



THE SUPREME COURT  
HISTORICAL SOCIETY

# Quarterly

Volume 43

Number 4

## Associate Justice Breyer Announces Retirement

by Kathleen Shurtleff

In a visit to the White House on January 27, 2022, Justice Stephen G. Breyer informed President Biden of his intention to retire from the Court at the end of the Term. His retirement will conclude an illustrious career starting in the federal judicial system since 1980, when he was appointed to the United States Court of Appeals for the First Circuit where he served as Chief Judge from 1990 until his appointment to the Supreme Court of the United States in 1994. A future issue of the **Journal of Supreme Court History** will contain articles commenting on his distinguished career on the bench. In the meantime, the Society expresses its great appreciation for his many contributions to our work and his commitment to educating the American people about the importance of an independent Judiciary.

It came as no surprise to the Society that Justice Breyer chose an educational theme in his remarks at the White House. He expressed his hopes for the success of the American “experiment,” and noted that the responsibility for making that happen falls upon the shoulders of the students and teachers of today.

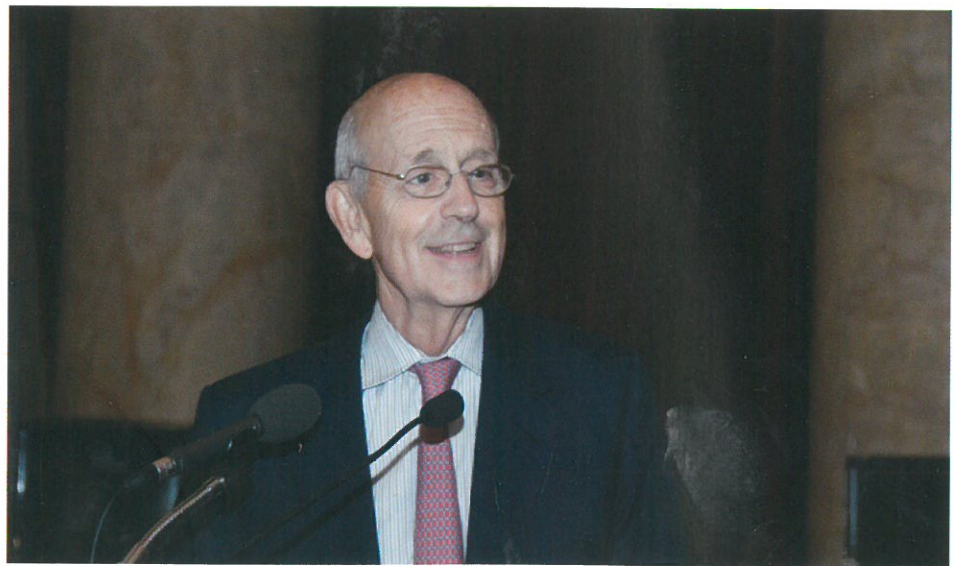
Over the course of his career, Justice Breyer has spoken to students of all ages about the challenges and opportunities associated with democracy. He has authored a number of books during his tenure on the Court, including his most recent **The Authority of the Court and the Peril of Politics**. In his comments at the White House, he observed that both George Washington and Abraham

Lincoln characterized democracy as an experiment. He challenged the students and teachers of today and the next generation to make the experiment successful. Justice Breyer concluded his remarks by noting that it might surprise some that he would talk about this at the time he announced his resignation, but that these were the things that were on his mind.

Justice Breyer’s interaction with the Society over the last 28 years has reflected this interest in and commitment to the importance of civic education. He has been a loyal and generous supporter of Society endeavors, hosting and attending many programs, and presenting the Annual Lecture on three occasions, among other things. While he sat on the United

States Court of Appeals for the First Circuit prior to joining the Supreme Court, he was actively involved in the plans for the construction of the Courthouse in Boston and described it as follows: “[t]he courtrooms are attractive and people visit and hold public events there. The courthouse is both a learning center and a building that the people of Boston feel they can use.” Later in the interview he commented that the “new generation of courthouses, all over the world, are not fortresses or palaces. They’re public buildings.”

We congratulate and thank Justice Breyer for his many contributions to the Judiciary and we look forward to continuing to work with him on educational programs.



