



VOLUME 44

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## Society Receives Significant Gift from Board Chair Gregory P. Joseph

By Martha Meehan-Cohen

In an inspiring act of generosity, Society Board Chair, Gregory P. Joseph has commissioned and donated a beautiful bronze sculpture of Associate Justice Ruth Bader Ginsburg to the Society where it will stand in a place of honor at the Society's Opperman House Headquarters.

The bronze bust was painstakingly crafted by Warren B. Lightfoot, well-known founding partner of Lightfoot, Franklin & White. In addition to his long and storied litigation career, Mr. Lightfoot served as a President of the Birmingham Bar Association, President of the Alabama State Bar, President of the American College of Trial Lawyers, and Co-Chair for the 11th Circuit Judicial Conference.

Mr. Lightfoot's portrait busts are displayed in the Supreme Court of the United States, including a bust of Sandra Day O'Connor, the Supreme Court of British Columbia, the Alabama Su-



*Ruth Bader Ginsburg*

preme Court Building, the High Hampton History Museum, and the senate lobby of the Alabama State House.

Society Executive Director James Duff commented, "We are very grateful for Greg Joseph's generous contribution of the sculpture of Justice Ginsburg to the Society. She was a dear friend to so many of us in the Society and contributed in many ways to our programs, initiatives, and mission over her years on the Court. How she found time to do so on top of her diligent work at the Court was a marvel. Similarly, Greg Joseph's contributions to the Society over the years as our former President and current Chairman of the Board have been extraordinary. The display of his gift of Justice Ginsburg's profile will be pleasant reminder of both of them to us."

# Letter From the President

Dear Friends,

This is hardly a news flash, but we are living in challenging and divisive times. Nearly everyone—individually and collectively— has been affected in some way by the pandemic. Similarly, the economic challenges facing the country affect almost everyone. And like most politically rooted issues, the course of action to take in response to our challenges can and has led to further disagreements. In the midst of these divisive times, our Supreme Court is called upon to decide some of the most polarizing matters in our nation's history. As a non-profit, non-partisan organization devoted to the Court and our federal courts' histories, these circumstances present the Supreme Court Historical Society with particular challenges. I would like to address some of these.



Whatever viewpoints you have about the causes of and solutions to the politically divisive issues of the day, at least one thing remains a constant and is something we can share in common: we need organizations like the Supreme Court Historical Society to preserve the history of the institution and to educate both our Members and the public at large about it.

Over my many years as a Member and now President of the Society, I have heard occasionally from a few Members on both sides of the “political aisle” in response to certain decisions of the Court that “I can no longer support the Supreme Court Historical Society after that last opinion...”. With all due respect to individual viewpoints, my response to those few has always been, if you feel that way about an opinion, you should become more involved with educational work and more engaged in public discourse, not less involved. It is not a time to quit, whether you feel like you have won or lost on an issue, but rather a time to engage. There will always be a need for educated scholarly work on the history of the Supreme Court. This work provides perspective and encouragement.

And so, I encourage all of our Members to stay involved and help us recruit others to join the Supreme Court Historical Society to preserve and promote all viewpoints in a scholarly endeavor and educate the public about this extraordinarily important branch of our government.

We wish you all a Happy Fourth of July!

Sincerely,

A handwritten signature in black ink that reads "Chilton D. Varner".

Chilton Varner, President

## ***Register NOW!*** **Three Branches Institute for Teachers**

**August 2–4, 2022**  
**2 pm to 4 pm (EDT)**  
*Via Zoom*

The Supreme Court Historical Society, the White House Historical Society, and the United States Capitol Historical Society invite teachers to attend our upcoming Three Branches Institute. Learn more about each organization, the history of the White House, Supreme Court and the United States Capitol. This year we will also be sharing resources from the National Archives.

**REGISTRATION CLOSES ON JULY 27TH.**

<https://whitehousehistory.wufoo.com/forms/z1wsxrg5oesoo8r/>



# Annual Lecture and Meeting Highlights

On Monday, June 6, 2022, the Society held its 47th consecutive Annual Meeting and its third consecutive Virtual Annual Meeting. The meeting was preceded by the Society's Annual Lecture in which an engaging discussion titled: *Who Decides? States as Laboratories for Constitutional Experimentation* between Chief Judge Jeffrey Sutton, United States Court of Appeals for the Sixth Circuit, and Justice Leondra Kruger of the California Supreme Court took place.

