



THE SUPREME COURT
HISTORICAL SOCIETY

Quarterly

VOLUME XXXVI

NUMBER 3, 2014

Chief Justice Earl Warren and the Warren Commission

Chief Justice John G. Roberts, Jr. hosted the 22nd National Heritage Lecture on May 22, 2014. The subject for the evening was the role of Chief Justice Warren and his extra-judicial assignment as Chair of the Warren Commission, created to investigate the assassination of President John F. Kennedy. The Chief Justice introduced award-winning author James Swanson whose lecture was an outgrowth of his most recent book, **End of Days: The Assassination of John F. Kennedy**. The Heritage Lectures are presented by the Society in partnership with the U.S. Capitol Historical Society and the White House Historical Association. Programs are presented annually with the host institution planning a program every three years.

Before introducing Mr. Swanson, the Chief Justice gave a brief historical overview of extra-judicial assignments undertaken by Justices of the Supreme Court in recent years. While such assignments were common in the early years of the Court's history, they became much less frequent in the twentieth century. Examples of some past assignments included Chief Justice Melville Fuller's work as a boundary arbitrator in a dispute between Venezuela and British Guyana. Chief Justice Roberts commented that "President William Howard Taft was of two minds about judges performing extra-judicial assignments, depending on where he sat at the time." As President, he tapped Associate Justice Charles Evans Hughes to sit on a commission to

determine the rates for 2nd class postage. But when he became the Chief Justice, the former-President adopted a ban on those kinds of assignments. That has been the policy for members of the Court since Taft's time with only a few exceptions, two of which are quite notable: the service of Robert H. Jackson

as Chief Prosecutor for the Nazi War Criminal trials in Nuremberg, and Chief Justice Earl Warren's service on the Warren Commission. Jackson's service met with a great deal of criticism including some from his fellow Justices on the Supreme Court who thought his service was disruptive to the work of the Court and ill-advised, and created the potential for an even split in decisions on cases heard in his absence.

Following his historical observations, Chief Justice Roberts commented that popular author and historian James Swanson was present "to tell us more about Earl Warren and his service on

the Commission." Mr. Swanson earned a law degree from the University of California Los Angeles, and served as a law clerk to Judge Douglas Ginsburg of the U.S. Court of Appeals for the District of Columbia Circuit. He is the author of **Manhunt: Search for Lincoln's Killer** which is currently being adapted as a television mini-series. His most recent book is **End of Days: The Assassination of John F. Kennedy**, on which this talk was based.

Mr. Swanson set the stage for his talk: "It was Nov. 22,

Continued on Page 3



Chief Justice John G. Roberts, Jr. introduced noted author James Swanson (right) who spoke about Earl Warren and his role on the Warren Commission. *Photo by Steve Petteway*

A Letter from the President



The Society has thoroughly redesigned its website, www.supremecourthistory.org, and it is worth a quick click or two. The site was updated and redesigned under the leadership of Publications Director Clare Cushman and Director of Information Technology Sean Burchett. Content and pages were moved out of the previous template to a new hosting platform and template.

We now have a site that is easier to navigate and use, that increases the variety and quantity of data available to visitors and that enhances the overall appearance.

A partial list of content currently available on the site:

- 28 years' worth of past issues of the **Journal of Supreme Court History** and its predecessor, the **Yearbook of the Supreme Court Historical Society** — from 1976 through 2003. (There may be a few stray volumes in this series that are missing, but they will be online soon).
- A complete index of the **Journal** thanks to the efforts of Society member Joel Fishman.
- Past issues of the *Quarterly* since 2010
- A search engine allowing the user to identify materials on the site from a variety of sources. (e.g., a search for Salmon P. Chase will capture articles that have been published in the **Journal** or **Yearbook**, the *Quarterly*, and other sources, including references in Trivia Quizzes that appeared in the *Quarterly*).
- Links to videos of Society programs that have been recorded by C-Span
- A timeline of Justices and Chief Justices
- Biographical sketches of current Justices
- Lesson Plans for units on Supreme Court-related topics prepared by teachers and suitable for use in the classroom
- Information about the Society, including membership information
- Gift Shop information about items that can be purchased through the site

- Information about Society events, both past and future
- Links to partnership organizations
- Information about how the Society supports academic research, notably by awarding the Hughes-Gossett prize, the Hughes-Gossett Student Prize, and the Griswold Prize for best book on Supreme Court history.
- A new section on the history of Supreme Court oral advocacy has been added.

We are continuing to enhance the site, adding new material frequently. A series of video interviews with scholars participating in the Society's lecture series, and interviews with authors of current books about the Court, will be posted to provide the opportunity to hear the scholars talk about their areas of expertise.

We hope the new website will be a great asset to scholars and students. We welcome your comments and suggestions as you view the new site.

We are hosting a number of outstanding programs this autumn. (Several of these events may have taken place by the time you read this, yet another good reason to check the website frequently so that you can avoid missing any.) The second New York Gala was held on October 28, 2014, with rare copies of pre-adoption versions of the Bill of Rights on display, thanks to Society Vice President and collector extraordinaire Dorothy Goldman. At the Gala, Katherine L. Adams of Honeywell and Ivan Fong of 3M Corporation accepted the Society's Amicus Curiae Award. The Gala is the Society's only fund raising event and provides critical financial support for our programs and activities. Let me thank in advance those who have supported the event for their generosity.

The last lecture in the Leon Silverman Lecture Series on the "Civil War and the Supreme Court Revisited," will be delivered on November 13th. The final program of the calendar year, on December 5, 2014, will commemorate the 150th Anniversary of the Appointment of Chief Justice Salmon P. Chase.

All of these accomplishments are achieved only because of the support and assistance of Society members, organizations and foundations interested in exploring and preserving the heritage and history of the Supreme Court of the United States. We are grateful for your continuing support and assistance, without which this important work would not be possible.

Continued from page 1

1963 – do you remember? On a brilliant fall day in Dallas, Texas, the President was assassinated. It is hard to believe it happened 50 years ago—we mourn him still.” Mr. Swanson then outlined three goals for his presentation:

1. to establish what happened the day of the assassination;
2. to define the Warren commission-what it was; how it was established, why it was established and what it did; and
3. the legacy of the commission today.

The President’s final day was the second of a two-day swing through Texas to get a head start on his Presidential reelection campaign. His wife Jacqueline agreed to accompany him although she had not campaigned since his first presidential campaign. The trip came only 2 months after the death of their infant son, Patrick, and shortly after their 10th wedding anniversary.

On the day of his arrival in Texas, the *Dallas Morning News* carried a full-page advertisement welcoming President Kennedy to Dallas. What appeared at first to be a statement of support was bordered in black like a death notice. Rather than a tribute, it was, in fact, a long list of complaints accusing him of being a communist, among other things. Also, on the night before his arrival in Dallas several thousand handbills, “Wanted for Treason” in the style of an Old West reward poster with the President’s image, were printed and distributed.

The President’s party was met by a large number of reporters and photographers. The reporters were enchanted with Jackie Kennedy’s striking appearance in a bright pink suit, with a bouquet of red roses, an image that would become one the Nation would long remember. The motorcade travelled a slow route to the Trade Mart where the President would speak. With only a few minutes remaining, tragedy struck. Three shots were fired, with the second and third shots striking the President. He was pronounced dead shortly after his arrival at Parkland Memorial Hospital. Within a few hours, the Dallas police had arrested Lee Harvey Oswald.

Thus began a four day nightmare for Mrs. Kennedy and the Nation. Covered in his blood for hours, she refused to leave her husband, accompanying him to the hospital and then she stayed with the body on the plane to Bethesda and back to the White House. She personally selected his coffin, and the grave site at Arlington Cemetery, and stood beside the bier as he lay in state at the Capitol Building. The day of the funeral and interment was also her son John’s 3rd birthday.

Chief Justice Warren was devastated by the events. He had great affection for the President and had seen the Kennedys at a large White House reception for the federal judiciary less than two days prior to the assassination. He stood vigil at Andrews Air Force Base with other government leaders awaiting the return of the plane carrying the President’s

body. Like millions of other Americans, he watched television reports which repeated various conspiracy theories that sought to provide a reason for the assassination. Oswald’s murder at the hands of Jack Ruby in the basement of the Dallas Police Station appeared on live television and further shook the Nation. This second death only fueled the conspiracy theories. These theories included: Kennedy had been killed by the Russians; he had been murdered by the Mafia; he had been murdered by the Cubans.

