Justice Breyer Speaks at Twenty-Fifth Annual Meeting

Justice Stephen G. Breyer addressed a capacity audience at 2 PM in the Supreme Court Chamber on June 5. Opening the day’s events of the Twenty-fifth Annual Meeting, the Justice spoke on the topic of the Cherokee Indian cases before the Supreme Court. The complete text of the Justice’s remarks will be printed in a future issue of the Journal of Supreme Court History. Adding a note of poignancy to the afternoon was the presentation of the flag of the Eastern Band of the Cherokee Nation made by the acting Chief Justice of the tribe, Harry C. Martin. Representatives of the Cherokee Nation from Oklahoma also attended and participated in the events of the day. Led by Chief Justice Philip Viles, they represent the largest portion of the Cherokee Nation who relocated to Oklahoma. Chief Justice Viles presented a flag of the Cherokee Nation to the Supreme Court Historical Society in a separate ceremony.

Tours of the building were conducted by staff members of the Office of the Curator of the Supreme Court. An Open House was held in the afternoon at Opperman House, the Society’s new headquarters building. Members were invited to tour the building and admire the beautiful architecture and furnishings, as well as preview the library collection donated by Dr. James B. O’Hara (see story on page 10).

Leon Silverman presided over the Meeting of the General Membership which convened at 6 PM. Noting the absence of Dwight D. Opperman, Chairman of the Board of Trustees, who was unable to be present, Mr. Silverman presented a combined report. Of paramount importance in the year was the completion of the new headquarters building in which the architecture and interior design are “truly exceptional.” On behalf of the continued page four
A Letter From the President

Election day this year will be a momentous event for much of the country, and surprisingly even for so non-partisan an organization as the Supreme Court Historical Society. Before the polls close that evening the Society will have conducted a formal ceremony presenting its newest publication to the Court—Supreme Court Decisions and Women's Rights: Milestones to Equality.

The book is the product of three years of research by its Editor, Society Publications Director Clare Cushman, who also edited the Society's widely acclaimed Supreme Court Justices, Illustrated Biographies, 1789 to 1995. Receiving the book on behalf of the Court will be Justice Ruth Bader Ginsburg, who not only contributed a Foreword to this groundbreaking volume, but also lent her considerable knowledge of the subject of gender law to its editorial development.

Supreme Court Decisions and Women's Rights is being published in cooperation with CQ Press, which also published the Illustrated Biographies volume. At $29.95, the retail price is $29.95, but members of the Society receive a 20% discount on any publication or other merchandise sold at the Gift Shop.

The educational objectives and purposes of the Society are of paramount importance in the selection of programs and activities undertaken by the Society. Such was the case in the production of this volume which grew out of conversations with and the recommendations of research librarians. But whether it be production of a volume treating a specific topic, instructional programs for teachers, seminars for graduate students and faculty members, lecture programs produced for varied audiences, or documentary publications produced for scholars, the principal objective of the Society is to enhance an understanding of the Supreme Court and the importance and significance of its decisions in American life.

Whatever other outcomes may transpire on election night, members of the Society can rest assured they have chosen to support a winning ticket with a platform dedicated to the production of outstanding scholarship, programs and publications.

The Supreme Court Historical Society
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Managing Editor
Kathleen Shortleff
James B. O'Hara

Assistant Editor

Gift Shop at the Supreme Court by telephoning 202-554-8300, or toll-free 1-888-LEX GIFT. The retail price is $29.95, but members of the Society receive a 20% discount on any publication or other merchandise sold at the Gift Shop.

Trivia Quiz: Leaving the Bench
by James B. O'Hara

Most modern Justices have left the Supreme Court by retiring. But many Justices in the past have moved to other positions or to pursue other public purposes. Name the Justices from the clues.