*Justice Stephen G. Breyer announced on January 27, 2022 that he will retire after 28 years of service on the Supreme Court of the United States.*





President Chilton D. Varner

Dear Friends,

I hope by the time you are reading this *Quarterly* that we have made further progress out of the pandemic. Like most, we have had time during the past couple of years to catch up on some “house-cleaning” matters at the Society.

We have worked on improvements to our physical space in our beautiful Opperman House offices in Washington, D.C., located just behind the magnificent Supreme Court Building, and we have refurbished the floors in our Gift Shop in the Supreme Court. We hope to see many of you here, as travel permits.

Among our virtual initiatives, the Society has substantially upgraded and revamped our website. We are pleased to announce in this issue of the *Quarterly* that our new website has been launched and we encourage you to visit. Our goal was to

# Letter from the President

expand and improve the content on the site as well as create a more accessible and user-friendly experience. We are finding better ways to make history come alive on our website, including more multi-media experiences. Our biographies of the Justices include a 30 second sound-bite of their voices, for example. Our chart of the Justices bios is a unique compilation of data for each Justice that includes the dates that they were nominated, confirmed, and the oaths were administered, along with their total years of service. The site’s many user-friendly features also include a new home page menu that more accurately describes the categories of information. Those six main categories of information are: “About the Society”; “Programs and Events”; “Publications and Media Releases”; “Educational Resources” (both for

students and teachers); “Justices and the Court”; and “Gift Shop”. Each of those categories has a drop-down menu to navigate easily more specific topics and information housed in these broad categories. Additionally, you will find a scrolling bar of updated information and news along with an easy to use membership application. We worked with Dave Buckhout of InHeritage to design the website. Dave has done outstanding work with many others including the White House Historical Society and the US Capitol Historical Association. We are very pleased with his work and hope that you will find it more useful and informative, too. Please give it a look at [www.supremecourthistory.org](http://www.supremecourthistory.org)! We welcome your comments and feedback.

*Chilton D. Varner*



## Quarterly

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Managing Editor Kathleen Shurtleff  
Advisory Editor James C. Duff



# The Society Introduces New Lecture Series – Civics and Judicial Independence

By Jim Duff

Thomas Jefferson stated on various occasions that an educated citizenry is vital to protecting our freedoms. On August 13, 1786, for example, he wrote to George Wythe, his law professor and mentor, that “no other sure foundation can be devised for the preservation of freedom and happiness than the diffusion of knowledge among the people.” Over 235 years after Jefferson’s admonition, educating the public about the mechanisms within our Constitutional form of government that preserve our freedoms remains a challenge. In some ways, it may be even more complicated than in Jefferson’s time. Although technological advances have enabled us to educate and reach people more swiftly and in greater numbers, they have also enabled enemies to employ more sophisticated and disguised methods to undermine our democracy. Opponents to our form of government have used technologies to spread misinformation and exploit our differing viewpoints to erode public trust in our government institutions and way of life.

A critical element of the Supreme Court Historical Society’s mission is to educate the public about how an independent Supreme Court of the United States and federal Judiciary helps preserve our freedoms. In that regard, the Society recently hosted a series of lectures with the dual purpose of: (1) educating the public about how and why judicial independence protects our freedom; and (2) illuminating threats, both internal and external ones, to judicial independence. With regard to external threats, we enlisted Suzanne Spaulding, Senior Advisor for Homeland Security, and the Director of the Defending Democratic Institutions at the Center for Strategic and International Studies, to address the dangers of foreign influence on our independent Judiciary. She spoke in a virtual lecture on January 11 about how misinformation is used to sow distrust in the public’s opinion of the federal Judiciary in the United States. Ms. Spaulding provided documented examples of misinformation circulated by foreign governments on the internet to exploit very

divisive issues in our country as a means to fuel further mistrust in our government. She gave examples that were geared to inflame viewpoints on both sides of issues concerning immigration and racial tensions. The goal of the misinformation was to create unrest generally and not to support one political party’s viewpoint or the other. Feedback on the program has been very positive and the lecture may be viewed on the Society’s YouTube page, a link to which can be found on the Society’s homepage at [supremecourthistory.org](http://supremecourthistory.org).