Following a presentation by Society President Chilton D. Varner where she highlighted the many accomplishments of another pandemic challenged year, the Society re-elected 33 Trustees to additional 3-year terms and elected six new Trustees to an initial 3-year term. We are pleased to welcome the following new Trustees:

## John Danielson

Founder and chairman of Chartwell, having previously served as Chartwell's President and CEO. Chartwell is a global consultancy headquartered in Washington, DC. Chartwell has successfully won and executed a variety of projects in China, Europe, India, South America and the Middle East. Mr. Danielson also currently serves as a senior advisor to select client companies, private equity funds and philanthropic initiatives including as a Member of the Advisory Board for the USC-Schwarzenegger Institute for State and Global Policy and previously by appointment of HRH Prince Edward to the US Duke of Edinburgh Awards.

Mr. Danielson was appointed Chief of Staff at the United States Department of Education by President George W. Bush from 2001-2003. He also worked in several senior roles for former United States Secretary of Education and current Chairman of the United States Senate Health, Education, Labor and Pensions Committee Lamar Alexander. From 1995 through 2001, he co-founded an education company serving the academic and behavioral needs of at-risk middle and high school students in many of the



*Chief Judge Jeffrey Sutton*



*Justice Leondra Kruger*

nation's largest urban school systems, demonstrating substantial student academic growth, and considerable reductions in district-wide crime rates.

## Neil Eggleston

Litigation Partner in the Washington, DC office of Kirkland & Ellis LLP. Neil has a distinguished record of public service and has held a number of senior government roles. He was White House Counsel to President Obama from 2014 to 2017 and advised the President on all legal and constitutional issues across a broad spectrum of domestic and foreign policy matters. Earlier in his career, Neil served as a law clerk for Chief Justice Warren Burger (1979-1980); Deputy Chief Counsel, U.S. House of Representatives Select Committee Investigating the Iran/Contra Affair (1987-1988); Assistant U.S. Attorney (1981-1987) and Chief Appellate Attorney for the Southern District of New York (1986-1987); and Chief Appellate Attorney for the Southern District of New York (1986-1987).

## William J. Murphy

An experienced trial lawyer, and Partner at Zuckerman Spaeder, Bill has tried civil and criminal cases to verdict in state and federal courts, represented clients in commercial arbitration, and argued numerous appeals in courts around the country.

*Continued on Page 6...*





*Over 400 guests enjoyed a lively dinner*

## The Society's New York Gala—The Return to the Plaza

**O**n April 7, 2022, the Society's New York Gala, on hiatus since 2018 due to the COVID-19 pandemic, returned to the Plaza Hotel on Central Park in Manhattan. Over 400 enthusiastic guests gathered in the ballroom, whose ceiling was adorned with a copy of the US Constitution, for a lively evening celebration and dinner.

The Society presented its *Amicus Curiae Award* which recognizes outstanding citizens in the private sector who have made and are continuing to make significant contributions to furthering public understanding of and appreciation for the Constitution of the United States and the rule of law. Two distinguished members of the corporate legal community were recipients: R. Hewitt Pate, Vice Presi-

dent and General Counsel for Chevron Corporation, and Kathryn Ruemmler, Executive Vice President, Chief Legal

Officer, and General Counsel for Goldman Sachs Group, Inc. Both spoke of the need for greater understanding of the judicial branch and its important role in our democracy.



*A return—after a four year hiatus!*

Society President Chilton Davis Varner thanked the benefactors, patrons, and sponsors of the evening's festivities not only for their support of the event but for providing meaningful support to the Society's endeavors to educate the public—in a non-partisan way—about the important history of the Supreme Court of the United States and our federal judiciary.





*Left to right: Society Chair Greg Joseph, Barbara Joseph, Harry and Macey Reasoner*



*Society President Chilton D. Varner and Award Recipient R. Hewitt Pate of Chevron, Inc.*



*Society Vice President and Gala Chair, Robert G. Giuffra, Jr. and Award Recipient Kathy Ruemmler of Goldman Sachs Group, Inc.*



## SAVE THE DATE

November 16, 2022

6:30 p.m.

