



THE SUPREME COURT HISTORICAL SOCIETY

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GOVERNOR JAMES BYRNES

*By Nancy Bunch**

When James Francis Byrnes entered the South Carolina Governor's Mansion following his inauguration in January of 1951, he was the first

governor to have served as a member of the U.S. House of Representatives (1911-1925) and the U.S. Senate (1931-1941), as a Supreme Court Justice (1941-1942), and as a Cabinet Officer (Secretary of State, 1941-1942). No other American historical figure has served in both houses of Congress, the Cabinet, on the Supreme Court and as Governor of a state.

Governor Byrnes did not grow up accustomed to mansions. An Irish Roman Catholic orphan, he grew up in poverty in Charleston, South Carolina. He was forced to end his formal education at age fourteen because of family finances, but refused to accept his plight. He became a messenger in a local law office and then became a court reporter. Under the tutelage of two judges, he evolved into an educated young gentleman

and passed the South Carolina Bar in 1903. Then began his outstanding career, which took him to Washington, to Russia with President Franklin D. Roosevelt for the Yalta Conference, Germany with President Harry S. Truman for the Potsdam Conference, and to many other corners of the world before returning to his home state as Governor.

South Carolina welcomed his return. He and Mrs. Byrnes (Maude Busch), whom he married on his birthday in 1906,

turned the Governor's Mansion into more than a home for themselves. Though childless, the couple filled the Mansion with throngs of young people. They regularly entertained the Byrnes Scholars – deserving students whose college educations were financed by the Byrnes. Several years ago, a gentleman was seen standing on Lincoln Street in front of the Mansion as if pondering. Upon being approached, he explained he had been a Byrnes Scholar and had not visited since being welcomed by the Byrnes many years before. With a tear in his eye, he recalled the generous and caring spirits of Governor and Mrs. Byrnes. They had influenced his life incredibly and his gratitude was evident.

The Byrnes entertained many others

during their years in the Mansion. In 1952, General Dwight D. Eisenhower was a guest at a small private luncheon and John Foster Dulles visited the Mansion while researching his ancestors who had lived in the state. Perhaps the most frequent guest was South Carolina native Bernard Baruch. He and the governor were close friends and had much in common. Both



Governor and Mrs. Byrnes at home in the Governor's Mansion in Columbia, SC.

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A Letter from the President



As long-term members of the Society are aware, Professor James B. O'Hara, a Trustee and Chair of the Publications and the Library Committees, is a man of many talents and interests. He generously endowed the Society with the contents of the library he amassed during his teaching

career. As Chair of the Library Committee, he has continued to seek out new titles to supplement this collection. Additions have included newly published books, as well as out-of-print books he has located through "his sources." The central core of the collection is comprised of numerous biographies of Justices of the Supreme Court, supplemented by general reference works about the Court and the federal judiciary. The original collection also contained a small collection of materials describing homes and buildings associated with members of the Supreme Court.

Over the past several years, Jim has stepped up his quest to locate additional information and materials to supplement this last section. Those efforts have produced to date some 8 loose-leaf volumes filled with materials. His contacts have also resulted in articles for our publications. Indeed, the article appearing on the front page of this issue is the result of conversations he has had with the Curator of the Governor's Mansion in South Carolina, Nancy Bunch. One of the nice by-products of the work is that it has provided a conduit for information sharing with state and local historical societies and other organizations, that probably would not have taken place otherwise.

Jim has been resourceful in his efforts to explore these "history mysteries," and has conducted a number of telephone interviews, and written numerous letters as well. Many of the telephone calls have been extremely fruitful. For example, while attempting to identify the site of Justice Samuel Chase's birth, he determined to search old church records since the Justice's father had been an Episcopal priest. A random telephone call was placed to the offices of the Episcopal Diocese of Easton, MD. Expecting to have a brief conversation with an archivist or an amateur historian who could assist with early church records, Jim was very surprised when he found he was engaged in earnest conversation with the Bishop of Easton, The Right Reverend James J. Shand. Bishop Shand was incredibly well informed about the history of the eastern shore of Maryland and provided valuable information on the Justice's life.