In response to the turmoil and rumors, President Lyndon Johnson decided to create a central, independent investigation. At the time of President Kennedy’s murder, the assassination of a president was not a federal crime. This meant that the investigation fell to the Texas police and was outside the jurisdiction of the FBI, the Secret Service or the CIA. Johnson felt that the American people would only be satisfied with an investigation national in scope. He determined to set up a panel of distinguished Americans to conduct a comprehensive and independent review. From the outset, LBJ wanted the Chief Justice to chair the Commission. He selected Warren because he was a larger-than-life public figure; he had been a prosecutor, the Governor of California, a Vice Presidential candidate in 1948, and had sought the presidency himself in 1952. He was the Chief Justice of the United States and had a reputation for being incorruptible, fair, decent and honest. Many Americans objected to the decision in *Brown v. The Board of Education* and thought he was too liberal in his viewpoints, but on the whole, he was well respected.

One week after the assassination President Johnson sent representatives to meet with the Chief Justice in his office to proffer the invitation. They told Warren that the President wanted him to serve as the Chair of the Commission to lend it weight and credibility. The Chief Justice wholeheartedly endorsed the idea of a Commission, but then listed the reasons why he should not serve. Warren stated that it was not the role of a Justice to investigate crimes and murders and this was the crime of the century. Extra-judicial appointments had proven to be a bad thing and serving on such a Commission was not in the spirit of the separation of powers. Litigation might arise that would end up in the Supreme Court and

Quarterly

Published four times yearly in Spring, Summer, Fall, and Winter by the Supreme Court Historical Society, 224 E. Capitol Street, N.E., Washington, D.C. 20003. Tel. (202) 543-0400, www.supremecourthistory.org. Distributed to members of the Society, law libraries, interested individuals, and professional associations.

**Managing Editor Kathleen Shurtleff
Advisory Editor James B. O’Hara
Advisory Editor Frank D. Wagner**

Continued on Page 4



archives.gov N1K-WHP-KN-KNC30757

(Left to right) President Kennedy and First Lady Jackie Kennedy were photographed with Chief Justice Earl Warren and his wife Nina Warren at a White House reception.

he would have to recuse himself. Further, there were no precedents for such a Commission. On a personal level he was not sure he could disentrail himself from his love for JFK to act objectively. What would he do if the interests of the Commission came into direct conflict with those of the Kennedy Family? Finally, the Court was already in the opening weeks of a very difficult and challenging Term. The usual business of the Court, along with the duties he fulfilled as Chief Justice, demanded all his time. In conclusion, he emphatically stated that he would not serve and considered the matter to be closed.

Warren had not taken into account the “LBJ treatment.” LBJ loved bending people to his viewpoint, and was very skillful at doing so. A short time after the conference, the Chief Justice was summoned to an urgent meeting in the Oval Office where the President convinced him that he would be providing a great public service by accepting the appointment. Warren capitulated.

The President appointed seven Commissioners in total. Members of the Commission included two U.S. Senators, the House Majority Whip, the House Minority Leader (future President Gerald Ford), the former President of the World Bank and the former director of the Central Intelligence Agency. Neither Warren nor any of the other six commissioners planned to work on the Commission full-time. The Chief Justice determined not to take a leave of absence and to maintain his judicial schedule and all of his other activities. With the exception of Goldberg, Warren’s colleagues on the bench were disappointed he had accepted the assignment, and some expressed frustration. The Chief

Justice assured them he would not leave them in the lurch and would fulfill all his regular duties on the Court. He would carry his weight. He would work longer hours and do both jobs.

Originally, the Commissioners thought that they would only evaluate evidence, not gather it. But that changed as it became clear that both the FBI and the Secret Service had competing interests and provided varying information. While neither agency had jurisdiction in the matter, they each thought it should fall within their purview. The Secret Service was eager to justify its performance on the day of the assassination. At length, the Commissioners determined that they would need to conduct their own research to be sure it was not tainted by the interests of any branch of the government.

The Commission deputized J. Lee Rankin, a former Solicitor General of the United States, to serve as general counsel. A staff of individuals was hired who were not current employees of the government to avoid any appearance of prejudice or influence. The Commission sought out graduates of major law schools, individuals associated with prestigious law firms and other highly qualified candidates. Ultimately the Commission hired fourteen Assistant Counsel, including William T. Coleman, Jr., Albert Jenner, Jr. and future-Senator Arlen Specter with twelve staff members for support. The assistant counsel and staffers did most of the work in the investigation. They utilized the assistance of a few dozen lawyers, law clerks and others, including now-Associate Justice Stephen G. Breyer.

The Commission operated like a law firm with Rankin acting as the managing partner. There was a clear division of labor and lawyers were assigned to work in pairs, with each pair assigned to master one part of the investigation. The major goals were: to establish the facts of the assassination; find the facts leading to Oswald as the assassin; to research Oswald’s life in America; to research Oswald’s foreign contacts with Russia, Cuba, and Mexico; to investigate the murder of Oswald by Ruby; to analyze the protection given the President by the Secret Service and how they performed on the day of the assassination.

There were several important characteristics of the Commission staff members.

1. The assistant counsel team members came to their tasks with independent minds and had not signed up to ratify a preordained conclusion. Further, they chafed at the exercise of outside influence and pressure to uncover a conspiracy. In addition to being talented, many were arrogant by their own admission, and would have basked in the celebrity status if they had been able to substantiate a conspiracy theory, but they were committed to reporting the facts as they found them, not to finding facts that would fit a theory.
2. The counsel investigated the case on their own and learned early on in their work not to trust the

information supplied by the CIA or the FBI as each group had self-interest for their respective branches. Both the CIA and the FBI attempted to manipulate the commission members and withheld information from them, so the commissioners decided it could not rubber stamp anything that came from either agency.

3. The Warren Commission was not a law enforcement agency. It had no prosecutorial authority to act on any of its findings; it was set up to function only as a fact-finding body. In pursuit of finding all the facts, the Commission conducted the most comprehensive criminal investigation in American history. It uncovered exponentially more information than would have ever been uncovered if Oswald had lived.

4. The greatest challenge faced by the Commission was the challenge of attempting to prove a negative; how to prove it was not in fact the product of a conspiracy.

One of the tasks of the Commission was to investigate and assess how the Secret Service had performed that day. This made the Secret Service agency very defensive and added to the difficulty of the task.

The directors of the Commission hired an historian from the Air Force to write the report so that the end product would not sound like a legal brief. Attorneys working for the Commission went to all the places associated with the crimes and reenacted them as far as possible. They tracked down the most obscure facts including facts about Oswald's trip to Mexico, and even conducted interviews with people who sat near him on the bus trip. They reviewed his medical records and his radio appearances in New Orleans. They reviewed photos, false identification cards, and other minutiae. Future Senator Arlen Specter was credited with conceptualizing the single bullet theory that explained how one shot could have hit both the President and Governor Connally. His theory proved a great breakthrough.

During the entire period the Commission performed its work it was subject to constant criticism, through books, television and other sources. The criticism was not limited to domestic commentaries but also included reports and commentaries by the foreign press. Throughout the period the conspiracy theory proponents continued to publicize and embroider on their theories.

The Committee conducted an exhaustive investigation. Some statistics reveal that they interviewed 552 people in the process, including 94 eye-witnesses. 395 depositions were taken, 61 sworn affidavits, and 3000 exhibits were presented. The official report was 469 pages in length, with 410 pages of appendices. In addition, the Commission published 26 volumes as a complete record of the investigation.

The Report was officially presented to the President in September 1964. The report found that Oswald acted alone. As rationale for the crime, there was a detailed description



Chief Justice Earl Warren and the members of the Warren Commission presented the written report of their work to President Lyndon B. Johnson in September 1964. (L to R) John J. McCloy, Sen. Richard Russell, Rep. Gerald Ford, Chief Justice Warren, President Johnson, Allen Dulles, Sen. John Sherman Cooper and Rep. Hale Boggs.

of Oswald and his history. He was portrayed as a violent, troubled 24-year old malcontent, an ex-Marine; a defector to the Soviet Union who could not be happy anywhere. Records showed that Oswald had purchased both weapons he was found with at the time of arrest, and both had his fingerprints on them. As a Marine he had been trained as a crack shot at long distances. The shot that killed President Kennedy had been fired from only 100 yards, easily within his range of expertise.

The Commissioners presented the report to the President at the White House. When the report was released, it was deemed to be written in good literary style, and major magazines and papers commented that it was well done and convincing. The conclusion was that Oswald had acted alone in Dallas, and that Ruby had acted alone when he killed Oswald. The report stopped short of stating there had not been a conspiracy, instead saying that the Commission could find no evidence of a conspiracy.