Professor Kim Lane Scheppele of the Princeton School of Public and International Affairs and the University Center for Human Values at Princeton University delivered the second lecture in our series on February 22nd. She drew upon her extensive research and experience in Poland and Hungary to discuss how independence of the judicial branches in those countries has eroded substantially. Professor Scheppele described how previous

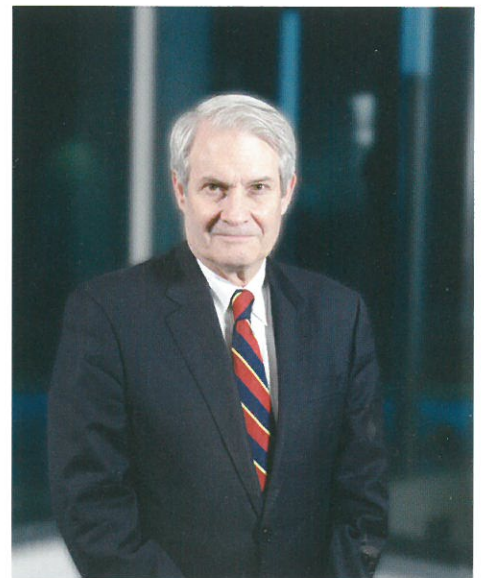
*Continued on Pg. 6*



*Professor Kim Lane Scheppele*



*Ms. Suzanne Spaulding*



*Judge Thomas Griffith*



# The Family of Alice Brandeis Popkin Donates Brandeis' Robe to the Society

By Clare Cushman



*The robe makers, Cotrell and Leonard, embroidered Brandeis' initials inside the robe.*

The Society is thrilled to announce that the family of Alice Brandeis Popkin has donated one of two known black judicial robes worn by Justice Louis D. Brandeis during his service on the Court from 1916 to 1939; the other was donated to Brandeis University several years ago. The robe has been in the family's house in Chatham, Massachusetts, near where the Justice once owned a summer home. The Court's Associate Curator, Matthew Hofstedt, was instrumental in assisting the Society and the family with processing the donation. "Overall, the robe is in good condition," he said, "but has suffered some damage over the years. The first priority is for the robe to undergo a textile conservation treatment to repair several tears and reinforce the now fragile material for possible exhibition."

According to the Supreme Court's Curator, Catherine Fitts, plans to update the exhibits on the Court's ground floor exhibits have been underway for several years.

While the building has been closed, a new visitor orientation area has been added to compliment the visitors' desk. "The gift of the Brandeis robe could not have come at a better time," Fitts noted. "Two new exhibit cases have been installed and two more are expected later this summer. These cases provide additional opportunities to share more of the Court's history and collection. Following conservation, we hope to add the robe to one of the cases located near Justice Brandeis' portrait." The Brandeis family was solicited by museums, universities and private collectors interested in the robe, but ultimately felt that the Supreme Court Historical Society was the best place for the donation. According to Anne Brandeis Popkin, one of the Justices' great grand-children, "My sisters, Susan and Louisa, and I considered donating the robe to other institutions, but in the end, we felt it was important for it to be displayed at the Supreme Court. When he was appointed to the Court in

1916, our great-grandfather was able to extend many of his core ideas including those regarding free speech, privacy, and commerce to shape our nation's modern legal framework. His decisions and writings continue to be relevant today; so, we believe the robe is returning to its rightful home."

Justice Brandeis is a towering figure in the law who helped to usher in the progressive tradition in law and government in the 1920s. According to his biographer, Melvin Urofsky, Brandeis "is considered by all accounts one of the three greatest justices in the Court's history, along with John Marshall and Oliver Wendell Holmes, Jr. It is Brandeis who gave us the jurisprudential grounds for our modern interpretations of free speech, privacy, and the Fourth Amendment. He also set out the parameters of how and when the Court should act, establishing judicial restraint as an ideal accepted by both liberal and conservative jurists. Last, but certainly

*Continued on Pg.5*



# Supreme Court Historical Society Gift Shop

SPRING 2022

## MOMS, DADS and GRADS EDITION

### THE Authority of the Court and the Peril of Politics

STEPHEN  
BREYER

### THE AUTHORITY OF THE COURT AND THE PERIL OF POLITICS

By Stephen Breyer

A sitting justice reflects upon the authority of the Supreme Court—how that authority was gained and how measures to restructure the Court could undermine both the Court and the constitutional system of checks and balances that depends on it.