Applying the "more is better" theory, Prof. O'Hara has

enlisted others in his activities. He reports that research on Justice Cushing was aided tremendously by Justice Brennan's daughter-in-law, Mary Brennan. Mrs. Brennan is a regular visitor to Scituate, MA, which provided her the opportunity to photograph Cushing's gravesite and even street signs of roads bearing the Justice's name.

Interesting nuggets have been unearthed in the search thus far. One little known fact uncovered in the research was that Justice Alfred Moore had an estate on Eagle's Island in Wilmington, NC. That island is now more famous as the site of the decommissioned battleship *North Carolina* which is visited by thousands of tourists each year, most of whom are oblivious of the connection to Justice Moore. The many sightseers who regularly visit colonial Williamsburg are probably unaware that one of the houses on Duke of Gloucester Street was in fact the residence of a Supreme Court Justice. John Blair, Jr. lived in that house—owned currently by Colonial Williamsburg but not open to the public—all his life. He is buried in the churchyard of Bruton Parish, another site visited by hundreds of thousands of tourists.

In the process of locating structures other than homes associated with Justices, connections to two ancient courthouses, still both standing, were identified. The Chowan County courthouse in Edenton, NC was the site of judicial proceedings conducted by Justice James Iredell, who lived nearby. Justice William Cushing lived for a portion of his early life in Pownalborough, ME. The courthouse there, though no longer used for trials, was surely associated with Cushing as both lawyer and Associate Justice on circuit duty. John Adams also argued cases in the same structure.

In the course of discoveries so far, it has been established that two of the former homes of Justices are now operated as bed and breakfasts. The birthplace of Chief Justice Salmon Chase in Cornish, NH is situated right on the main road and near the Connecticut River that separates New Hampshire from Vermont. A second hostel is operated in the former home of John Rutledge in Charleston, SC. You might consider adding the former home of a Justice to your summer vacation plans one year. There is also a vacation home in Maine available for rent that was formerly the scene of many vacations for the family of Harlan F. Stone.

All of these intriguing details are being collected and organized, and when time allows, Prof. O'Hara plans to coordinate with the Curator of the Court to make copies available to that office of any materials not currently in their collection. I expect that a number of articles will be forthcoming in the *Quarterly* predicated on these discoveries and materials. As always, I invite comments and contributions from our readers. If you learn of any interesting connections of homes and other buildings to the history of the Court, or come across antique photographs or postcards with similar significance, I hope you will consider making the staff aware of them. All of these seemingly small connections help to make the past more relevant to the future.

Frank Jones

NEW ACQUISITIONS: BELVA A. LOCKWOOD

By Mary A. van Balgooy, Collections Manager
Office of the Curator, Supreme Court



Belva A. Lockwood

In 1879, Belva A. Lockwood made front-page news in *The Evening Star* by becoming the first woman admitted to the Supreme Court Bar. The following year she made news again by becoming the first woman to argue before the Supreme Court. Her achievements, however, had not come easy. Lockwood lived in an age that believed a woman's place was in the home so when she decided she wanted to be in the courtroom, she faced many challenges. First, she struggled to find a law school that would accept her. When she was ready to graduate from National University Law School (now

George Washington) in 1873, school officials withheld her diploma and she had to petition President Ulysses S. Grant, the ex-officio head of the institution, to obtain it. Eager to work, Lockwood then found herself barred from practicing in federal courts on account of her sex. Once more she took up the challenge and successfully lobbied Congress to change this law and thus made history by becoming the first woman lawyer to argue before the highest court in the nation.

Today few artifacts from Lockwood's extraordinary life survive. It is believed that soon after her death most of her office files and personal papers were destroyed. Fortunately the Court has received two new artifacts to add to the collections that help illustrate her law career.

The first object is a bust-length portrait photograph of Lockwood, attributed to Benjamin J. Falk, about 1880. Acquired by the Supreme Court with funds provided by the Supreme Court Historical Society, this photograph dates from the period when Lockwood was admitted to the Supreme Court Bar and argued her first case before the Supreme Court.