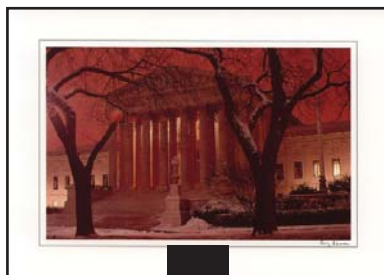
Mr. Swanson then posed the question, "Why then 50 years later, do people still believe in conspiracy?" He opined that it was primarily because of ignorance, citing that few have actually read the report. While many say they believe in a conspiracy theory, they aren't sure which one they endorse. But perhaps it is that many prefer the tantalizing suggestion of an unsolved mystery. Whatever the reason, Mr. Swanson said that after conducting his research for the book he was convinced that the Commission had come to the correct conclusion and that he was certain that Chief Justice Warren had been confident in that decision.

To see the lecture in its entirety, go to the Events page of our website, www.supremecourthistory.org and follow the C-Span link.

Copies of the book autographed by Mr. Swanson are available for sale through the Society's Gift Shop.

Supreme Court Historical Society

The Gift Shop



1



2



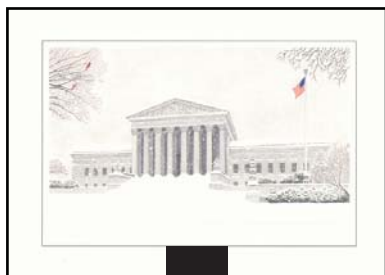
5



6



3



4

AUTUMN GREETING CARDS

A collection of photographs and hand drawings of the Supreme Court, the Capitol and the White House. The inscription reads: "Season's Greetings and Best Wishes for a joyous Holiday and a very Happy New Year." Packaged 10 per box.

\$16.95 *Members \$13.56*

Card 1 Item # 00320-N141

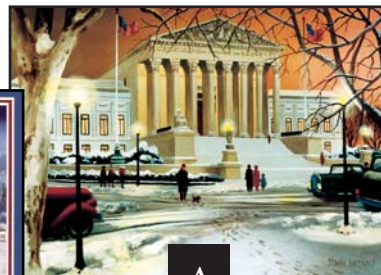
Card 2 Item # 00320-N165

Card 3 Item # 00320-N179

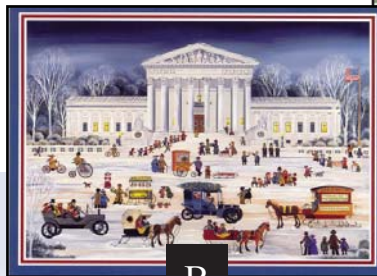
Card 4 Item # 00320-AC15

Card 5 Item # 00320-NC04

Card 6 Item # 00320-N150



A



B

RALPH JONES GREETING CARDS

Our elegant greeting cards are printed on high-grade stock and accompanied by premium envelopes. Packaged 12 per box. Cards read: "Wishing you the happiness and joy of this beautiful holiday season and throughout the coming year."

Card A Item # 00280-J9

Card B Item # 00280-C68

\$14.95 *Members \$11.96*

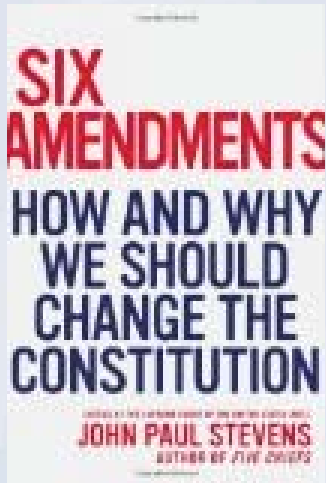


2014 SILVER SUPREME COURT BUILDING ORNAMENT

The Supreme Court Historical Society's 2014 ornament takes a look up the steps of the Court from the front plaza. The three-dimensional building is silver-plated with white accents. The curved columns beautifully reflect the light. This year's ornament compliments the other ornaments in the Supreme Court Historical Society series. This ornament is packaged in a beautiful box, perfect for gift-giving and years of enjoyment. This is a "Made in the U.S.A." product.

Item # 04059 \$24.95 *Members \$19.96*

SIX AMENDMENTS: HOW AND WHY WE SHOULD CHANGE THE CONSTITUTION



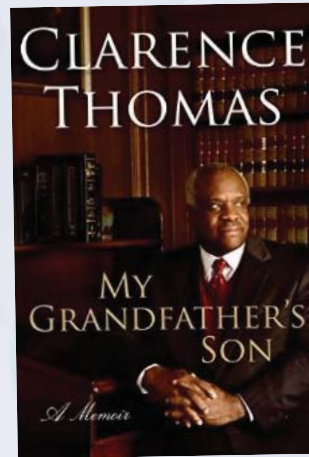
By JOHN PAUL STEVENS

By the time of his retirement, Justice Stevens had become the second longest serving Justice in the history of the Supreme Court. This text is an absolutely unprecedented call to arms, detailing six specific ways in which the Constitution should be amended in order to protect our democracy and the safety and wellbeing of American citizens.

Item # 113343
\$23.00 *Members \$18.40*

MY GRANDFATHER'S SON: A MEMOIR

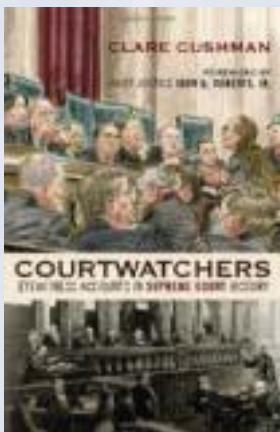
By CLARENCE THOMAS



Justice Thomas's memoir relates his rise from poverty to the elite circles of Washington as a justice of the U.S. Supreme Court, with a particular focus on the events that surrounded his confirmation hearings.

Item # 111965
\$15.95
Members \$12.76

**SIGNED BY AUTHOR
AVAILABLE IN LIMITED QUANTITIES**



COURTWATCHERS

By CLARE CUSHMAN

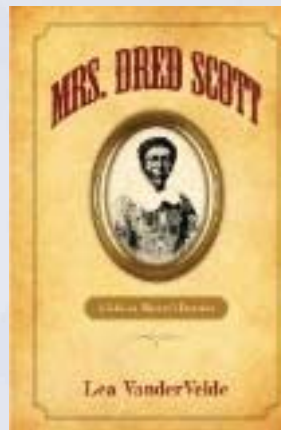
In the first Supreme Court history told primarily through eyewitness accounts from Court insiders, Clare Cushman provides us with a behind-the-scenes look at the people, practices, and traditions that have shaped an American institution for more than two hundred years. Each chapter covers one general thematic topic and weaves a narrative from memoirs, letters, diaries, and newspaper accounts by the Justices, their spouses and children, Court

reporters, clerks, oral advocates, Court staff, journalists, and other eyewitnesses. This entertaining and enlightening tour of the Supreme Court's colorful personalities and inner workings will be of interest to all readers of American political and legal history.

Item # 113093 \$39.95 *Members \$31.96*

MRS. DRED SCOTT: A LIFE ON SLAVERY'S FRONTIER

By LEA VANDERVELDE



More than a biography, the book is a deep social history that freshly illuminates some of the major issues confronting antebellum America, including the status of women, slaves, Free Blacks, and Native Americans.

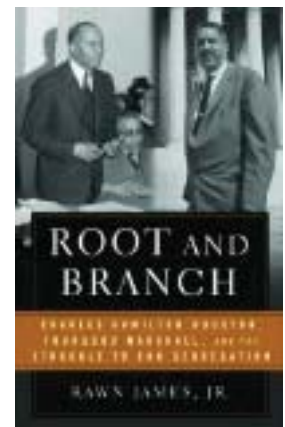
Item # 113362
\$26.95 *Members \$21.56*

ROOT AND BRANCH: CHARLES HAMILTON HOUSTON, THURGOOD MARSHALL, AND THE STRUGGLE TO END SEGREGATION

By RAWN JAMES, JR.

The riveting story of the two crusading lawyers who led the legal battle to end segregation, one case and one courtroom at a time.

Item # 111769
\$28.00 *Members \$22.40*

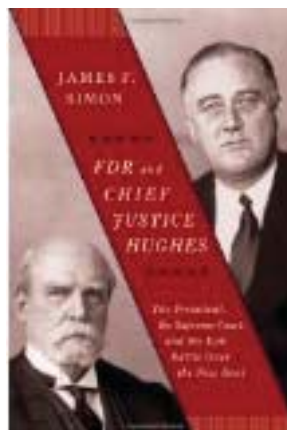


FDR AND CHIEF JUSTICE HUGHES

By JAMES F. SIMON

President Roosevelt and Chief Justice Hughes's fight over the New Deal was the most critical struggle between an American president and a chief justice in the twentieth century.