Item # 113872

\$19.95

Members \$15.96

### 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 # 112528

\$350.00

Members \$280.00

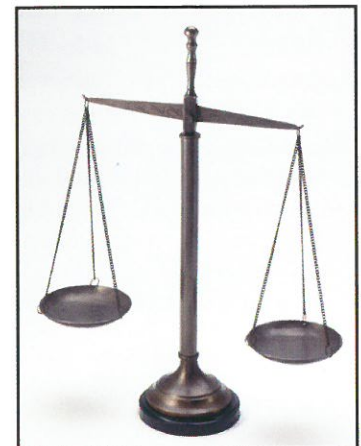
### WOODEN TRINKET BOX WITH SUPREME COURT LITHOGRAPH

Artwork by Martin Barry, a lifelong resident of Maryland, and also known as one of the East Coast's most well respected artists for over 40 years. Martin's portfolio contains hundreds of scenes along the East Coast and elsewhere in the United States including this one of the Supreme Court of the United States. The print is matted and set under the box's glass top.

Item # 112995

\$110.00

Members \$88.00



### 21.5" BRONZE SCALES OF JUSTICE

These classic Scales of Justice are antique bronze finished and stand approximately 22" tall.

Item # 112448

\$156.95

Members \$125.56

### RBG'S BRAVE & BRILLIANT WOMEN

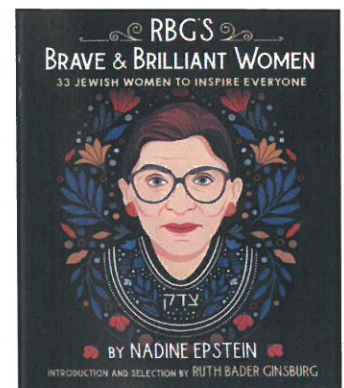
By Nadine Epstein

This collection of biographies of brave and brilliant Jewish female role models--selected in collaboration with Ruth Bader Ginsburg and including an introduction written by the iconic Supreme Court justice herself-- provides young people with a roster of inspirational role models, all of whom are Jewish women, who will appeal not only to young people but to people of all ages, and all faiths.

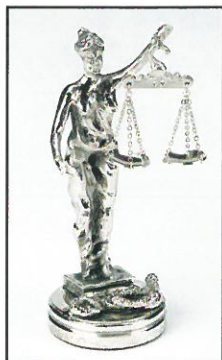
Item # 113910

\$16.99

Members \$13.59







### SILVER LADY JUSTICE PEN HOLDER

This miniature version of Lady Justice is as detailed as our taller statues minus her sword. Your pen will serve as her sword. Great for display on any desk.

**Item # 112529**

**\$84.95** *Members \$67.96*



### BRONZE LADY JUSTICE BOOKENDS

Kneeling on a 4" square marble base, this pair of 9" solid bronze Lady Justice bookends will complement any collection of law books.

**Item # 111209**

**\$297.00** *Members \$237.60*

### BRONZE EAGLE HEAD BOOKENDS

Set upon a four inch square wood base, this pair of bronzed eagle head bookends will complement any collection of law books.

**Item # 111204**

**\$154.95**

*Members \$123.96*



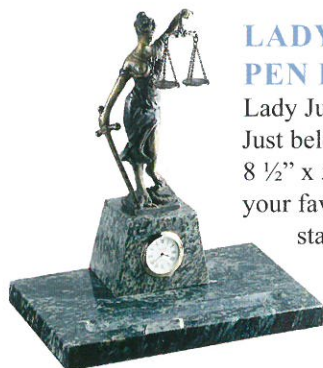
### SUPREME COURT BUILDING MARBLE BOOKENDS

Cultured marble bookends are engraved with both the Seal of the Supreme Court of the United States and the Supreme Court building.

These bookends measure 6 1/2" x 5".

**Item # 111215**

**\$84.95** *Members \$67.96*



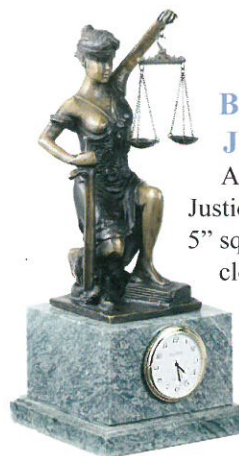
### LADY JUSTICE PEN HOLDER & CLOCK

Lady Justice stands high atop this penholder. Just below her is a quartz movement clock. The 8 1/2" x 5 1/2" green marble base has a groove for your favorite pen. This marvelous piece stands 9" tall.