The second item is a handwritten business card. Donated to the Supreme Court by Fred Bentley, Sr., the card lists Lockwood's address as "619 F Street, N.W." Lockwood purchased a twenty-room house at this address in 1877 for \$13,000 which placed her in the center of Washington's legal community. She was not only close to federal buildings and local courts but also to the Bureau of Indian Affairs and the Pension Building where she could easily and quickly complete her work and increase her business. Lockwood would practice law at this location until a few years before her death in 1917.

For more on Belva Lockwood, see Jill Norgren, *Belva Lockwood: The Woman Who Would Be President* (New York University Press, 2007); Jill Norgren, "Belva Lockwood: Blazing the Trail for Women in Law," *NARA Prologue*, vol. 37, no. 1 (Spring 2005); Nina Pillard, "Women As Supreme Court Advocates," *Supreme Court Historical Society Quarterly*, vol. 26, no. 4 (2005); and Jill Norgren, "Before it was Merely Difficult: Belva Lockwood's Life in Law and Politics," *Journal of Supreme Court History*, vol. 23, no. 1 (1999).

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619 F. St. N.W. Wash. D. C.

Belva A. Lockwood's handwritten business card.

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ADVOCATE EXTRAORDINAIRE: JOHN W. DAVIS

By M. Andrea Comer*

Library of Congress, LC Dig-egbain.37342



Tall and patrician in bearing, John W. Davis had a keen mind and intellect. As Solicitor General, he argued sixty-seven cases before the Supreme Court.

Editors' Note: The first of an occasional series focusing on the lives of former Solicitors General.

John W. Davis was born, in Clarksburg, West Virginia on April 13, 1873. He was the son of John Jay Davis, a prominent attorney and state legislator. Even as a child, Davis gave early evidence of his intellectual ability. Tutors by his mother, Anna Kennedy Davis, young John could read even before he had learned the alphabet. An important part of his childhood was spent observing his father's courtroom battles.

In the fall of 1887, Davis was sent to Pantops Academy, an all-boys college preparatory school in Virginia. As a result of his string-like appearance, Davis soon became known as "Bones," a nickname he would carry through college. By age sixteen, Davis was ready to enter college, and enrolled at Washington and Lee University as a sophomore in the fall of 1889.

Davis worked hard throughout college, earning honors in English and geology. Of his intelligence, one professor remarked, "Davis has a mind of unusual power, which he has cultivated with judgment and success." Davis thrived outside of academics, too: he joined the Phi Kappa Psi fraternity, played intramural sports, and sang in the glee club.

After earning his Bachelor of Arts, Davis spent a little over a year as an apprentice in his father's law office. During this time, Davis read cases and attended court with his father. This work fueled Davis' resolve to become a lawyer, and he entered Washington and Lee University School of Law in the

fall of 1894. Thanks to a grueling academic routine, Davis received his law degree in just one year.

After being admitted to the bar in 1895, Davis practiced law with his father in West Virginia for one year. He then returned to his alma mater to teach as an assistant professor of law. After a difficult year of teaching, Davis decided that he preferred the "rough and tumble" of private practice to the "daily grind" of teaching, and returned to work alongside his father in Clarksburg.

In 1899, Davis married Julia McDonald, a light-hearted and introspective young woman nicknamed "Birdie" because of her lovely singing voice. Sadly, she died in childbirth only a year later, leaving a daughter also named Julia.

Davis was elected to the West Virginia House of Delegates in 1900, and quickly became Democratic Floor Leader and chairman of the judiciary committee. But his interest in elective office soon waned and he returned to full-time private legal practice.



Shortly after his election as President, Woodrow Wilson (above) appointed Davis Solicitor General of the United States. He left nearly six years later to accept Wilson's appointment as Ambassador to the Court of St. James.

Library of Congress, US762-99

Yet, in November 1910, Davis successfully sought election to the House of Representatives. He served only one term, but with significant results. With his lawyerly background, Davis was one of the authors of the Clayton Act, which considerably strengthened national anti-trust laws.

