Society To Hold Fifth Annual Meeting

Members are now receiving announcements of the Society's Fifth Annual Meeting, to be held on June 9, 1980, in Washington, D.C.

Dr. Maxwell Bloomfield, Chairman of the Department of History at Catholic University, will deliver the annual lecture in the restored old Supreme Court Chamber in the Capitol. Entitled “The Supreme Court in Popular Culture: An Historical Perspective” the lecture will highlight the impact of novelists and playwrights on the Court's public image throughout history. If past experience is any guide, this year's annual lecture will once again fill the historical chamber to capacity. Members are encouraged to arrive early to be assured of seating.

Following the lecture, members may walk across the street to the Supreme Court Building and view the new photographic exhibit prepared by the Curator's office and displayed on the ground floor. (Please see article on page number 4). Also a 30-minute film entitled “Equal Justice Under Law” will be shown continuously.

Starting promptly at six o'clock, the general membership meeting will convene in the Supreme Court Chamber. The meeting will include the President's Annual Report, reports by committees and announcements of the election of Trustees. Following the meeting, the Curator of the Court, Gail Galloway, will conduct a special tour of the Supreme Court Building.

Culminating the day's events, the annual reception and dinner will once again provide an opportunity for members to get acquainted and enjoy a gourmet dinner and entertainment. The annual reception, which begins at seven o'clock, will be held in the Court's East and West Conference Rooms.

The annual dinner will begin promptly at eight o'clock in the Great Hall. The dinner is again being planned by Ralph E. Becker, chairman of the annual meeting, and a committee of nine others.

The evening will include music provided by the United States Army Band Strolling Strings and Chorus, and a special presentation of historical vignettes on the lives of former justices. A similar presentation was so well received at the founding dinner for the Society's Illinois Chapter last fall, that it was decided to include it in this year's annual dinner program.

This year's annual meeting promises to be one of the finest in the Society's history. Any member who wishes to attend, but has not yet received an invitation, should contact the Society's executive offices immediately at (202) 347-9888.

Symposium speaker addresses members in the restored Supreme Court Chamber in the U.S. Capitol.
New Society Invites Dr. Marcus
To Attend First Annual Meeting

The United States District Court for the Northern District of California Historical Society held its Founders’ Meeting on April 1980. Chief Judge Robert F. Peckham, Chairman of the Board of the Society, invited Dr. Moya Marcus, who was in San Francisco to attend the Annual Meeting of the Organization of American Historians, to present the greetings of the Supreme Court Historical Society to the new organization. More than the hundred Courtroom courtiers filled the ceremonial courtroom of the United States District Court House in San Francisco to participate in the Society’s founding.

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Society Sponsors Panel At OAH
The Supreme Court Historical Society recently sponsored a panel at the annual meeting of the Organization of American Historians held in San Francisco. Chair of the panel was Dr. Marcus, Dr. Marcus, Director of the Documentary History Project, the session provided a forum for the presentation of two papers on nominations to the Supreme Court.

Melvin I. Urofsky, Professor of History at Virginia Commonwealth University, offered an interesting interpretation of the court's selection fight over the nomination of Associate Justice Louis D. Brandeis to the Supreme Court in 1916. Urofsky argued that the various charges brought against Brandeis by his opponents were a distraction designed to mask the real reason the opposition did not want Brandeis on the Court; their belief that he was a radical.

Mr. Justice James M. Buchanan, Assistant Editor of the Documentary History Project, presented new material on the 1930 nomination of Charles Evans Hughes to the Chief Justice of the Supreme Court of the States. Using manuscripts from numerous collections, Mr. Buchanan provided a detailed account of the behind-the-scenes maneuvering that eventually led to his appointment.

Two eminent legal historians commented on these papers, Paul Murphy, Professor of History at the University of Minnesota, has written several noted works in the field of constitutional history, and G. Edward White, the final law at the University of Virginia, is the author of the widely acclaimed work, The American Judicial Tradition: Profiles of Leading American Appellate Judges. Both scholars praised the papers presented and agreed that the knowledge of the nomination process leading to appointment to the Supreme Court. Noting the need for further study, Professor Murphy suggested further questions to be addressed, and Professor White outlined a tentative, general framework of analysis.