1801 F Street, NW  
Washington, DC

Join the Supreme Court Historical Society and the DACOR Bacon House Foundation as we launch **The Friends of Historic DACOR Bacon House**, a society dedicated to both the preservation of the DACOR Bacon House and the special relationship between the House and the Court, which began during the 1832 term with the residence of Chief Justice John Marshall.

**Friends of Historic DACOR Bacon House** will be treated to an elegant and intimate evening of cocktails, dinner, and a program on the legacy of Chief Justice John Marshall. The program, hosted and moderated by David M. Rubenstein, features The Honorable Theodore B. Olson and Professor Joel Richard Paul.

Inaugural members of **The Friends of DACOR Bacon House** will receive special invitations and benefits of their membership throughout the coming year.

For more information, contact  
Martha Meehan-Cohen at the Society  
202-543-0400 or  
[mmeehan@supremecourthistory.org](mailto:mmeehan@supremecourthistory.org)



Photo credit [www.dacorbacoon.org](http://www.dacorbacoon.org)

*Continued from Page 3...*

Throughout a long career at the bar, Bill has represented witnesses and targets of grand jury investigations, defended clients investigated by the SEC and other federal enforcement agencies, and represented individuals in congressional investigations.

Bill was inducted as a fellow of the American College of Trial Lawyers in 2002. He previously served as Chair of that organization's Maryland State Committee and in 2018 Bill completed a four-year term on the College's governing Board of Regents, where he represented Maryland and the District of Columbia. He currently serves on the College's Executive Committee as its Treasurer. Bill also served as a law clerk for Associate Justice **Harry Blackmun** (1979-1980).

#### **Farah Peterson**

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A legal historian who focuses on the early American republic, **Farah** is a Professor of Law at the University of Chicago School of Law. Her scholarship on statutory interpretation and constitutional law has appeared or is forthcoming in the *Yale Law Journal*, *Columbia Law Re-view*, *Virginia Law Review*, and elsewhere. Peterson is also an essayist. Her writing on race, art history, memoir, and American life has appeared in *Ploughshares* and *American Scholar*. Peterson holds a PhD in American history from Princeton University. She earned her JD from Yale Law School and received her bachelor's in history from Yale as well. After law school, Peterson clerked for Associate Justice Stephen Breyer on the Supreme Court of the United States and Judge Guido Calabresi on the US Court of Appeals for the Second Circuit.

#### **David Bruce Smith**

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Author, editor, publisher and business executive based in Washington, DC, **David** is the founder and president of The Grateful American Foundation, an organization dedicated to restoring enthusiasm in American history for children and adults. Smith has been a guest blogger for

Maryland Humanities, the National Museum of Women in the Arts, and *Historic Deerfield*. He also co-authors a bi-weekly column, *History Matters*, with John Grimaldi; and writes newsletters for his Grateful American Foundation, and David Bruce Smith Publications. Smith is the author of 12 books, including **American Hero: John Marshall**.

A dedicated humanitarian and honored philanthropist, he has established a scholarship fund for undergraduates at George Washington University. He is the President of the National Institute of Psychobiology in Jerusalem, Israel, a member of the Advisory Board at the Sixth and I Historic Synagogue, a member of the Foundation Board at the Virginia Museum of Fine Arts and the Board of the Smithsonian Libraries.

He has also served on the Boards of Arena Stage, the Washington DC Jewish Community Center, WETA, George Washington University and President Lincoln's Cottage. Since 2017 he has served on the Board of the American Council of Trustees and Alumni (ACTL).

#### **Donald B. Verrilli**

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Partner with Munger, Tolles & Olson, the founder of its Washington, DC, office, and one of the nation's premier Supreme Court and appellate advocates, **Donald** served as Solicitor General of the United States from June 2011 to June 2016. During his time as Solicitor General, he argued more than 50 cases before the Supreme Court, including landmark decisions upholding the Affordable Care Act (*National Federation of Independent Businesses v. Sebelius* and *King v. Burwell*) and recognizing marriage equality (*Obergefell v. Hodges*).