1. Believe it or not, this Justice resigned to become Chief Justice of South Carolina.
2. This Justice resigned because of ill health, but lived another twenty-five years before his death.
3. This Justice left the Court to become United States Senator from Illinois.
4. This Justice resigned to accept the Republican nomination for President.
5. This Justice resigned to lead a public campaign urging U.S. entry into the League of Nations.
6. This Justice left to become Governor of New York.
7. This Justice left to devote his time to the celebration of the Bicentennial of the U.S. Constitution.
8. Upon leaving the High Court, this Justice became Dean of the University of Pennsylvania Law School.
9. This Justice resigned at the request of the President to become Ambassador to the United Nations.
10. This Justice left to become "Assistant President" to Franklin D. Roosevelt during World War II.

Answers start on page seventeen
other Officers and Trustees and the general membership, he noted all concerned are "grateful beyond words to all of those involved in bringing that project to fruition. I would especially like to express the profound appreciation to Dwight Opperman, Dorothy Goldman, Agnes Williams, and of course, the Clark-Winchcole Foundation, whose substantial support enabled the Society to complete its renovation with no diminution of program support." Enumerating some of the principal educational programs, Mr. Silverman mentioned the oral histories of former Solicitors and Attorneys General, literary prizes awarded for book-length historical scholarship as well as article-length works, teacher training for teachers in the District of Columbia Public Schools, the Supreme Court Summer Institute for Teachers, and the regular programs, Mr. Silverman mentioned the oral histories of former Solicitors and Attorneys General, literary prizes awarded for book-length historical scholarship as well as article-length works, teacher training for teachers in the District of Columbia Public Schools, the Supreme Court Summer Institute for Teachers, and the regular programs and initiatives planned for the future require an increased level of financial commitment. To that end, plans are being formulated by the Development Committee, under the direction of Frank C. Jones, to establish a capital campaign to raise significant funds to underwrite the costs associated with programs like the Institute for Constitutional Studies (see page 7 for an article about the program) and Public School Initiatives patterned after the pilot program given for the District of Columbia. The support of members will be required to accomplish these objectives.

Reporting for the Nominating Committee, Virginia Warren Daly, Chairperson, presented a slate of candidates for election to the Board of Trustees. Elections were held and the following individuals were elected to serve an initial three-year term on the Board of Trustees: Peter Angelos; Frank Boardman; Charles Cooper; James Duff; Miguel Estrada; and James B. O'Hara. A second group of candidates was elected to serve for an additional three-year term on the Board of Trustees: Herman Belz; Hugo Black, Jr.; William T. Coleman, Jr.; George Didden, III; Charlotte Dietz; John Elam; James Ellis; Wayne Fisher; Dorothy Goldman; James J. Kilpatrick; Jerome Libin; Maureen Mahoney; Howard T. Markey; James Morris; Thurgood Marshall, Jr.; Harry Reasoner; William Bradford Reynolds; Jonathan Rose; and Foster Woolen.
As At-Large Members of the Executive Committee for a One-Year Term: Robert Juceam; Jerome Libin; Mrs. Cecilia Marshall; John Nannes; Leon Polsky; and Agnes Williams. The voting was unanimous, and all those nominated were elected to serve.

A special Award Ceremony followed the business meetings. The ceremony recognized the accomplishments of several individuals. The first awards announced were the Hughes-Gossit Literary Awards for Historical Excellence. These awards are given to recognize outstanding scholarly research and publication on the history of the Court for articles published in The Journal of Supreme Court History, Justice Thomas presented awards to first-prize winner, Kent Newmeyer, a Professor of History at the University of Connecticut for his article "Chief Justice Marshall's Last Campaign: Georgia, Jackson and the Cherokee Cases." Professor Newmeyer's article was selected by the Board of Editors to receive this honor, and in a remarkable coincidence, anticipated the topic of Justice Breyer's annual lecture. The student prize was awarded to Artemus Ward, formerly a doctoral candidate at Cornell University, now a Professor of Political Science at California State University at Chico. His paper was titled "The Tenth Justice: The Retirement of William O. Douglas." Professor Ward's article was also chosen by the Board of Editors for recognition.

Awards were presented in recognition of the efforts of State Chairs who have worked within their states to encourage new members in the Society. Justice Thomas assisted in recognizing these efforts by presenting awards to the following individuals: Edwin Harnden of Oregon; Lester C. Hess, Jr. of West Virginia and Benjamin V. (Terry) White of Rhode Island.