Dues Transition Progressing Well
The transition to the new system of membership renewal, explained in the last issue of the Quarterly, is well underway. The system, which will eventually result in all members being reminded to renew their memberships in September of each year, is being implemented on a monthly basis by prorating members' dues for the expiration dates in either September, 1980, or September, 1981. In order to accomplish this change, an explanatory letter noting that each member's renewal notice is being sent to members as their current memberships expire.

By September of this year it is expected that 40 percent of the Society's membership will be on the new September renewal cycle. The remainder will be phased into the new cycle the following year. The new system is expected to provide the Society with substantial savings in membership solicitation and is also expected to greatly streamline the Society's membership services operations by allowing improved work scheduling for the Society's staff. The staff appreciates each member's cooperation in implementing this important change.

For The Careful Reader Only
In the sample address used in our last Quarterly, Sheriff's address was mistakenly reported as 12 Baker Street. As a result, all mail between members of the Society and the renowned slyke has been diverted to the fiendish clutches of Dr. Moriarty. Fortunately, Holmes' many friends in the Society were quick to supply the staff with the real address, 221-B Baker Street, and all correspondence with Mr. Holmes should hereafter be directed to that address.
Court Opens New Exhibit

On March 14th, a new exhibit opened for view in the Exhibit Hall on the ground floor of the Supreme Court. Consisting of over 120 prints, the exhibit is a photographic history of the justices who have served since the beginning of the Court. The exhibit was compiled by the Curator of the Court, Gail Galloway, and the Assistant Curator, Susanne Owens, and is expected to be open to the public for at least a year.

Each of the fourteen exhibit panels in the Lower Great Hall is devoted to a single Chief Justice and the individuals who served with him during his tenure, with the exception of the second panel which includes both Chief Justices John Rutledge and Oliver Ellsworth. Most of the 101 justices who have served on the Supreme Court are included in the exhibit.

The exhibit includes the many formal group photographs of the Court. The practice of bringing all nine justices together for a formal group photograph has developed into a tradition that is repeated whenever a new justice joins the Court. The earliest formal group photograph in the exhibit is of Chief Justice Salmon P. Chase and his colleagues. Photographic evidence suggests that the precedent for the seating arrangement used today by the justices for a formal photograph was established during the tenure of Morrison R. Waite. In formal portraits of the Court, the Chief Justice is seated in the front row, flanked by the most senior justices, with the other justices making up a second row, standing in the rear. Although the justices typically appear very restrained in these group photographs, an exception is found in the photo of the Vinson Court, which captures the nine justices in a less serious pose.

Other group photographs include those taken during the annual visits of the Court to the White House. On exhibit are photographs of the Stone Court visiting Mr. Justice Joseph Bradley (1870-92) reading by gaslight lamp in his study. President Harry Truman in 1945, the Vinson Court visiting President Dwight Eisenhower, and, more recently, the Burger Court visiting President Jimmy Carter in 1977.

Individual photographs of the justices include formal studio portraits as well as more candid shots. One photograph of particular interest shows Associate Justice Joseph P. Bradley — who served from 1870-1892 — working at a desk in a Victorian study, lit by a gas lamp. Another picture captures Associate Justice Owen J. Roberts of Pennsylvania in his golfing attire, seated outdoors on a terrace reading Vogue magazine.

Perhaps the more interesting aspect of the exhibit is that it permits viewers to compare photographs of individual justices during various stages of their service at the Court — the opportunity to view the justices in their early days on the Court on up to their senior years.

The current photographic exhibit replaces a collection of drawings by Betty Wells which is scheduled to be reexhibited at the University of Florida Gallery of Art in Gainesville, Florida. The current exhibit is open for viewing from the hours of 9:00 AM to 4:30 PM, Monday through Friday, except on government holidays.
Roger Brooke Taney: The Man and the Enigma

Roger Brooke Taney, the fifth Chief Justice of the Supreme Court, is one of the most controversial figures of the Court’s history. A “strange mixture of slave-owner, aristocrat, and Jacksonian democrat, clinging to the past but conceding the need to accept the future”, Taney led the Court for a period of twenty-seven years, succeeding the great John Marshall as Chief Justice. Although his popular reputation is largely based upon his ill-fated decision in the Dred Scott case, Taney deserves to be remembered from a much wider perspective than this single decision allows.