Item # 113241
\$28.00 *Members \$22.40*



**SIGNED BY AUTHOR
AVAILABLE IN LIMITED QUANTITIES**

MY BELOVED WORLD

By SONIA SOTOMAYOR

The first Hispanic and third woman appointed to the United States Supreme Court, Sonia Sotomayor has become an instant American icon. Now, with a candor and intimacy never undertaken by a sitting Justice, she recounts her life from a Bronx housing project to the federal bench, a journey that offers an inspiring testament to her own extraordinary determination and the power of believing in oneself.

Item # 113151 \$27.95 *Members \$22.36*

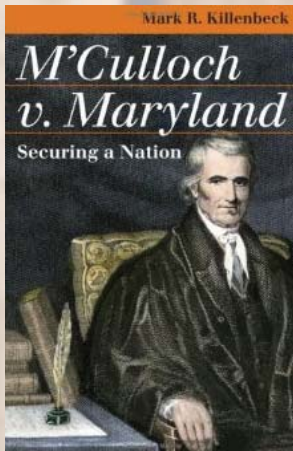
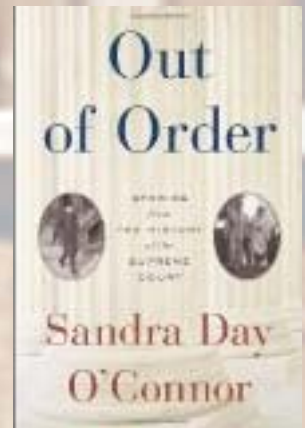


OUT OF ORDER: STORIES FROM THE HISTORY OF THE SUPREME COURT

By SANDRA DAY O'CONNOR

Out of Order sheds light on the centuries of change and upheaval that transformed the Supreme Court from its uncertain beginnings into the remarkable institution that thrives and endures today. From the early days of circuit-riding, when justices who also served as trial judges traveled thousands of miles per year on horseback to hear cases, to the changes in civil rights ushered in by Earl Warren and Thurgood Marshall; from foundational decisions such as *Marbury v. Madison* to modern-day cases such as *Hamdi v. Rumsfeld*, Justice O'Connor weaves together stories and lessons from the history of the Court, charting turning points and pivotal moments that have helped define our nation's progress

Item # 113210 \$26.00 *Members \$20.80*



M'CULLOCH V. MARYLAND: SECURING A NATION

By MARK R. KILLENBECK

Federalism—including its meanings and limits—remains one of the most contested principles in constitutional law. To fully understand its importance, we must turn to a landmark decision nearly two centuries old. *M'Culloch v. Maryland* (1819) is widely regarded as the Supreme Court's most important and influential decision—one that essentially defined

the nature and scope of federal authority and its relationship to the states.

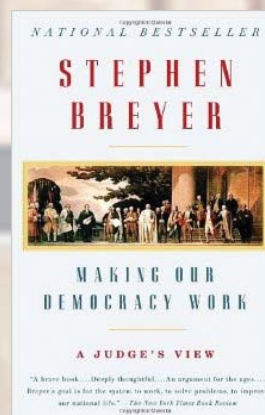
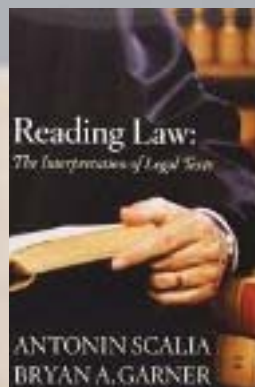
Item # 113129 \$16.95 *Members \$13.56*

READING LAW: THE INTERPRETATION OF LEGAL TEXTS

By ANTONIN SCALIA AND BRYAN A. GARNER

All the most important principles of constitutional, statutory, and contractual interpretation are systematically explained in an engaging and informative style—including several hundred illustrations from actual cases. Never before has legal interpretation been so fascinatingly explained.

Item # 112783 \$49.95 *Members \$39.96*



MAKING OUR DEMOCRACY WORK: A JUDGE'S VIEW

By STEPHEN BREYER

Charged with the responsibility of interpreting the Constitution, the Supreme Court has the awesome power to strike down laws enacted by our elected representatives. Why does the public accept the Court's decisions as legitimate and follow them, even when

those decisions are highly unpopular? What must the Court do to maintain the public's faith? How can it help make our democracy work? In this groundbreaking book, These questions and more are tackled, offering an original approach to interpreting the Constitution that judges, lawyers, and scholars will look to for many years to come.

Item #112971 \$26.95 *Members \$21.56*



SUPREME COURT BUILDING MODEL

This incredibly detailed model of the Supreme Court building is made of sculpted clay. It measures 18"x8"x6".
Item # 7880 \$595.00 *Members \$476.00*

LADY JUSTICE WORLD TRIO

These three Ladies of Justice are seated on a 7" round green marble base. They balance a 4" diameter crystal globe on their heads. Measuring 11" total height, this is a perfect centerpiece that everyone will notice.

Item # 9099
\$295.00 *Members \$236.00*



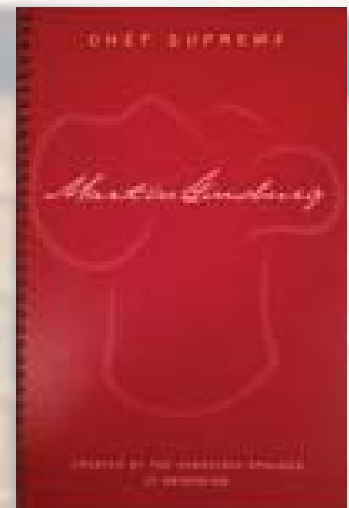
2015 POCKET CALENDAR

This week-at-a-glance calendar is embossed with the "Seal of the Supreme Court of the United States". Small enough to carry with you anywhere.
Item # 0100 \$4.95
Members \$3.96



CHEF SUPREME

Chef Supreme is more than just another cookbook, it is a tribute. Full of recipes, photos and fond tales, this cookbook was created by the Spouses of the Justices of the Supreme Court in memory of Martin Ginsburg. It is the perfect gift for



those who enjoy cooking!

Item # 1210 \$24.95 *Members \$19.96*

ANTIQUE BRONZE SCALES OF JUSTICE

These classic Scales of Justice are antique bronze finished and stand approximately 22" tall.
Item # 03705
\$125.00 *Members \$100.00*



SEAL OF THE SUPREME COURT OF THE UNITED STATES KNIT THROW

What a beautiful accent for any décor! This 100% acrylic throw is knitted with seven vibrant colors. It is machine washable, so you can use it to keep warm this winter. Made in the U.S.A., this throw measures 4' x 6'.
Item # 07525
\$76.95 *Members \$61.56*



12" SCALES OF JUSTICE

These 12" antique bronze scales are topped with an eagle and sit upon a green marble base.
Item # 03703
\$65.95 *Members \$52.76*



“A Scholar and Historian of the Court”: Merlo J. Pusey’s 20th Century Washington Post Editorials

By Edward E. Adams, Edward L. Carter and Scott Nash*

Editors’ Note:

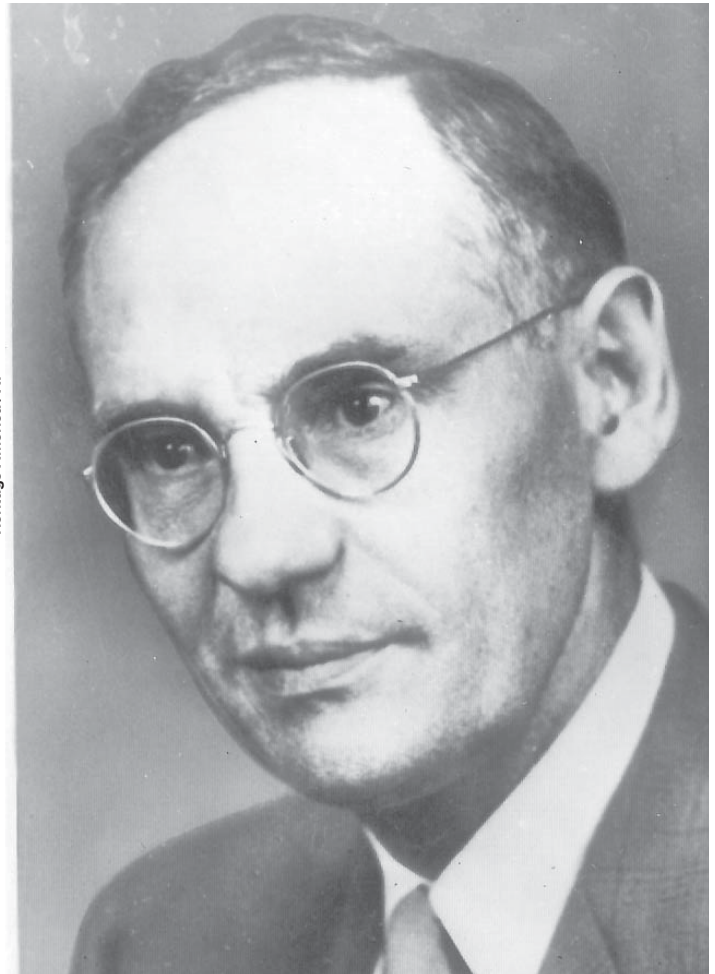
This is the first half of the article about Merlo Pusey. The second half will appear in the next issue of the *Quarterly*. The text of this portion of the article will appear on the Society’s website, www.supremecourthistory.org along with any accompanying footnotes.