In addition to handling matters before the Supreme Court of the United States and the courts of appeals, Mr. Verrilli's practice focuses on representing and counseling clients on multi-dimensional problems, where litigation, regulation and public policy intersect to shape markets and industries in our evolving economy.



# Virtual Lectures Continue

By Jennifer M. Lowe

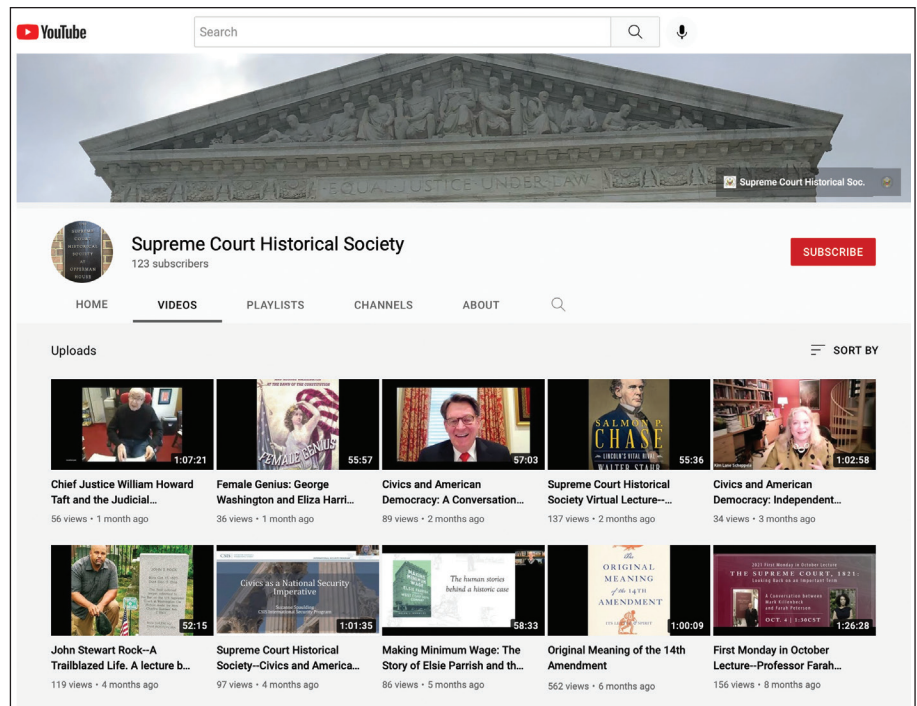
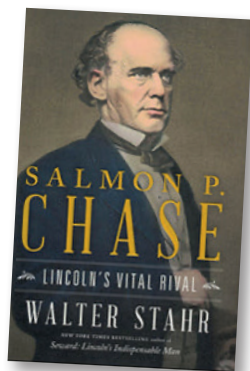
While the pandemic continues and the Supreme Court Building remains closed as of this writing (May 2022), the Supreme Court Historical Society has adapted to the changing landscape by offering virtual lectures and conversations on a variety of topics. These lectures have allowed the Society to highlight topics that might not fit into a 4-part lectures series but are compelling and of interest to our members. It has also permitted the Society to be nimbler and host conversations with authors close to the publication date of their books.

Recent examples of these lectures include a dynamic and engaging conversation with Randy Barnett and Evan Bernick on their book on the original meaning of the 14th Amendment.



Helen Knowles, a member of the *Journal of Supreme Court History's* Board of Editors, generously shared her work on Elsie Parrish and the West Coast Hotel case, drawn from her fascinating new book, shedding light on the forgotten life of a pioneering Supreme Court litigant.

We also recently hosted Walter Stahr discussing his new book on Chief Justice Salmon Chase. As an added benefit our members were the first to know that his next book will be on Chief Justice William Howard Taft.