Individuals, firms and foundations whose special gifts throughout the year provide substantial funding to programs are recognized periodically. At the Annual Meeting, several significant individuals were recognized for their great service to the Society. First to be recognized was Dorothy Tapper Goldman, recognized for her financial contributions as well as her work in assisting with interior design for the new headquarters building. Second was Joseph Modrov representing the United Parcel Service Foundation. Jerome Libin, was recognized for his commitment, as well as for the significant contributions to the success of the Society made by the Park Foundation. Vincent C. Burke, Jr., a Vice President of the Society, was recognized for his untiring support and assistance personally, and as an agent of the Clark-Winchoke Foundation.

Professor James B. O'Hara was recognized in absentia for his contribution to the Society of a library comprised of more than 1,000 volumes. This collection, the result of lifetime of collecting, contains biographies of Justices, books written by Justices, and books concerning the homes in which various Justice have lived.

Following the business meetings, the traditional black tie reception and dinner commenced at 7 PM. Performing for the seventh time for the Society, the Alexandria Harmonizers performed a program of Broadway songs, patriotic tunes and traditional favorites. The group performs under the leadership of Scott Werner, Musical Director, and Geri Geiss, artistic director. A 100-voice men's chorus, the group performs traditional barbershop harmony with a Broadway flair. Originally chartered in 1948, the Harmonizers have performed at the White House, Wolf Trap and other prestigious venues and have won several International Chorus Championship medals. The musical program concluded the activities for the evening, after which Annual Meeting Chair, William Bradford Reynolds thanked everyone for the participation and adjourned the meeting.
Pursuant to the meeting, the Society applied for and won a planning grant from the National Endowment for the Humanities (NEH). As a result of this critical grant, the concept of establishing an Institute for Constitutional Studies was considered seriously and carefully. Under the direction of Dr. Maeva Marcus, editor of the Documentary History of the Supreme Court of the United States: 1789-1800 (sponsored by the Society), Professor Melvin Urofsky, Chairman of the Board of Editors for the Journal of Supreme Court History, and Dr. Milton Greenberg, former provost of American University, a model curriculum was developed and presented to the profession and discussions for refinement of the concept commenced.

The phrase constitutional studies was chosen to reflect the intention that the program created would not be restricted to the law, to history, or to political science departments, but would instead take an interdisciplinary approach, drawing the best from individual disciplines and melding them into a unified whole. All proposed activities and curricula incorporated this theme.

Under the direction of the Program Committee of The Supreme Court Historical Society, in cooperation with the Consortium of Universities of the Washington Metropolitan Area (CUWMA), work has commenced to establish the Institute for Constitutional Studies. With American University acting as the host university, the Institute has been designed to allow Washington area schools to develop a doctoral-level concentration in constitutional studies.

This partnership provides a unique institutional context for the Institute. The Supreme Court Historical Society, from its incorporation in 1974, has been dedicated to the promotion and implementation of educational programs. To this end, the Society has supported historical research, collected artifacts relating to the Court's history, published a journal that contains the most recent scholarship on the Supreme Court's history, and has annually sponsored major lecture series as well as workshops for teachers.

The members of the Washington Consortium that grant doctoral degrees - American University, Catholic University, Georgetown University, Howard University, and the University of Maryland - see the creation of an Institute as an opportunity to put their cooperative experience to use in a novel doctoral level program. Aimed at utilizing the strengths of the member universities, the program will produce benefits for graduate students throughout the metropolitan area, blending together qualified faculty from liberal arts campuses and law schools.

The first tangible fruit of the Constitutional Studies program was a summer seminar, conducted for two weeks in June 1999, featuring two leading constitutional scholars: William Wiecek of Syracuse University, author of many books on constitutional subjects, who is currently engaged in writing the Oliver Wendell Holmes Devise History of the Supreme Court volume on the Stone and Vinson Courts; and Dennis Hutchinson of the University of Chicago Law School, whose recent work include a biography of Justice Byron White. Professor Hutchinson is also the editor of the Supreme Court Review.