**Item # 111833**

**\$205.00**

*Members \$164.00*



### BRONZE LADY JUSTICE CLOCK

A solid bronze Lady Justice kneels on top of a 5" square marble base. This clock stands 11" tall.

**Item # 111375**

**\$250.00**

*Members \$200.00*

### JADE PAPERWEIGHTS

Measuring 3" x 4" this heavy jade glass paperweight will add a touch of class to any desk. The "Seal of the Supreme Court of the United States" or Lady Justice is etched onto this paperweight.

**Seal**

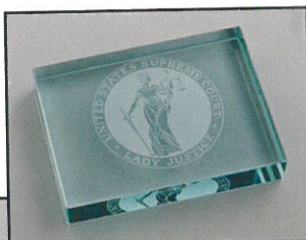
**Item # 112108**

**Lady Justice**

**Item # 112107**

**\$44.95**

*Members \$35.96*



### MINI SCALES AND GAVEL CLOCK

This miniature platinum finish clock would be great as a desk accessory or as part of a display collection. The Scales of Justice overlook the law book and gavel that are mounted to the base.

**Item # 111381** **\$43.95** *Members \$35.16*



## SUPREME COURT AFGHAN

This woven afghan is a custom design of the Supreme Court Building. It measures approximately 4' x 6'.

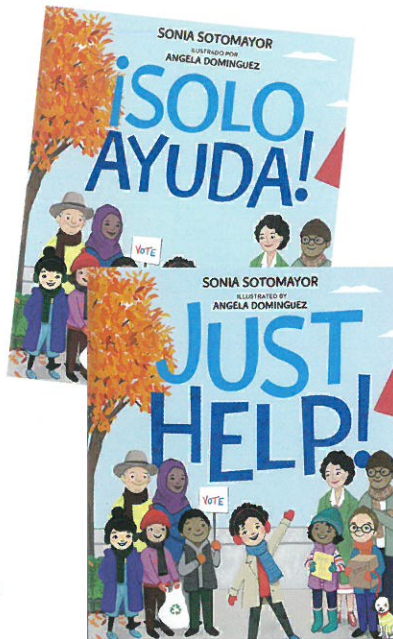
Item # 111139 \$55.95 *Members \$44.76*

## JUST HELP! HOW TO BUILD A BETTER WORLD

By Sonia Sotomayor

In a story inspired by her own family's desire to help others, Supreme Court Justice Sonia Sotomayor takes young readers on a journey through a neighborhood where kids and adults, activists and bus drivers, friends and strangers all help one another to build a better world for themselves and their community.

English Version Item # 113883  
Spanish Version Item # 113905  
\$17.99 *Members \$14.39*



## SET OF 4 LEAD CRYSTAL COASTERS WITH HOLDER

The Seal of the Supreme Court is etched onto each of the optical crystal coasters in this handsome set. The wooden base is stained in a rich mahogany finish. The bottom of the base is covered with felt to protect your furniture. Individually, they could also be used as a paperweight.

Item # 112899  
\$145.00 *Members \$116.00*



## SUPREME COURT AND CHERRY BLOSSOMS GLASS

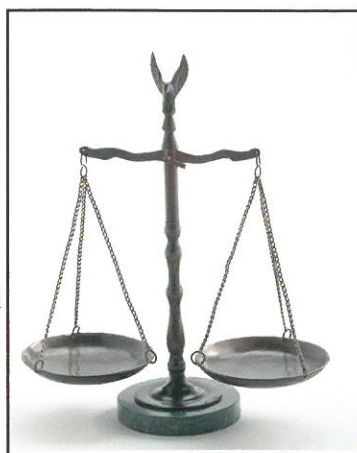
This frosted old-fashioned style glass features a view of the Supreme Court Building behind the pink cherry blossoms.