The 20th century journalist Merlo J. Pusey wrote—by his own estimate—20,000 unsigned “house” editorials for the *Washington Post* between 1928 and 1970. Hundreds of them were written about the Supreme Court, which Pusey considered to be his specialty. In addition, Pusey wrote several books about the Supreme Court and its members. His two-volume biography of Chief Justice Charles Evans Hughes won the 1952 Pulitzer Prize, and, in less than a month in 1937, he wrote a book opposing the court-packing plan of President Franklin D. Roosevelt. Among Pusey’s accolades, however, perhaps no higher praise was given than by Justice Sherman Minton in a personal note to Pusey after an editorial: “It is gratifying to have a scholar and historian of the Court write some sense about the Court’s power.”

Pusey grew up in Woodruff, a small ranching town in the northeast part of Utah. As a teenager, he spent his days on horseback while tending cattle and carrying a pistol to ward off predators. But he loved to read and dreamed of becoming a writer. Pusey left Woodruff at the age of 18 to live in Salt Lake City, where he attended Latter-day Saints University (now LDS Business College) and the University of Utah. At Latter-day Saints University he got his first taste of journalism working for the school newspaper. While studying at the University of Utah, he worked as a reporter at the *Deseret News*, a daily newspaper owned by The Church of Jesus Christ of Latter-day Saints. His beat included the U.S. District Court in Salt Lake City.

“Feeling utterly lost in the courts, I spent much time listening to lawyers and judges and began to attend a course in law that was offered by one of the judges,” Pusey wrote in his unpublished memoirs. “Law had a strong appeal for me. Sometimes I was inclined to switch from journalism to law.”

After marrying Dorothy Richards in 1928, Pusey moved to Washington, D.C., where he soon found a job as an editorial writer at the *Post*. During more than four decades, Pusey clipped copies of his editorials and kept them carefully organized by year, and he later included them in papers donated to L. Tom Perry Special Collections in the Harold B. Lee Library at Brigham Young University. We reviewed each editorial in his collection and transcribed the hundreds of pages he wrote about the Supreme Court, its cases and its Justices. In his editorials, Pusey generally was a champion of the Court, but he also played the roles of critic, educator and historian, among others.



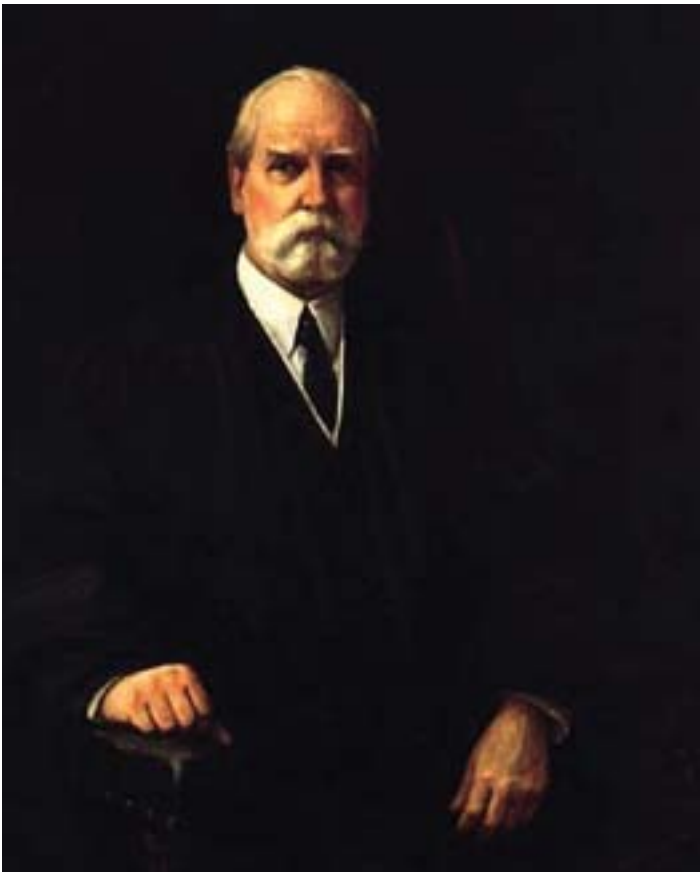
Heritage America / AP

Merlo J. Pusey was a prolific journalist, writing some 20,000 editorials during his career at the Washington Post.

Pusey’s Interactions With the Supreme Court

Pusey began as an editorial writer at the *Post* in November 1928 after writing a few sample editorials for the newspaper’s editor, Ira Bennett, and convincing Bennett to hire him even though Pusey lacked professional experience in editorial writing. Bennett sometimes wrote editorials, but the task mainly fell upon Pusey and Donald Wiley. Pusey wrote three editorials per day and more on Saturday, in preparation to fill the opinion page for Sunday and Monday. When Eugene Meyer bought the *Post* at a bankruptcy auction in 1933, Pusey feared he might lose his job but eventually he gained Meyer’s trust and stayed on.

After learning in February 1937 of Roosevelt’s plan to add six new Justices to the Supreme Court, Pusey “wrote a series of editorials and a few signed articles condemning the proposal in the broadest terms.” Pusey gathered numerous materials and ideas on the subject and eventually set out, without informing his editors or anyone else, to write what he called “a sort of ‘Common Sense’ tract on the subject.”



Collection of the Supreme Court

Chief Justice Charles Evans Hughes chose Merlo Pusey to write his biography. Pusey won a Pulitzer Prize for the book.

In a rush of 22 days, he finished what became his first book, *Supreme Court Crisis*, and personally took the manuscript to New York, where it was published by Macmillan in June 1937. Reflecting on the defeat of the court-packing plan, Pusey wrote that “the power of the press had been admirably demonstrated” and his own “voice had only been one in what became a great nationwide chorus, but there was enough credit to be widely distributed.”

In 1945, Pusey determined to approach Hughes about writing his biography. Hughes’ secretary told Pusey there were already 20 other writers vying for the opportunity, but Pusey insisted and eventually secured an appointment. Pusey was put through “a rather severe examination” by Hughes and his son, Charles Evans Hughes, Jr., but the elder Hughes promised to read *Supreme Court Crisis* and then speak with Pusey again. At the next appointment, Hughes immediately challenged Pusey on a point made in the book, but Hughes ultimately said he was satisfied Pusey would write “a thorough, scholarly and definitive biography.”

Hughes turned over to Pusey 500 pages of biographical notes Hughes had written, and the former Chief Justice also spent two hours per week with Pusey from 1945 until his death in 1948. Hughes spoke candidly of his time as governor of New York, his service as Secretary of State, his candidacies for the presidency and both of his tenures on the Supreme Court—Associate Justice from 1910-1916 and Chief Justice from 1930-1941. Hughes even shared with

Pusey some details of discussions at conference with other Justices, telling Pusey, “You ought to know more than you can write.” Pusey became enthralled with Hughes.

“It was evident from the details of his story as well as from my personal encounters with him that he was a charming personality as well as a great jurist and statesman,” Pusey later wrote. “Now I began to see him as a warm personality full of sly humor and intense love for his family, a highly sensitive character with a deep-seated sense of integrity and concern for humanity.”

Pusey continued working on the Hughes biography after the former Chief Justice’s death, and the book was finally published in 1951. Reviewing the biography in the *Yale Law Journal*, Samuel J. Konefsky called Pusey’s work a “painstaking chronicle” that was mostly carried out with “meticulous care and scholarly restraint.” However, Konefsky criticized Pusey’s treatment of the court-packing incident and its aftermath because, Konefsky said, Pusey was so opposed to Roosevelt’s plan that he failed to acknowledge the real dangers of the Court’s refusal to sign off on New Deal legislation. Also, Konefsky said, Pusey was “too anxious” to argue that the court-packing proposal had not influenced the Justices’ votes in any way, a position strenuously maintained by Hughes in his interviews with Pusey. In any case, the book was well-received and was awarded the Pulitzer Prize for biography.