Davis also remarried during this time. His new wife was Ellen Graham Bassell, the divorced daughter of one of his father's old legal rivals. Against his parents' wishes, the marriage took place on January 2, 1912.

Woodrow Wilson's election in 1912 ended the long drought that had seen only one Democratic President since Lincoln. Shortly after assuming office, Wilson appointed Davis Solicitor General and this began a Supreme Court odyssey which comprised, essentially, the remainder of Davis' life. Davis loved oral argument. As Solicitor General, he personally argued all important cases. Later, as a private attorney, his legal practice was almost exclusively limited to appellate advocacy.

One of the earliest and most important cases Davis argued was *Guinn v. United States*, a civil rights case centered on the constitutionality of Oklahoma's 'grandfather law' that essentially disenfranchised black voters. The Court sided unanimously with Davis, striking down the Oklahoma state law on the grounds that it violated the Fifteenth Amendment. By the time he resigned in 1918, Davis had argued sixty-seven cases before the Court. He was such a skilled lawyer that Chief Justice White once remarked, "no one has due process of law when Mr. Davis is on the other side."

Davis left his post in the Department of Justice to accept Wilson's appointment as Ambassador to the Court of St. James in 1918, just as World War I was ending. Here he worked tirelessly and successfully to advance Anglo-American harmony during a period of post-war stress. In 1921, Davis left England for New York and became head of his firm Davis, Polk, Wardwell,

Sunderland & Kiendl (now Davis, Polk & Wardwell). Clients of the prominent Wall Street law firm included many of the major companies in the United States, such as J.P. Morgan and Company and U.S. Steel.

Davis's success as one of America's most prominent lawyers caused regular mention of his name whenever there was a Supreme Court vacancy, but he always discouraged these rumors, claiming he had already given ten years of his life to public service, and that he enjoyed practicing law far too much to enter the world of public service again. He once said that he "was never happier, either in my work or in my surroundings," than when he was working as a lawyer.

But this resolve was tested in 1924. The Democratic Convention, desperately searching for a candidate to challenge incumbent Calvin Coolidge, nominated the dark horse John W. Davis for President after 103 ballots. The result was a foregone conclusion; Coolidge won in a landslide. Davis' remaining years were but a capstone to his legal brilliance. As both Solicitor General and as private advocate he argued more than 140 cases before the Supreme Court. Unfortunately, his last was an argument for the losing, pro-segregation side, of *Brown v. Board of Education*.

John Davis died on March 24, 1955, in Charleston, South Carolina at the age of eighty-one. One thousand mourners turned out for his funeral. Following his death, an editorial in the *Washington Post* declared him to be "a superior man, with a courtliness that came from a fine intellect and a warm heart and a gentle manner." His life is the subject of the biography



Recognized as one of the preeminent lawyers in the country, Davis was drafted by the Democratic Convention in 1924, to run against President Calvin Coolidge.

Library of Congress, USZ62-101853

Lawyer's Lawyer: The Life of John W. Davis by William Henry Harbaugh.

*Andrea Comer is a recent graduate of George Washington University. She was an intern in the Society's office during the summer of 2006.

FAMILY CONNECTION FOUND BETWEEN JUSTICE WILEY RUTLEDGE AND THE SECOND CHIEF JUSTICE OF THE UNITED STATES, JOHN RUTLEDGE

By Theodore S. Needels*

Collection of the Curator, Supreme Court of the United States



Justice Wiley B. Rutledge, Jr. was President Roosevelt's last appointee to the Supreme Court.

