry Lastelick, Dallas
Barry Sharpe, Austin
William C. Webb, Houston

Utah

Peter Barlow, Salt Lake City

Virginia

James R. Glenn, Alexandria
Peter W. Leach-Lewis, Centreville
Gerald Patrick McKendry, Cumberland
Steve Revenson, Richmond
Christian Vieweg, Middleburg

West Virginia

Tom Carney, Morgantown
James A. Varner, Sr., Clarksburg

Wisconsin

John C. Evans, Madison

Australia

Nicholas Aroney, St. Lucia
Aladin Rahemtula, Brisbane

Germany

Michael Dreyer, Jena, Germany

Japan

Kichimoto Asaka, Tokyo
Toru, Okumura, Osaka

United Kingdom

Lord Rodger of Earlsferry, Edinburgh
Robert David Sutherland, Edinburgh

Supreme Court Historical Society
224 East Capitol Street, N.E.
Washington, DC 20003
www.supremecourthistory.org

NON PROFIT ORG.
U.S. POSTAGE
PAID
WASHINGTON, D.C.
Permit No. 8232