Item # 112871  
\$11.95 *Members \$9.56*

## 12.5" BRONZE SCALES OF JUSTICE

These 12.5" antique bronze scales are topped with an eagle finial and sit upon a green marble base. A perfect gift for a lawyer or judge's office!

Item # 112442  
\$82.95 *Members \$66.36*



## "ADVICE TO A YOUNG LAWYER" PLAQUE

A cultured marble etching of Justice Joseph Story's "Advice to a Young Lawyer" is mounted on solid walnut. Plaque measures 10" x 12".

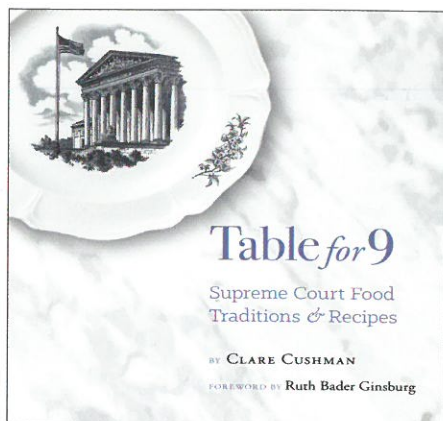
Black Marble Item # 112675  
White Marble Item # 111133  
\$106.95 *Members \$85.56*



## TABLE FOR 9 SUPREME COURT FOOD TRADITIONS AND RECIPES

by Clare Cushman

Foreword by Ruth Bader Ginsburg



Food traditions have always been important at the Supreme Court as the Justices have purposefully sought occasions to break bread together to reinforce cordiality and cooperation. This book provides a fascinating glimpse into the culinary customs at the Court with behind-the-scenes photos and stories of the Justices eating at tables hidden behind the bench in the Courtroom; lunching together in their private dining room; hosting welcome and farewell dinners for each other in their homes, at the Court or on the yacht Sequoia; sharing breakfast with law clerks in the cafeteria; and being invited by the president to the White House. It also features recipes associated with the Justices and their families, from John Marshall's *Quoit Club Punch* to Mrs. Neil M. Gorsuch's *English Marmalade*, and reveals the culinary predilections and regional food traditions of individual Justices. **Table for 9** includes 43 recipes, and more than 100 photos, letters and artifacts, including the painted tin ammunition box from the Civil War Oliver Wendell Holmes, Jr. used to bring his lunch to the Court.

Item # 112779 \$24.95 **Members \$19.96**

### MINI SCALES OF JUSTICE TIE

Whether you work at a law firm, are an attorney at law, or are a recent grad from law school, you understand the delicate balance of justice. These 100% silk ties feature the scales of justice set atop of your choice between a blue or yellow background. Honor our judicial system with this classic tie.

Blue Item # 112974

Yellow Item # 112973

\$55.95 **Members \$44.76**



### 16" LADY JUSTICE STATUE

A striking 16" statue of Lady Justice made of solid bronze using the lost wax method of casting. Each statue is painstakingly hand finished and polished, then mounted on a circular black marble base. This Lady Justice is the perfect size for any room or office.

Item # 112506

\$399.00

**Members \$319.20**

### KENNETH COLE REACTION TOTE

Ideal bag for the fashion forward professional. Luxurious pebbled exterior with Kenneth Cole branded interior lining. Zippered main compartment with branded gold accents. Interior zippered pocket. Hook & loop closure computer sleeve. Rear trolley strap. 11" drop handles.

Item # 112828 \$139.95 **Members \$111.96**



### WRITING JOURNAL AND PEN SET

In this simple, yet elegant design, this journal lets you carry and display your Cross pen with style. This small-sized journal features a high-quality crimson leatherette finish with an elastic closure and ribbon page marker. Inside, you'll find lightly lined, perforated pages for ease and flexibility in note taking, journaling, or sketching. Matching pen is included.

Item # 112829

\$70.00 **Members \$56.00**







*The full robe on a mannequin.*

not least, he showed how important dissents could be in constitutional development. As he often said, ‘My faith in time is great.’”

Jim Duff, Executive Director of the Society, expressed the Society’s appreciation of the gift: “We are very grateful that the Brandeis family chose to share such a special artifact and family treasure with the public through the Society and the Court. It enables the Society to fulfill its mission to educate the public about the rich history of the Supreme Court in interesting ways and through inspiring figures such as Justice Brandeis. The Brandeis family also sets a fine example of supporting civic education through public philanthropy.” Working closely with the Curator of the Supreme Court, the Society seeks to identify and obtain—through deed of gift or purchase — items of particular relevance to the Court.