Justice Wiley B. Rutledge, Jr., Franklin D. Roosevelt's eighth and last appointee to the Supreme Court, served only six years (1943-1949); he died suddenly at age 55 after a cerebral hemorrhage. But while he was there, he became one of the most far-reaching proponents of individual rights in the Court's history.¹ He has become better known recently for dissents on behalf of deported enemy aliens² and prisoners of war tried by military commissions after World War II.³ These dissents have served as underpinnings, respectively, for two important Supreme Court decisions concerning the war on terrorism, both written by a former law clerk to Justice Rutledge, Justice John Paul Stevens. The first accorded habeas corpus rights to enemy combatants detained at Guantanamo Bay, Cuba;⁴ the second struck down military commission regulations applied to a Guantanamo Bay detainee alleged to have been Osama bin Laden's driver in Afghanistan.⁵

Wiley Rutledge had always been interested in his family history. He was proud of the Welsh heritage on his mother's side and the Scots-Irish ancestry of his father. One of his mother's forbears arrived in tidewater Virginia in the mid-1650s. His father's family from South Carolina migrated to



John Rutledge served as Chief Justice of the United States during an interim appointment, but when it reconvened, the Senate refused to confirm his appointment.

southwestern Virginia and later to eastern Tennessee. His grandfather lived for forty years as a farm and wagon maker in the Sequatchie Valley north of Chattanooga.⁶

Even before he joined the high court, Rutledge was curious about whether his father's family were descendants of John Rutledge, a signer of the Constitution and one of the first five Justices appointed to the Supreme Court by President Washington (1789-1791). John Rutledge resigned after two years to become Chief Justice of the South Carolina Court of Common Pleas, but when John Jay resigned as the first Chief Justice of the United States to accept the governorship of New York (1795), John Rutledge accepted a recess appointment by President Washington to succeed Jay as Chief. He served but one term; the Senate refused confirmation because Rutledge had publicly attacked the Jay Treaty with Great Britain, and perhaps also because Rutledge was rumored—in John Adams' words—to have an "accelerated and increased. . . Disorder of the Mind."⁷

In pursuing his possible South Carolina ancestry, after investigation based primarily on family lore, Rutledge

⁶See Ferren, *supra* note 1, at 13, 15-16.; Fowler V. Harper, *Justice Rutledge and the Bright Constellation*. Indianapolis: Bobbs-Merrill (1965), 1-3.

⁷Bernard Schwartz, *A History of the Supreme Court*. New York: Oxford University Press (1993), 28, 381.

¹See generally John M. Ferren, *Salt of the Earth, Conscience of the Court: The Story of Justice Wiley Rutledge*. Chapel Hill: U. of North Carolina Press, 2004.

²*Ahrens v. Clark*, 335 U.S. 188, 193 (1948) (Rutledge, J., dissenting).

³In *Re Yamashita*, 327 U.S. 1, 41 (1948) (Rutledge, J., dissenting).

⁴*Rasul v. Bush*, 542 U.S. 466 (2004). See Joseph T. Thai, *The Law Clerk Who Wrote Rasul v. Bush: John Paul Stevens's influence from World War II to the War on Terror*, 92 VA. L. Rev. 501 (2006); Craig Green, *Wiley Rutledge, Executive Detention, and Judicial Conscience at War*, 84 Wash. U.L. Rev. 99, 113-123 (2006).

⁵*Hamdan v. Rumsfeld*, 126 S. Ct. 1649 (2006). See Green, *supra* note 4, at 150-169.

concluded at one point, that there was no connection to John Rutledge. To an inquirer in 1943 he wrote "We are quite sure that we are not descended from any of the South Carolina Rutledges, inasmuch as the dates in their families would not coincide with what must have been the approximate date of my great-grandfather's birth and perhaps of his death."⁸ If there was any connection, he speculated to another correspondent, "it probably was a collateral one in Revolutionary days."⁹

Very recently, however, reliable information has come to light from internet sources that, indeed, Justice John Rutledge and Wiley Rutledge were related, but that Justice Wiley Rutledge was more directly related to John Rutledge's brother, Edward, one of four South Carolinians who signed the Declaration of Independence. In fact, President Washington also offered Edward Rutledge a seat on the Supreme Court, but he declined in order to continue his service in the South Carolina legislature. In 1798 he was elected Governor of South Carolina. Two years later, in 1800, both Edward Rutledge—and his brother John—died.¹⁰