The rubric for the seminar was "Topics in Twentieth Century American Constitutional History." The seminar was publicized via H-LAW and doctoral students and junior faculty members were invited to participate. Applicants were requested to provide the topic of their current research and to indicate how the seminar would assist them in completing their work. As an added benefit, participants received a stipend to assist with travel and housing.

Housing was provided in the Georgetown University Law Center residence hall, convenient to the site of the seminar, Justice White's conference room in the Thurgood Marshall Federal Judiciary Building.

Prior to the seminar, each of the ten participants provided the topics of his or her current research, as well as a short bibliography of pertinent materials. All were asked to read and review these materials prior to attending the seminar. At the sessions, each member made a presentation outlining the thesis, the methodological issues, and problems associated with the project, and these were reviewed and discussed. Seminar leaders and fellow students joined in the review process and also provided important information regarding additional archival and other sources for improving the projects. Participants in the 1999 program reported this personal review as the most valuable aspect of the seminar, citing the opportunity to discuss their work with interested colleagues for a sustained period of time as another great benefit.

An important element of the seminar was the participation of guest lecturers. These experts gave presentations based on their own work, or some current historiographical issue, providing rich supplemental information and opportunities.

Building on the success of the 1999 Institute, a second seminar took place in June 2000. The seminar was increased to fourteen students, and was expanded to three weeks to allow more time for individual research and further enrichment. The topic chosen for summer 2000 was "Creating the Federal Republic." Seminar leaders were chosen for their expertise in this field of study. This year's leaders were Professor Jack Rakove, a Stanford University historian, and Professor Akhil Reed Amar of the Yale Law School. Professor Rakove is the Pulitzer Prize winning author of Original Meanings. Professor Amar, a prolific constitutional scholar, recently published The Bill of Rights.

Seminar sessions were held in Opperman House, the Society's new acquired residence on Capitol Hill. The participants in the seminar were geographically diverse, including a law lecturer from Australia and a graduate student from Britain. Their participation is indicative of the increased international importance and significance of the U.S. Constitution in the development of constitutional governments throughout the world.

This second seminar concluded on a high note with the appearance of Justice Antonin Scalia. The Justice conducted a question and answer session during the last day of the program, providing a rare opportunity for students of the constitution to hear a sitting Justice discuss his use of history in formulating Supreme Court decisions.

Recent recognition of the value of the program includes a second grant award from The National Endowment for the Humanities (NEH). This new grant totals $235,000 over a period of three years for the continued development and implementation of the Institute for Constitutional Studies. Of the total amount awarded by the NEH, $50,000 must be matched by gifts to the Society for the support of the Institute. Gifts from members for this purpose would be greatly appreciated as we strive to fulfill this latest challenge in fundraising efforts. The generous grant from the NEH will enable the Society to continue and expand this important educational effort.

The Society is committed to this innovative program seeking to promote and foster the understanding of our most singular charter. Even though the second session of the Institute has only just been completed, plans for the 2001 seminar are already well in hand. The topic will be "The Constitutional Transformation of the American Presidency." Graduate students and junior faculty members interested in learning more about the program's requirements and benefits, may write to Professor Mel Urofsky or Dr. Maeva Marcus in care of the Society's headquarters at 224 East Capitol Street, NE, Washington, DC 20003 or send email to dochistsc@aol.com.

For more information about the programs and activities of the Supreme Court Historical Society visit the website www.supremecourthistory.org.
Books for a Library
By James B. O'Har

Last year, when the Society moved to its new quarters at Opperman House, Professor O’Hara donated over a thousand books on the Supreme Court to form the nucleus of its library. The editors have asked him to tell the story of this collection.

What strikes me most, as I recall building this collection of books on the Court and its Justices, is how random and haphazard the whole undertaking was. Certainly, there was no grand plan at the beginning. I have always loved American history, and have always loved books, but my formal education was in philosophy, and most of my academic life has been as an administrator, rather than in teaching and research.

What started it all was a decision to read the lives of the Chief Justices. It was somewhat startling to discover that there were no biographies of some of the Chiefs, and for others the only biographical studies were very old or in doctoral dissertations, themselves quite dated. Often libraries did not have copies. Second hand bookstores were an obvious answer.