In the course of researching the Hughes biography, Pusey met with former Justice Owen J. Roberts at the Willard Hotel in Washington, D.C., on May 21, 1946. By then Roberts had been retired from the Court for about nine months. Although the primary topic was Hughes, Pusey also asked Roberts about his motivations for the so-called “switch in time that saved nine” in 1937.

Pusey’s notes of the interview are among the papers he donated to L. Tom Perry Special Collections. Although the notes are labeled “confidential,” Pusey used portions of what he learned from Roberts in the biography of Hughes. For example, Roberts told Pusey that Hughes’ reaction to Roosevelt’s court-packing plan was the statement that “[i]f they want me to preside over a convention, I can do it.” But Pusey did not share certain details in the notes from the Roberts interview.

For example, Roberts told Pusey about Roberts’ mindset when he seemingly switched positions on minimum-wage legislation between the June 1936 case *Morehead v. New York ex rel. Tipaldo*, and the March 1937 case *West Coast Hotel Co. v. Parrish*. Roberts voted to invalidate minimum-wage legislation in *Morehead* but voted to uphold similar legislation in *West Coast Hotel*. Given that Roosevelt’s court-packing plan was unveiled in between the Court’s opinions in *Morehead* and *West Coast Hotel*, there has long been speculation that Roberts’ switch was politically motivated.

Roberts reportedly burned his personal papers, and thus

Continued on Page 8

Continued from page 7

the interview with Pusey—along with a memorandum Roberts wrote to Justice Felix Frankfurter in 1945—stands as an important account of Roberts’ thinking. Roberts told Pusey jokingly that “[m]aybe the breakfast he had has something to do with” why he voted the way he did in *West Coast Hotel*. While Pusey included the joke about breakfast in an article he wrote for the *Yearbook* of the Supreme Court Historical Society in 1983, Pusey did not include in that article the detailed and serious statements attributed to Roberts in Pusey’s notes:

He does not say that the court fight had no affect [*sic*] on thinking of justices. It is diff. to say what makes a judge decide as he does. Public outcry against an opinion is bound to have some effect on a man’s thinking when it is a question of degree—of how far can we go.

Pusey’s notes establish context for the conclusion that Roberts’ motivations included a combination of legal, political and strategic reasons.

Pusey’s relationship with justices on the Supreme Court took a surprising and unusual turn in 1954. Pusey casually wrote a “filler” editorial in January 1954 supporting a proposal to build a parkway along the Chesapeake and Ohio Canal. The editorial prompted a swift and stern rebuke from the ardent outdoor enthusiast Justice William O. Douglas, who attacked the proposal in a letter to the editor published in the *Post*. Douglas challenged the *Post* to join him on a canal hike, and Pusey accepted the invitation in a January 21, 1954 editorial:

We are pleased to accept Justice Douglas’ invitation to walk the towpath of the old canal—the entire 185 miles of it between Washington and Cumberland, if that meets with his pleasure. He has only to name the time and the starting point of the journey and to prescribe the equipment to take along. . . . We are sufficiently enthusiastic about it to wear some blisters on our feet, but we do not believe that this back-yard wilderness so near to Washington should be [kept closed to] those who cannot hike 15 or 20 miles a day.

Douglas and Pusey were joined on the hike by about 40 conservationists, journalists and others who advocated protection of the canal area by the National Park Service. They walked about 20 miles per day. During the multi-day trip, Pusey wrote that the *Post* was not ready to advocate national park status for the canal trail but acknowledged the area’s beauty and value. Pusey also told *Post* readers that the newspaper’s staffers were “torn between a feeling of appreciation to Justice Douglas for luring us into this venture

and irritation over the increasingly pathetic condition of our feet.” Pusey continued writing about canal proposals—and complaining about blisters—in 1955, eventually endorsing formal preservation status while also advocating for appropriate recreational uses. The C&O Canal National Historical Park was authorized by Congress in 1971.

Defender of the Court

As a new editorial writer at the *Post*, Pusey engaged almost immediately with issues touching on the Supreme Court. He wrote several pieces about the failed nomination of Judge John J. Parker in 1930, and around the same time he praised the Court multiple times for getting its docket under control with the help of then-new Chief Justice Charles Evans Hughes. When Justice Oliver Wendell Holmes finally retired in 1932, Pusey vehemently opposed those who said a “liberal” justice needed to replace him. Pusey warned that if Supreme Court Justices ever become “representatives of class interests and factionalism[,] the Government of the United States will be in jeopardy.”

Reflecting on the court-packing battle and the nomination and confirmation of Justice Hugo Black to replace Justice Willis Van Devanter, Pusey praised the justices’ silent fortitude in an October 1937 editorial. Other than a factual statement from Chief Justice Hughes to Congress about the Court’s workload, the Justices made no public statements during the court-packing fight, a fact that pleased Pusey. The Court, Pusey said, “has demonstrated that its sole interest is in fair and intelligent interpretation of the law.” Although Professor Thomas Reed Powell of Harvard Law School had said Roosevelt’s unfulfilled threat to pack the Court was ultimately a good thing because of its effect on the justices’ views of the New Deal, Pusey steadfastly maintained that “[i]f the country should ever sanction executive threats as a means of influencing judicial decisions, a short-cut to dictatorship would be readily available.”

Pusey became a staunch defender of the institution of the Supreme Court, even while not holding back his criticisms



Pusey (left) accepted a challenge from Justice Douglas (center) to hike the C&O Canal. Douglas hoped Pusey and others would be persuaded to preserve the wilderness.



Pusey wrote an editorial praising the appointment of Justice Robert Jackson (shown above at podium) as chief counsel at the Nuremberg trials, but cautioned that his absence from the Court could have a negative impact on the functioning of the Court in his absence.

of its particular performance when he felt they were warranted. In a 1956 editorial titled “Sniping at the Court,” Pusey took on critics who disliked the Court’s decisions on racial desegregation cases and who accused some of the Justices of being “brain-washed or influenced by subversive propaganda.” Pusey wrote that the Court was not a “judicial slot machine” that mechanically kicked out decisions according to precedent. Instead, he said, the Constitution envisioned that the judiciary needed to be flexible and adapt to the changing conditions of society:

It would be foolish to pretend that the Court is infallible. This newspaper often criticizes decisions of the Court and will continue to do so. But we respect the integrity of the Justices. We believe they voice their honest views of what the Constitution and the laws require, and that is the acid test of an independent court.

Pusey emphasized repeatedly that disagreement with a decision of the Court, particularly by politicians and lawyers, did not give license to attack the integrity of individual Justices and hence, the Court as a whole. Instead, he advocated defending and protecting the Court as an institution in all circumstances. Pusey battered Congress on numerous occasions over its threats to tinker with federal courts’ jurisdiction based on dislike of certain Supreme Court opinions.

“Reasonable men,” Pusey wrote, “must recognize that the Supreme Court cannot be 100 percent right. . . . The important thing is to maintain an independent tribunal of high minded judges that will be strong enough to uphold basic freedoms and constitutional principles even in periods of hysteria and national peril.”

After World War II ended, Pusey praised the appointment of Justice Robert Jackson as chief counsel of the United States to the Nuremberg trials. An editorial in the *Post* described Jackson as open, independent, fair and an advocate for individual rights. Still, Pusey bemoaned that justices of the Supreme Court, who carried a heavy enough judicial workload already, were called into service for such tasks. Pusey also noted the “incongruity” of naming a Supreme Court justice to a position as an advocate and prosecutor. Ever watchful of the Court’s interests, Pusey concluded that Jackson would handle the situation well but that “this substantial gain involves some loss to the Supreme Court.”

**A team of three scholars from the Department of Communications of Brigham Young University collaborated on this article utilizing Pusey’s personal papers donated to the University’s library. The authors are: Dr. Edward E. Adams, Professor of Communications; Edward L. Carter, a lawyer and Associate Professor of Communications; and Scott Nash, an M.A. Candidate in the Department of Communications.*

WANTED

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 reach the Society through its website at www.supremecourthistory.org

The 75th Anniversary of the Appointment of William O. Douglas: A Symposium and Celebration

On May 16, 2014, the Law Clerks, friends and family of William O. Douglas held a celebration marking the 75th Anniversary of Justice Douglas' appointment as an Associate Justice of the Supreme Court of the United States. Carefully planned by a group of Douglas Clerks and his widow, Cathleen Douglas Stone, the event was more than a celebratory gathering. In addition to that aspect, the organizers included a significant scholarly element by crafting an ambitious symposium. In a courteous gesture, the organizers extended an invitation to members of the Supreme Court Historical Society to attend the seminar, and many members availed themselves of the opportunity.