Wiley Rutledge, more specifically, was the great-great-grandson of Edward Rutledge and the great-great-grandnephew of John Rutledge. Early sources verify that the father of John and Edward Rutledge was a surgeon, Dr. John Rutledge, who was born in Ireland around 1713 and came to America about 1735. Here he married fourteen-year-old Sarah Hext, his older brother Andrew's stepdaughter. They had seven children, the first of whom was John (b. 1739), the last, Edward (b. 1749).¹¹

Over the next four generations John Rutledge and his wife Elizabeth (Grimke) had a son, Frederick. He married Henrietta Pinckney (Horry) and they also had a son named Frederick. This Frederick married Henrietta Rutledge. (Frederick and his wife Henrietta were second cousins. He was a grandson of John Rutledge and she was a granddaughter of Edward Rutledge.) They had a son, Henry Middleton Rutledge, Colonel, Confederate States of America, whose second wife, Mary Hamilton (Seabrook), gave birth in 1883 to Archibald Hamilton Rutledge, who became the renowned poet laureate of South Carolina.¹²

Archibald Rutledge was an author well known for his lifetime of outdoor stories and poetry. His anthology of poems is read even today. He spent most of his life in South Carolina and died there in 1973, aged 90. He was the source

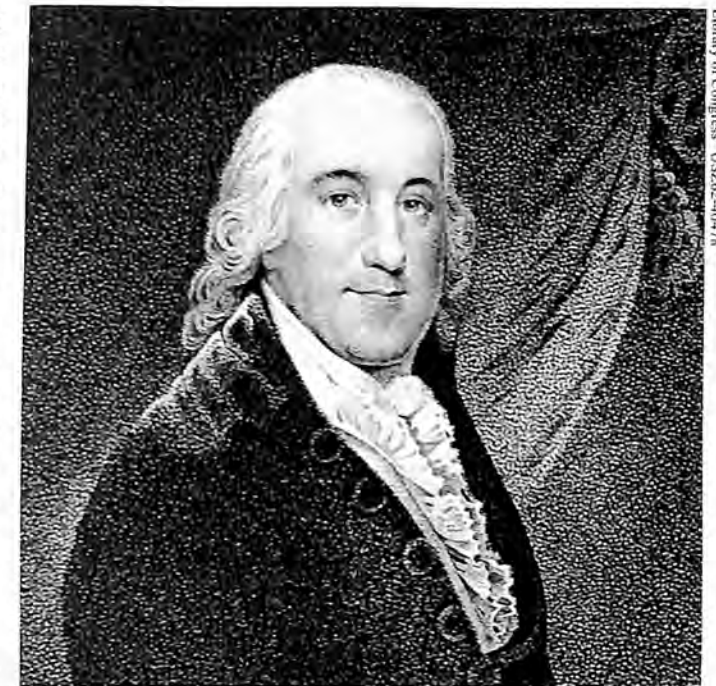
⁸Wiley Rutledge to A. G. Ewing, July 5, 1947, Papers of Wiley Blount Rutledge, Jr., Manuscript Division, Library of Congress, Washington, D.C. See also Wiley Rutledge to S. A. Rutledge, Mar. 2, 1939, Rutledge Papers (My understanding had been that our grandfather was born about the turn of the century, and therefore was in his sixties at the time of my father's birth. If this was true, it would make a rather difficult thing to get several generations in between him and John Rutledge.)

⁹Wiley Rutledge to Fred A. Sweet, Feb. 18, 1943, Rutledge Papers.

¹⁰John B. O'Neill, *Biographical Sketches of the Bench and Bar*, Charleston, S.C., S.G. Courtney & Co., 1859.

¹¹Mabel Webber, *The South Carolina Historical and Genealogical Magazine*, South Carolina Historical Society, Vol. XXXI, 1930.

¹²A letter from Ivan C. Rutledge to this author in his possession dated, August 9, 1984 states this: In addition, a letter to Wiley Rutledge from D. J. Brittain, dated May 30, 1945 in the Rutledge papers in the Library of Congress states, "Do you know Archibald some? I have enjoyed his poems, stories and articles for many years. I think I remember your telling me once that he was a distant cousin of yours." D. J. Brittain and Wiley Rutledge were student friends at Maryville College in Tennessee in 1912-15.