*Virtual lectures are available on the Society's YouTube page.*

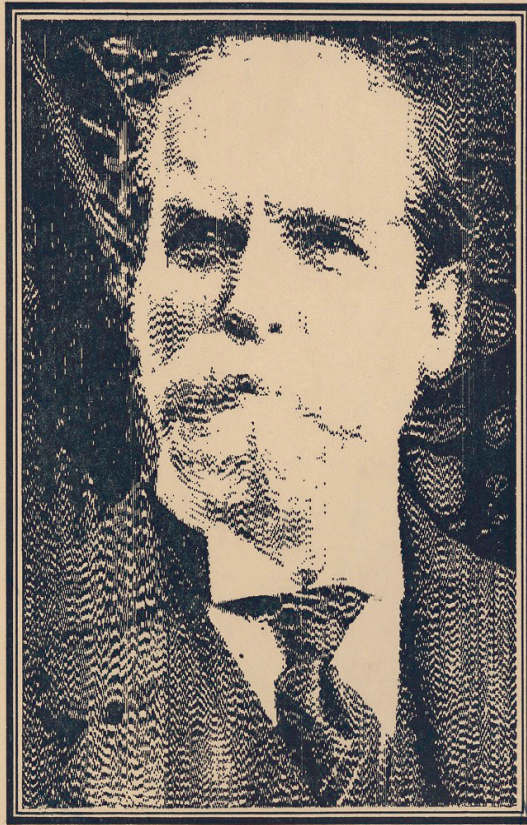
Members were also treated to the original research that Christopher Brooks has done on the life and career of John Rock, the first Black member of the Supreme Court Bar. Mary Sarah Bilder and Society Executive Director Jim Duff shared a fascinating conversation on the concept of female genius as embodied by Eliza Harriot and her life in Philadelphia during the Constitutional Convention.

In celebration of Law Day, Jonathan Lurie, a frequent speaker and contributor to the Society's *Journal*, spoke on Chief Justice William Howard Taft and the origins of the Judicial Conference as a Centennial Retrospective. We were honored to be joined by members of the Taft family for the lecture.

All of the Society's past virtual lectures are on the Society's YouTube page and can be easily accessed from the website. Books by the speakers are available from the Society's Gift Shop at [www.supremecourtgifts.org](http://www.supremecourtgifts.org).

The Society plans to continue this important work long after the Court reopens, and we can return to in-person events. The value to our members and to the scholarly community is too great to not continue. If you have suggestions for speakers or topics, please share at [programs@supremecourthistory.org](mailto:programs@supremecourthistory.org).





FIRST PHOTORADIOGRAMS, NOVEMBER 28th, 1924

*Richard H. Ranger*

*Charles Evans Hughs*



FIRST PHOTORADIOGRAMS, NOVEMBER 28th, 1924

*Richard H. Ranger*

*President Calvin Coolidge*

*Ranger developed a system of “scanning” a photograph on a round tube using a narrow beam of light to convert the values into dots and dashes, and then into pulses which could be transmitted via radio.*



# Recent Acquisition: Autographed Photoradiogram Souvenirs

By Franz Jantzen, Collection Manager

In an interesting quirk of history, the first true photograph to be sent wirelessly was of a former and future member of the Supreme Court, Charles Evans Hughes. When it took place in 1924, however, he was no longer an Associate Justice and had not yet become Chief Justice and was serving as President Calvin Coolidge's Secretary of State. Recently, the Supreme Court Historical Society purchased two souvenirs commemorating this historic invention for the Court's collection. The invention was called a Photoradiogram—forerunner of the fax—and the story of how it came about centers on its inventor, Richard H. Ranger.

By the early 1920s, reproductions of photographs were ubiquitous in magazines and newspapers, and there was an ever-growing appetite for seeing pictures of events across the globe as quickly as possible. Press agencies worked hard to oblige, but the process could take days. After a photograph was taken the film needed to be developed and then printed, and then prints still needed to be mailed to newspapers and publishers across the country.

In 1923, the Radio Corporation of America (RCA) asked a staff engineer, Richard H. Ranger, to figure out how to transmit pictures quickly via radio. As early as 1843, others had attempted transmission via wire with varying degrees of success, and Edouard Bélin sent a photograph across the Atlantic wirelessly in 1921 by first converting it into a relief etching. Ranger developed a system of “scanning” a photograph on a round tube using a narrow beam of light to convert the values into dots and dashes, and then into pulses which could be transmitted via radio. On the receiving end, the pulses were converted back into a picture.

This technology was first successfully tested on July 6, 1924, using a photograph of Hughes. Why Ranger chose him for the maiden voyage of this invention is unknown. At the time Hughes was not just Secretary of State but one of the most

recognizable Americans in the world, so perhaps he may have appealed to Ranger as the perfect “virtual ambassador” for the transatlantic mission.