As the Society is a nonprofit organization, donors receive a tax deduction. Special emphasis is placed on acquiring unique items and items that fill gaps in the Court’s existing collection. The collection includes portraits, furniture and decorative artworks, busts, period newspapers, historic photographs and drawings, diaries, scrapbooks, ledgers, histories, biographies, genealogies, maps, as well as audio and video recordings of oral history interviews. Items owned by the Society are used in the Supreme Court Building itself and are utilized in exhibits mounted for the hundreds of thousands of visitors to the Supreme Court Building. Collection objects are used as illustrations in publications produced by the Society.



*Shoulder detail from the garment, which is one of two known judicial robes worn by Brandeis.*



regimes there had gained power through the use of tanks and guns, but current regimes are undermining judicial independence through legislative actions that are disguised as progressive initiatives. She noted that although those initiatives may have had some attractive elements to them, they were in fact power grabs by the other branches of government. Professor Scheppele warned of actions taken under the auspices of disciplinary rules over judges, changing the rules of appointments to the bench as well as to the tenure of judges, and the assignment of specific judges to certain cases as ways in which judicial independence has been undermined in those countries. She advised our audience to pay attention to similar legislative initiatives in the United States that could in effect eliminate judicial independence here.

The third lecture in the series took the format of a conversation with Retired Circuit Court Judge Thomas Griffith of the U.S. Court of Appeals for the District of Columbia who served in that capacity from June 29, 2005 to September 1, 2020. Among other positions prior to his service on the Circuit Court, Judge Griffith served as Legal Counsel to the United States Senate from 1995 to 1999. Most recently, Judge Griffith served on the President's Commission on the Supreme Court of the United States which investigated principal arguments in contemporary public debate for and against reforming the Supreme Court. The conversation with Judge Griffith focused on both Constitutional and institutional protections to judicial independence. As the previous two lectures focused on external threats to American judicial independence and the deterioration of judicial independence abroad, Judge Griffith's remarks centered on current threats within our country to such independence. His experience on the President's Commission was most informative as its members wrestled with ideas ranging from "Court packing" to term limits on judicial appointments. He placed both historical perspective on these ideas as well as addressed contemporary concerns about them.

All three lectures were well received and the series will resume in the Fall. This lecture series also offered the Society an excellent opportunity to expand its outreach. We were very pleased to partner with the Justice Anthony M. Kennedy Library and Learning Center Foundation

at the federal courthouse in Sacramento, California to sponsor and promote all three lectures and we welcomed partnership with the Judicial Learning Center in St. Louis, Missouri for the third lecture in the series. We look forward to more opportunities to work together on new programs and endeavors with them. The Society sees similar opportunities to work with volunteers in learning centers focused on civic education in other federal courthouses around the country. Such centers have opened in recent months in New York City and Minneapolis, and others are in development. Stay tuned for more expansion.

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## "One of the Best Hated Men of His Day": Catron and Tennessee Politics

By Timothy S. Huebner\*

Justice John Catron, although little known for his tenure on the Court, certainly stands out for his contentious relationship with his home state of Tennessee. Born in 1786 in Virginia, Catron grew up in Virginia before later moving to Kentucky. After marrying Matilda Childress in 1807, Catron and his wife settled in Tennessee's Cumberland Mountains, where he drove cattle and groomed his father's racehorse while studying law. Ca-

tron eventually moved to Nashville, his wife's hometown, where Andrew Jackson became a mentor and patron. After practicing law there for six years, in 1824 the legislature elected Catron a judge of the Tennessee Supreme Court.

Catron initially provoked controversy for his decision in *Smith v. State* (1829), a case involving dueling. At the time many states were passing anti-dueling legislation, and Tennessee was no exception. An 1809 law barred duelists from holding office, testifying in court, or serving as jurors. *Smith v. State* raised the question of whether a court could rule that a lawyer's participation in a duel violated this statute. Attorney Calvin Smith had accepted a challenge to duel, crossed into Kentucky, and killed his opponent. Indicted for murder in Kentucky, a Tennessee circuit court struck him from the roll of attorneys before the court. Smith appealed to the state supreme court.