The program opened with a symposium that marked the first of several events. Richard L. Jacobson (Douglas Clerk, 71 Term), one of the principal organizers of the events, opened the symposium, followed by brief remarks by Cathleen Douglas Stone. Chief Justice John G. Roberts, Jr. welcomed the audience to the Court on behalf of himself and his colleagues.

The first element of the symposium was a lecture by Professor Daniel J. Danelski. His talk focused on Douglas' nomination to the Court in 1939. Prof. Danelski has been engaged in extensive research on the career of William O. Douglas and is writing what will likely become the definitive biography of the Justice. His lecture was followed by an interactive seminar which considered areas of the law to which Justice Douglas made significant contributions that have been long-lasting. The organizers focused on four specific areas in which his contributions are extremely relevant: first amendment and privacy issues; human rights; environmental questions; and the Securities and Exchange Commission (SEC) and corporate law issues. The seminar considered the topics listed above in two segments. The first seminar was *The First Amendment, Privacy and Human Rights*. Participants in this panel discussion were Judge Nanch Gertner (Ret.), Harvard Law School; Professor Lucas A. Powe, University of Texas Law School; Professor Laurence H. Tribe, Harvard Law School and Professor Melvin Urofsky, American University Department of Government.

Following a short break, the second portion of the Seminar, "*Environmental Matters, the Securities and Exchange Commission and Business Law*" was presented. The panelists for this discussion were: Professor Jeffrey Bauman, Georgetown University Law Center; George Frampton, Esq., Former President, the Wilderness Society; Professor Donald C. Langevoort, Georgetown University Law Center; and Professor Adam M. Sowards, University of Idaho Department of History. Each of these experts addressed an area particular to their studies and areas of research. Professor Sowards, for example is the author of **The Environmental Justice:**

William O. Douglas and American Conservation and is the former Chairman Council on Environmental Quality and served as a clerk to Justice Harry Blackmun.

Each participant received a folder which outlined the proceedings of a dinner held on April 17, 1959 to mark the twentieth anniversary of Douglas' appointment to the Court. It included the contents of a letter of invitation sent to guests for a stag party organized by Clark Clifford, Abe Fortas, David Ginsburg and Ganson Purcell. The group of 42 men gathered for the occasion. Following dinner, remarks were given by Thurman Arnold, Senator Lyndon B. Johnson and Benjamin V. Cohen. Stanley Young read a poem he had written especially for the occasion, dedicated to the Justice, titled *The Far Traveler*.

The prefatory remarks on that occasion were given by Thurman Arnold who provided a light-hearted summary of the important events that were occurring at the time of Douglas' appointment to the Court as reported in *Time* magazine. These included a fad on college campuses to see who could eat the most live gold fish, and a prediction by the United States Brewers Association that prohibition would be back again by 2247. Arnold then reported personal remembrances from that period.

Sen. Lyndon Johnson also spoke at that dinner party in 1959. In his remarks Johnson commented that ". . . Bill Douglas—as much as any man—taught me to see the distant horizon and to trust what I saw."

The closing event of the 75th Anniversary program was a dinner at the Supreme Court. Guests included former clerks, colleagues and family friends. A speech given by Stephen Kinzer of the Watson School of International Relations at Brown University addressed the subject of "Douglas in the Dulles Era." Clerks, friends and family shared reminiscences, and the program concluded with remarks by Cathleen Douglas Stone.



The William O. Douglas clerks sponsored a symposium marking the 75th Anniversary of Douglas' appointment to the Supreme Court. Photo by Steve Petteway

NEW SUPREME COURT HISTORICAL SOCIETY MEMBERSHIPS

April 1, 2014 – June 30, 2014

ALABAMA

G. William Noble, Gardendale

ARIZONA

Mallory Aldrich, Tucson
Corey Hartman, Flagstaff

ARKANSAS

Emmett Bowers Chiles, Little Rock
Vickie Kunau, Paragould
Carla G. Spainhour, Little Rock

CALIFORNIA

Maureen Agron, Montecito
Angela Brown, El Dorado Hills
Jobi Denyes, Carlsbad
Raminder Gill, Sacramento
Paul D. Gutierrez, San Francisco
M. Jonathan Hayes, Sherman Oaks
Daniel Klerman, Rolling Hills
Carlos Lazatin, Los Angeles
Janet Mann, Sacramento
Mark C. Mao, San Francisco
Celestine McConville, Irvine
Rick McGuire, Lancaster
Rocky Parker, Dana Point
Larry W. Qun, San Francisco
Emily Quinlan, Mission Viejo
Robert E. Shepard, North Hollywood

CONNECTICUT

Tina Barber-Matthew, Evergreen
Jason Michael Gunning, Ridgway
Joel Hinrichs, Branford
Hugh D. Hughes, New Haven
Susan E. Nugent, New Haven
Barry J. Sinoway, New Haven

DISTRICT of COLUMBIA

Brian Amy, Washington
Russell M. Anello, Washington
Michael J. Gottlieb, Washington
Christine Hansen, Washington
Rabeha Shereen Kamaluddin, Washington
Logan Koepke, Washington
Lewis E. Leibowitz, Washington
Precious Murchison, Washington
Amy Trenkle, Washington

FLORIDA

Michael Allard, Gainesville
Mary Angelo, Weston
Howell Lykes Ferguson, Tallahassee
Joan Ilemsky, Oviedo
Tom Infantino, Winter Park
Michael H. Kahn, Melbourne
Michael Maher, Winter Park
Vin Montuori, Minneola
Paul Rosen, Longboat Key
Amy Speer, Winter Haven
Seth J. Welner, West Palm Beach

GEORGIA

Brett Adams, Dallas
John T. Baker Jr., Augusta
Patricia T. Barmeyer, Atlanta
George P. Donaldson III, Albany
Kay Johnson, College park
Thomas R. Taggart, Savannah
Gregory Taube, Atlanta

IDAHO

Sara M. Berry, Boise
Walter H. Bithell, Boise
Don Burnett, Moscow
Murray Feldman, Boise
Ernest A. Hoidal, Boise
Linda Jones, Boise
Newal Squyres, Boise
Gregory Clayton Tollefson, Boise
Mary York, Boise

ILLINOIS

Roger A. Benson, Kankakee
Logan Bolinger, Chicago
Doug Bradley, Highland
John P. Kelsch, Chicago
Stephanie Koenig, Chicago
Kelley Sohler, Barrington
Joseph Vanek, Clarendon Hills

INDIANA

Anthony Bellia, Notre Dame
Brian Casey, South Bend
Eric A. Riegner, Indianapolis
Randall R. Riggs, Indianapolis

IOWA

Dan Kelly, West Des Moines

KANSAS

Shannon A. Kelly, Peck
Fred Spigarelli, Pittsburg

LOUISIANA

Edward F. Martin, New Orleans

MARYLAND

Irvin Arias M. D., Bethesda
Kevin Faley, McHenry
Eric M. Johnson, North Potomac
John R. Phillips, Chevy Chase
Beth Ann Pizzariello, Reisterstown
Scott Stucky, Potomac
Lindsey Tonks, Finksburg
S. Jenell Trigg, Ellicott City
Beverly Weber, Annapolis

MASSACHUSETTS

Joseph E. Gately, Framingham
Laura Honeywood, Hyde Park
Paul J. McNamara, Boston
Laura L. Moore, S. Deerfield
Ben Concannon Smith, Holden
Andrew Syfu, Easthampton

MICHIGAN

Shelly Davis, Port Huron
Robert M. Jackson, Detroit
Richard Lenter, Bloomfield Hills
Kristen Luna, Holland

MINNESOTA

Vincent J. Moccio, Minneapolis

MISSISSIPPI

Daniel J. Griffith, Cleveland

MISSOURI

Andy Keefer, Riverside
Robert W. Russell, Sedalia

NEVADA

Amy Evers, Las Vegas
Angila Golik, Carson City

NEW JERSEY

Timothy E. Annin, Haddonfield
Jeffrey Boogaard, Haddonfield
Mary Keller, Westfield

NEW MEXICO

David J. Stout, Albuquerque

NEW YORK

Andrew Abramowitz, New York
Elkan Abramowitz, New York
Cynthia B. Adams, New York
Farrin Anello, New York
Nicolas Bourtin, New York
Henry Guy Burnett, New York
Paul J. Camilleri, Long Island City
James J. Capra, New York
John Chun, Brooklyn
Anne L. Clark, New York
Donna Clarissa Dayton, New York
Robert J. Dwyer, New York
Daniel S. Ebenstein, New York
Peter G. Eikenberry, New York
Sheldon H. Elsen, Scarsdale
Marc Fernich, New York
Catherine M. Foti, New York
Alan S. Futerfas, New York
Faith Gay, New York
Joseph Giovanniello Jr., New York
David Goldman, Rye
Bruce A. Green, New York
Jamal Greene, New York
Tom Hearty, Rye
Steven J. Hyman, New York