Edward Rutledge eschewed appointment to the Supreme Court in favor of service in the South Carolina legislature.

of our knowledge that the second son of Edward Rutledge and Henrietta (Middleton) Rutledge was Jackson Middleton Rutledge, born March 22, 1778, the man whom Justice Wiley Rutledge understood to be his great grandfather.¹³ Thus Archibald Rutledge and Justice Wiley Rutledge were indeed distant cousins—fourth cousins, in fact.

Paralleling this history, Edward Rutledge and his wife, Henrietta (Middleton) had a son, Jackson Middleton Rutledge, whose wife Sarah Lucy (Singleton) gave birth to Thomas Rutledge (b. 1803) in Virginia. Wiley's grandfather, Thomas had fifteen children over a period of thirty years—six from his first marriage to Nancy Jane (Wilson) and nine more from the second to Jane (Hall) Pope, the youngest being Wiley Blount Rutledge (b. 1861), the father of Wiley, Jr. the second Justice Rutledge (b. 1894).¹⁴

In short, the only possible connection with John Rutledge that Wiley Rutledge could think of, but doubted—a "collateral one in Revolutionary days"—has turned out to be true.¹⁵ Justice Wiley Rutledge would have been pleased to know that his suspected connection with these early South Carolina Rutledge patriots has at last, been well documented.

*Theodore Needels is a physicist by profession, and the son-in-law of Wiley Rutledge.

¹³United States Census Records for Hawkins and Bledsoe Counties, Tennessee, 1830-1880.

¹⁴A letter to Wiley Rutledge from Mary Davis, dated February 4, 1939 in the Rutledge papers in the Library of Congress states that: "Rev. Rutledge writes me that Jackson Rutledge came from South Carolina." This, if anything, was a huge understatement. The U.S. Census Record for Bledsoe County, Tennessee, for 180 shows the Thomas Rutledge family wife wife, Jane, sons Edwin and Wiley (aged 8), and his mother, Sarah Lucy (aged 86) living together at Keedy's Cove near Pikesville. Thus young Wiley knew his widowed grandmother and of course, who he was and who her husband, his grandfather was, and where they came from.

¹⁵Additional documentation with more details has been submitted to the Office of the Curator of the Court and to the Manuscript Division of the Library of Congress.

had been advisors to U.S. Presidents and worked diligently together to deliver the country from the Depression and World War II. Baruch visited so often that he had an exquisite nineteenth century chandelier shipped from England. It still graces the State Dining Room of the home.

One of the most popular furnishings in the Mansion through the years has been the Grand piano which Mrs. Byrnes donated when their days in residence came to a close. The governor had given it to her as a birthday gift and it has been enjoyed by many since. One evening in the early 1960s, Leonard Bernstein performed a concert in Columbia. Afterwards,

Courtesy of the Curator, Governor's Mansion, Columbia, SC



Governor Byrnes poses by his limousine with one of the Byrnes scholars. His chauffeur and life-long friend, Willie Byrd, is shown at the wheel of the car.

he was invited to the Governor's Mansion for a reception. At some hour he found his place at the piano and began entertaining the guests. He played through the night until the sun rose over the city, at which time he threw his cloak around himself and took his leave. On another occasion while a tour for German ambassadors was being conducted, the director was approached by one of the gentlemen who asked if he could play the piano. Thinking of the present governor's napping

children upstairs, she hesitated until another in the group whispered in her ear – "He's the Cabinet Minister of Music!" A phenomenal performance followed. The director silently thanked Mrs. Byrnes.

Governor Byrnes was not only known for his infinite wisdom, but also his wit. He applied the latter at a formal dinner when he informed his guests the Mansion had a new cook. Being aware that inmates comprised the kitchen staff,

one guest questioned the reason for the cook's imprisonment. In his jovial manner, Governor Byrnes answered, "Poisoning his wife." The dinner came to a sudden halt! The governor had realized rehabilitation of the prisoners who worked at the Mansion was a good thing and they apparently had great admiration for the governor. On Christmas mornings after the administration had ended, with the permission of the present governor, they would go to the Byrnes Columbia home and gather around the piano. While Mrs. Byrnes played, all burst forth with carols of the season!