Catron not only affirmed that Smith could be stricken from the roll, but also took the opportunity to denounce the culture of honor and violence that dominated the antebellum South. Catron described duelists as engaging in the practice "to gratify their vanity, by drawing upon themselves a little temporary notice, which their personal worth or good conduct cannot procure." He went on, "We are told this is only a kind of honorable homicide! The law knows it as a wicked and willful murder....We are placed here firmly and fearlessly to execute "the laws of the land not visionary codes of honor, framed to subserve [sic] the purposes of destruction." In the rough and tumble society of antebellum Tennessee, Catron received harsh criticism for the anti-dueling opinion. Still, the kerfuffle did not prevent him being elevated to the state's chief justiceship in 1831, when the legislature created the position.

Politics proved more threatening to Catron's state judicial career. As a friend and supporter of Jackson, Catron threw his support behind President Jackson's chosen successor in the 1836 presidential campaign, Vice President Martin Van Buren. In general, Tennesseans did not react favorably to Jackson's attempt to make Van Buren the next occupant of the White House. Most in the state supported favorite son Hugh Lawson White, himself a former member of the Tennessee Supreme Court. Originally a Jacksonian, White had broken with Jackson near the end of his



second term, joined the Whigs, and announced his decision to run against Van Buren.

Catron's open support for Van Buren caused him to lose favor in the state. In 1834, Tennessee had written a new constitution reorganizing the courts and providing for a three-member supreme court, whose members were to be elected by the legislature. When lawmakers elected the court in 1835, the sitting chief justice suffered the consequences of his public stance. Legislators strongly supported White and voted against Catron 71–27, essentially dismissing him from his position. With nothing to lose, Catron then directed Van Buren's presidential campaign in Tennessee, writing a series of newspaper essays on his behalf. Although Van Buren's candidacy proved a losing cause in the state—White defeated Van Buren in Tennessee by a wide margin—Van Buren won the presidency. Early in 1837, after

Van Buren's victory, Congress passed the Judiciary Act of 1837, adding two federal circuits and two justices to the U.S. Supreme Court. On his last day in office, President Jackson, noting the personal loyalty of his long-time Tennessee protégé, nominated Catron for one of the vacancies, for which he was soon confirmed.

Despite a mostly uncontroversial tenure on the U.S. Supreme Court, Catron's values again collided with those of his home state during the secession crisis. By the time the U.S. Supreme Court adjourned its session on March 14, 1861, seven states had seceded, and civil war loomed. As Tennesseans considered secession later that spring, Catron adhered to his Jacksonian roots by firmly devoting himself to the Union. John Catron was nominated to the Supreme Court by his mentor, President Andrew Jackson. He served there from 1837–1865. While carrying out circuit riding duties in St. Louis,

Catron issued a forceful charge to a grand jury proclaiming that secession constituted treason.

By the time Catron attempted to return to Tennessee to hold court, the state had already seceded, and Catron's charge in St. Louis had become national news. Upon reaching the outskirts of Nashville, Catron encountered a group of local citizens who urged him to go away, informing him that if he attempted to keep the courts of the United States in operation in the Confederate state, his life would be in danger. Catron reportedly fled “in terror and despair.” Of course, the Union military eventually occupied Nashville, thus allowing Catron's return. In June, 1862, less than a year after being sent away, Catron called to order the U.S. circuit court in Nashville, this time under the protection of federal troops. It was a triumphal return for one of the state's least popular figures.

During a period when one's state identity mattered a great deal, Catron's estrangement from his home state stands out as a major theme of his career. Over the decades, Catron's principled opposition to dueling, his political support for Van Buren, and his deep devotion to the Union had won him few friends in Tennessee. “In old age he found himself in alienation from nearly all in whom he had most confided,” noted a judicial colleague. Justice Catron died in Nashville on May 30, 1865, soon after the end of the Civil War. Decades later, in a biographical profile, a Tennessee judge summarized Catron's career by describing him as “one of the best hated men of his day.”



*John Catron was nominated to the Supreme Court by his mentor, President Andrew Jackson. He served there from 1837–1865. Lithograph by Charles Fenderich, 1839. Credit: Collection of the Supreme Court of the United States*

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