Jeremiah Iadevaia, New York
Elihu Inselbuch, New York
Randi S. Isaacs, New York
David Joffe, New York
Peter James Johnson Jr., New York
Isabelle A. Kirshner, New York
Michael R. Koblenz, New York
Emily Kragness, New York
Larry H. Krantz, New York
Orly Lax, New York
Gerald B. Lefcourt, New York
Andrew J. Levander, New York
Matthew L. Levine, New York
Valdi Licul, New York
Jeffrey L. Liddle, New York
Eli J. Mark, New York
Joseph Marutollo, Scarsdale
Christopher J. Michailoff, New York
Travis J. Mock, New York
Judith L. Mogul, New York
Eugene L. Nardelli, New York
Gregory J. O'Connell, New York
Rebecca Osborne, New York
Christos Papapetrou, New York
Maria Pasqualo, Riverhead
Breon S. Peace, New York
Jodi Misher Peikin, New York
Robert M. Pennoyer, New York
Allen S. Popper, Brooklyn
Debra L. Raskin, New York
Rande Richardson, Watertown
Douglas G. Roberts, Syracuse
Kate Ruggieri, New York
Caroline Rule, New York
Jorge Sastoque, New York
Stephen P. Scaring, Garden City
Roger L. Stavis, New York
Edward Stroz, New York
Matthew Tripolitsiotis, Armonk
Barbara D. Underwood, New York
Paul Vizcarrondo Jr., New York
Anne C. Vladeck, New York
Jeffrey K. Walker, Jamaica
Susan J. Walsh, New York
Richard Weinberg, New York
Rubin G. Weser, Whitestone
Milton L. Williams Jr., New York
George B. Yankwitz, White Plains
Michael Young, Brooklyn

NORTH CAROLINA

Nancy Harry, Lumberton
Robert Hight, Fayetteville
Carlos E. Mahoney, Durham

NORTH DAKOTA

Kyle Hardy, Dunseith

OHIO

Nancy Armstrong, Ada
P. J. Babb, West Carrollton
Kathleen Brinkman, Cincinnati
Nathan L. Colvin, Cincinnati
Amanda Ferrell, Macedonia
Mary C. Henkel, Cincinnati
Andrew Kaplan, Cincinnati
Harlan D. Karp, Cleveland Heights
Howard P. Krisher, Dayton
Emily S. Pan, Cincinnati
Allen L. Rutz, Hilliard
Ann Marie Tracey, Cincinnati
Marilena R. Walters, Columbus
Beth Weinevuth, Cincinnati

OKLAHOMA

Benjamin J. Butts, Oklahoma City
James W. Connor Jr., Tulsa
Gerald E. Durbin II, Oklahoma City
John N. Hermes, Oklahoma City
Noble McIntyre, Oklahoma City
Kenneth N. McKinney, Oklahoma City
David K. McPhail, Oklahoma City
Hugh M. Robert, Tulsa
James K. Secrest II, Tulsa
James M. Sturdivant, Tulsa
Mart Tisdal, Clinton
Terry W. West, Shawnee

OREGON

William A. Barton, Newport
David B. Markowitz, Portland

PENNSYLVANIA

Wendy Beetlestone, Philadelphia
William Adair Bonner, Media
A. Roy DeCaro, Philadelphia
Christopher C. Fallon Jr., Sarthmore
Deborah Gross, Philadelphia
Robert Katch, Plymouth Meeting
Rachel Lawrence, Wallingford
Bernard W. Murray, East Norristown
Michael Mustokoff, Philadelphia
Julia M. Rafferty, Philadelphia
Marc S. Raspanti, Philadelphia
Joseph F. Roda, Lancaster
Louis S. Rulli, Philadelphia
Daniel F. Ryan III, Plymouth Meeting
John E. Savoth, Philadelphia
Carolyn P. Short, Philadelphia
Samuel W. Silver, Philadelphia
Marc J. Sonnenfeld, Philadelphia
Robert E. Welsh Jr., Philadelphia

RHODE ISLAND

Derek Snow, Smithfield

SOUTH CAROLINA

Meg Huggins, Lexington
Jeremy Murphy, Greer
Sara Reynolds, Greenville
Johnnie M. Walters, Greenville

TENNESSEE

Brian Fitzpatrick, Nashville
Aubrey Harwell Jr., Nashville
Michael Rafferty, Memphis
Julia C. West, Kingsport

TEXAS

Constantino Barrera Jr., Beaumont
J. Robert Beatty, Dallas
Joshua M. Blackman, Houston
Jeanne Callahan-Nance, Garland
R. James George Jr., Austin
Steve A. Holland, Houston
Megan Malone, Dallas
Jeffrey T. Nobles, Houston
Richard R. Orsinger, San Antonio
Jerry Polen, San Antonio
Robert M. Schick, Houston
Angela Speight, Houston
Kenneth R. Stevens, Fort Worth
Karin B. Torgerson, Dallas
John C. Wander, Dallas
Emily Worland, Flower Mound

VIRGINIA

Jeffrey A. Apperson, Arlington
Pamela Barron, Fairfax Station
Al Boyer, Alexandria
David G. Brickley, Woodbridge
Caleb G. Campbell III, Henrico
Courtney Geromin, Smithfield
Mary Therese Grabowski, Alexandria
Mark F. Leep, Richmond
Jonathan Mills, Arlington
Katherine Mitchell, Alexandria
Jamie Moore, Chesterfield
Mark Rush, Lexington
Jennifer Weigl, Virginia Beach
Joe Winn, Virginia Beach

WASHINGTON

Jerry K. Boyd, Spokane
Lori Peters-Merkel, Spokane
John R. Tomlinson, Freeland
Gretchen Wulfigg, Covington

WEST VIRGINIA

Scott Biola, Elkins
Irene Keeley, Clarksburg
Gregory A. Michael, Martinsburg

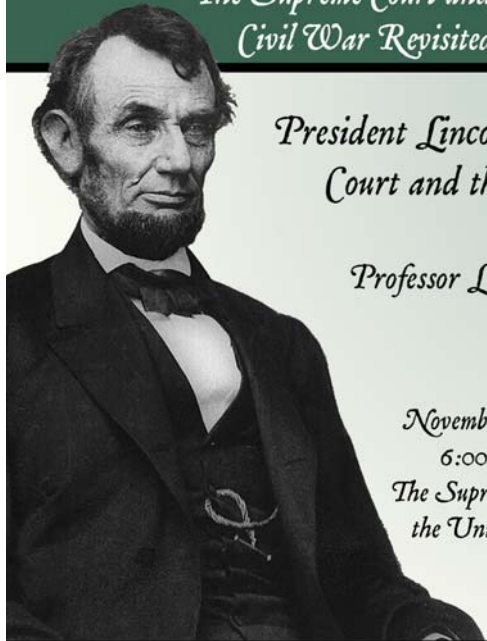
WISCONSIN

Paul Stellpflug, Oshkosh

WYOMING

Keith J. Dodson, Casper

The Supreme Court Historical Society
invites you to attend
The Supreme Court and the
Civil War Revisited



President Lincoln, the Supreme
Court and the Civil War

Professor Lucas Morel

November 13, 2014
6:00 PM

The Supreme Court of
the United States

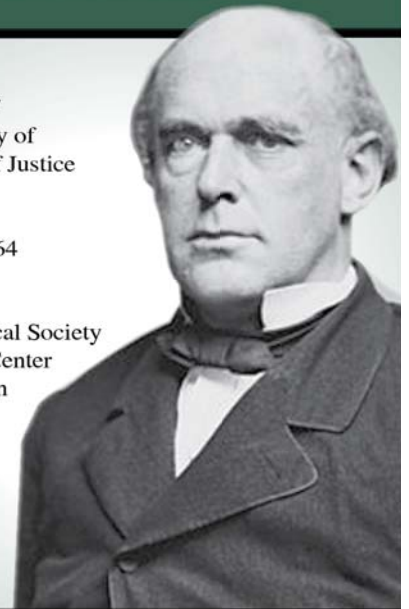
Leon Silverman Lecture Series

FREEDOM NATIONAL, SLAVERY LOCAL:
the ANTISLAVERY CONSTITUTIONALISM
of SALMON P. CHASE

In Celebration of
the 150th Anniversary of
the Appointment of Chief Justice
Salmon P. Chase
to the Court
on December 5, 1864

Presented by
The Supreme Court Historical Society
and The Georgetown Center
for the Constitution

December 5, 2014
6:00 PM
The Supreme Court of
the United States



FREE SOIL, FREE LABOR, FREE MEN

S.P. Chase