Not since James F. Byrnes has a South Carolina governor claimed all the titles he so honorably held; however, presently,

Governor Mark Sanford leads South Carolina. Governor Sanford is distantly related to Chief Justice Edward T. Sanford who was appointed by President Warren G. Harding. Justice Sanford served from 1923 until his death in 1930.

If Governor Byrnes and Governor Sanford were to sit together today in the handsome large drawing room, there would be quite a conversation.

It would be an historical exchange compar-

ing South Carolina's past to the present. And, if he were there too, Leonard Bernstein would surely play a phenomenal concert in the background.

**Nancy Bunch is Curator of the Governor's Mansion in Columbia, South Carolina.*

The editors express gratitude to her for the article, as well as for providing the photographs used herein.

NEW SUPREME COURT HISTORICAL SOCIETY MEMBERSHIPS JANUARY 1, 2007 – MARCH 31, 2007

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In the interest of preserving the valuable history of the 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 and any other materials related to the history of the Court and its members. These items are often used in exhibits by the Court 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 East Capitol Street, N.E., Washington, D.C. 20003 or call (202) 543-0400. Donations to the Acquisitions fund would be welcome. You may also reach the Society through its website at www.supremecourthistory.org.

SOCIETY TRUSTEE MAKES PRESENTATION TO THE CHIEF JUSTICE OF THE PHILIPPINES

On a recent trip to Asian Pacific countries, Society Trustee Joseph Moderow and his wife Karen had the privilege to spend time with Associate Justice Reynato Puno of the Supreme Court of the Philippines. Mr. Moderow used the opportunity to act as an ambassador of the Society during the visit. Shortly after Mr. Moderow's visit, Justice Puno was elevated to the position of Chief Justice of the Supreme Court of the Philippines.

A great admirer of the judiciary of the United States of America, Chief Justice Puno completed post-graduate education in the United States. He has held a number of positions in the judiciary and the government of his country. In 1980, at age 40, he was appointed Associate Justice of the Court of Appeals. In 1984, he was appointed Deputy Minister of Justice.

Supplementing his judicial career, he has been a lecturer and a professor of law at universities in his country. Chief Justice Puno has garnered the most prestigious awards in the Philippines, and as a post-graduate student, received five awards given by the Lawyers Cooperative Publishing Co of New York and the Bancroft Whitney Publishing Co. of California. Those awards included the American Jurisprudence prize for Excellence in US Constitutional Structure.

During Mr. Moderow's visit he had an opportunity to discuss the Supreme Court of the United States with Chief

Justice Puno. Mr. Moderow discussed many aspects of the Court with Justice Puno, and of course, the work of the Supreme Court Historical Society. Mr. Moderow described his visit: "As a representative of the SCHS, I took the

opportunity to present Chief Justice Puno with a John Marshall Commemorative Coin. (I carry several with me wherever I travel at the suggestion of Ralph Lancaster who served as the chair of the ad hoc coin committee). He was impressed that Chief Justice Roberts actively supports the Historical Society."

At the conclusion of his visit, Mr. Moderow also presented Chief Justice Puno with a Supreme Court lapel pin. Puno is the 22nd Chief Justice of the Supreme Court of the Philippines. In comments made following announcement of his appointment as Chief Justice, Puno observed that the judiciary "has but one constituency and it is a constituency of one—the blindfolded lady with a sword unsheathed. She represents justice, fair justice

to all, unfairness to none. I hope to be an instrument of this justice."

John Marshall Commemorative Silver Dollars are available for purchase through the Society's Gift Shop, by telephone at (888) 539-4438, or through the gift shop component of the Society's website.



Chief Justice Reynato Puno (left) receives a John Marshall commemorative coin from Society Trustee, Joseph Moderow.

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