Chief Justice Taney was born in Calvert County, Maryland on March 17, 1777. The descendant of a prominent Roman Catholic family, he attended Dickinson College and upon completion, moved to Annapolis to study law. He was an intense, ardent, zealous lawyer. There, in 1806, he married Anne Phoebe Carlton, the practice of law. There, in 1806, he married Anne. His marriage to Anne was likened to the “hawking with a hawk” with a fervor which was characteristic of the nature of the Federalist Party split into factions over the issue of the War of 1812; that portion of the party that supported the war was seen as the “Coodies”, and Taney, the faction’s ostensible leader, became known as “King Coodie.”

During the years 1815-1821, Taney held several state political offices, serving as Attorney General of Maryland for a time. He argued many cases before the Supreme Court during this period and earned the reputation of a dedicated, competent lawyer.

In the late 1820’s, Taney became a staunch supporter of Andrew Jackson and the Democratic Party, throwing himself into the party with his characteristic zeal. In 1831, he was rewarded for his support by being named Attorney General of the United States. He became a close confidant and advisor to the President. For a brief time, Taney held the portfolio of Secretary of War in addition to his office as Attorney General.

At the time Taney came into the Cabinet, Jackson was already embroiled in a battle with the Senate over the rechartering of the Bank of the United States. The Bank’s charter was due to expire in 1836, and Jackson, as determined, would not bend the knee. In July, 1832, Congress passed a bill to recharter the Bank and sent it to the President for approval. Jackson vetoed the bill and returned it to Congress with a vehement attack against the “moneyed monster.”

The conflict between the President and Vice President Martin Van Buren was forced to wear pistols to preserve the Senate when it debated the Bank’s future.
Marbury, Douglas Portraits Donated

Two portraits, one an oil painting of William Marbury, and the other a pencil drawing of Justice William O. Douglas, were recently donated to the Society to be added to its collection for preservation and future exhibition.

Those familiar with the landmark Supreme Court case of Marbury v. Madison (1803) will recognize the name of William Marbury as one of the “midnight appointments” made by President John Adams just before he left office to be replaced by Thomas Jefferson. By an interesting quirk of history, Mr. and Mrs. Richard C. Marshall III, who donated the portrait, are direct descendants of both William Marbury and Chief Justice John Marshall. Mr. Marshall is the great, great, great grandson of the former Chief Justice, and his wife, Florence Beaufort Marshall, is the great, great, great granddaughter of William Marbury. Through the generations, the portrait has been handed down in the Marbury family, until now, when the stately gentleman has finally “returned” to the Supreme Court.

The portrait itself measures 34" x 29" and is in excellent condition. Marbury is shown seated, in three-quarter length, with his left hand resting on a book. The date of the portrait is thought to be some time between 1820 and 1830. Although the painting is unsigned, it has been attributed to Rembrandt Peale (1778-1860), the American portrait painter. The Supreme Court owns a portrait of John Marshall by Peale, done in the “porthole” motif for which he is so well known. The Marbury portrait constitutes the only known painting extant of him, and it can be found reproduced in color in the June, 1963 issue of American Heritage.

The second acquisition is the gift of Mr. and Mrs. Milton Turner of Kenwood, Maryland. As a gesture of their high regard for the late Mr. Justice Douglas, the Turners commissioned this portrait of him to present to the Society.

The portrait is a pencil drawing rendered by the New Jersey artist Ferdinand R. Petrie. Mr. Petrie studied at the Parsons School of Design and at the New York Art Students League. His works appear in collections at the White House, the Smithsonian Institution, the Kennedy Library in Boston, and the Indianapolis Museum of Art.

Mr. Petrie’s rendering of Justice Douglas is based on an informal photograph. Measuring 18-3/4" by 12-3/4", the portrait is done in pencil strokes which convey a chiseled effect, as if the figure were a sculptured bust.

Justice Douglas joined the Supreme Court in 1939 at the age of 40 and retired in 1975 at the age of 76. He served for 36 1/2 years — longer than any other Supreme Court justice. In addition to the physical energy so characteristic of the Justice, the portrait suggests his sense of spirit and independent thought. The Society is indeed fortunate to receive such an excellent tribute to the late Justice Douglas.

Peale's portrait of William Marbury, donated to the Society by Mr. and Mrs. Richard C. Marshall III.

Petrie's sketch of Mr. Justice William O. Douglas, donated to the Society by Mr. and Mrs. Milton Turner.