After the successful test, the invention made its public debut on November 30, 1924, when three pictures were sent from New York to London and back again: the first was of President Calvin Coolidge, the second was the same one of Hughes used in July, and the third was the phrase “One picture is worth 10,000 words.” Transmitting a single picture took a mere 20 minutes, and the event was front page news in the next day's *New York Times* and many other newspapers. Steady press coverage of the invention continued, along with congratulations.

That December, RCA printed copies of the first two pictures as souvenirs of the occasion, some of which Ranger autographed. (Curiously, the souvenirs refer to November 28, which was two days prior to the public demonstration.) The two recently acquired copies had been purchased by the seller at a Paris flea market in the 1970s. In a letter accompanying another pair which Ranger sent to a recipient in Uruguay, he wrote, “...There was great interest by the public regarding radiophotography, and they all want to obtain what you have also requested. I was curious about why people have asked for them, but I have attributed it to a desire to see proof more than an interest in what we were doing.”

Although RCA intended this technology to be used for sending images, it was replaced by other technologies in the 1930s, and it evolved into what is known today as the fax machine. Ranger left RCA in 1930 to become an engineering consultant specializing in radio and acoustics. Along with the Photoradiogram, he is best known (to people of a certain age) for NBC's three-note chime, which he invented in 1926 as a way for stations to synchronize the beginning and end of their radio programs.

# The Supreme Court and the Dacor Bacon House

By Clare Cushman

The Supreme Court and the red-brick building located on the corner of 18th and F Streets in the District of Columbia, now known as the DACOR Bacon House, have so many connections that the latter could be considered a satellite home for the justices. Indeed, as Terry Walz describes in his recent article in the *Journal of Supreme Court History*, “If Walls Could Talk: the Supreme Court and DACOR Bacon House, Two Centuries of Connections” no abode served as a home away from home more consistently or provided greater hospitality. His delightful article shows how important it was as a space for the justices to socialize, board, hold conferences, deliberations, and host welcome dinners for newly-appointed justices. Tench Ringgold, the U.S. marshal for the District of Columbia (1818-1831), built the house in 1825 and invited the justices to attend social gatherings with other elites. Future Chief Justice Salmon P. Chase, who had recently settled in Washington to teach law classes in 1829, attended the wedding of one of Ringgold’s daughters, writing in his diary that “Wine flowed in rivers – and rivers [were] drank dry.” Chief Justice John Marshall arranged for his brethren to board at Ringgold’s house for the 1832 Term, which lasted January through March. He shared meals with Justices Joseph Story, Gabriel Duvall, Smith Thompson, and Henry Baldwin in the dining room before retreating to the south parlor room for discussions of upcoming cases and deliberations of argued cases. The following term only Marshall and Story boarded there as other justices had begun making their own housing arrangements.

In 1835 Ringgold sold the house to former Governor of Maryland, Samuel Sprigg, who gave it to his daughter Sally and her husband, William T. Carroll. As Clerk of the Supreme Court from 1828-1863, William invited the justices to his home for regular social gatherings. After her husband died of an unknown illness in 1863 during the Civil War, Sally continued



*The DACOR Bacon House, circa 1930*

Photo credit [www.dacorbacon.org](http://www.dacorbacon.org)

to entertain Washington society, including the justices, until her death in 1895. Molly Fuller, the wife of Chief Justice Melville Fuller (1888-1910), decided to buy the Carrolls’ residence because of its erstwhile association with Chief Justice John Marshall. She had the “south” parlor room on the second floor converted into a library and office for the Chief Justice. Fuller began inviting the justices to meet at the F Street house on Saturdays to hold Conference discussions of cases and to assign opinion-writing. The Fullers also gave a special dinner to welcome each newly-appointed justice to the Court and to Washington.

Chief Justice Fuller died in 1910 and eventually the house was purchased by Representative Robert Low Bacon and his wife, Virginia Murray Bacon. They continued the tradition of entertaining official Washington, including members of the Supreme Court. The association of Diplomats and Consular Officers Retired (DACOR) took over the house in 1985. It is likely that every justice who served on the Court between roughly COPY MISSING HERE



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