Baltimore, where I live, had only a few high quality antique bookshops, and I started there and was pleased to find that they actually had sections on law and legal history. I quickly discovered that Beveridge’s classic life of Marshall—in four volumes—was not rare, that Walker Lewis’ life of Taney was around, along with Merlo Pusey’s Charles Evans Hughes. But it was clear that a little collection on Chief Justices would be no easy task.

I have wonderful memories of singular finds. In a shop in Ellicott City, Maryland, I found a copy of the biography of Justice Shiras, seldom seen because only a thousand copies were printed and most are in university libraries. The price was only five dollars. When I told the proprietor the price seemed low, she thanked me for my honesty, but confessed she had only paid five cents for it. In Santa Monica, I found a pristine first edition of Justice William Johnson’s life of General Nathaniel Greene, complete with hand colored maps and dating from 1822. I recently saw the same title in a catalogue for over a thousand dollars—ten times what I paid for it.

When my collection was given to the Society last year, I was asked to keep my eyes open for books to add. Just two months ago, while vacationing in CapeCod, I visited a bookstore. The man who ran the place told me they didn’t have much on the law, but he took me to the area where there were two shelves, mostly of old legal textbooks and the ubiquitous copy of The Brethren. There in the middle was a copy of Trimble’s Chief Justice Waite. I had been looking for that book for fifteen years! The search goes on.
Justice Willis Van Devanter and
The Case of the Improvident Brother
By David N. Atkinson*

Justice Willis Van Devanter was always concerned about money and he always respected and admired successful people. Both themes converged in his troubled relationship with his youngest brother, Spencer.

Van Devanter's father, Isaac, was a lawyer in Marion, Indiana. The senior Van Devanter suffered a severe stroke in 1878, when Willis was only 19. This difficulty required Willis to leave college (Indiana Asbury, which later became DePauw University) before graduation in 1879. Isaac Van Devanter did recover sufficiently to return to work. Following his recovery, Willis was encouraged by his parents to attend law school. Although Willis had been happy pursuing farming, he dutifully enrolled in the Cincinnati Law School in 1879, nine months after he had left college without obtaining a degree. In 1894 Willis and his wife, Dellice, left Marion for good. His father's former law partner, John W. Lacey, had been appointed Chief Justice of the Wyoming Territorial Supreme Court and Willis, anxious for a new start in life, followed Lacey to Cheyenne.

In Wyoming Van Devanter prospered. A successful lawyer, he became active in Republican politics and soon

peals. This record of personal achievement and distinguished service resulted in an appointment to the United States by President William Howard Taft in 1910. This long record of public service also meant that Van Devanter had foregone the opportunity to accumulate great wealth in his earlier years. We now know (from the Justice's memoirs) that had the Congress not changed the retirement law in 1932, limiting the retirement pay to $10,000 and effectively halving his retirement benefits, the Justice would have retired from the Court five years before he did in 1937. Had that happened, and had President Franklin D. Roosevelt had the opportunity to appoint a new Justice in 1932, the course of American constitutional law would, obviously, have been significantly changed.

But Van Devanter needed the money, and so he stayed on. It was not until 1934 that he able to buy a farm. He said then, "I've always wanted to own a farm and now I've got one... ." He had waited a long time.

In the midst of his declining years, Van Devanter's brother, Spencer—a perennial ne'er do well—beseeched him regularly for money. He never denied his brother funds, but it clearly was not easy for him to acquiesce to such persistent entreaties.

On April 16, 1936, Van Devanter reminded Spencer that he had shouldered many family financial burdens. First, he had financially supported their Mother, Violetta, who lived until 1933, and when she had died at the age of 94, he had paid to erect a monument to her memory. Moreover, he had opened his home to their sister, Mary, when she became fatally ill. This was at a time when her husband was still alive, although unable to manage their affairs. He paid for her needs and made no claim on her farm. After October, 1934, he similarly took care of their sister, Louise. Van Devanter's wife had died in that same year.

Although he was free of debt, Van Devanter explained to his brother that: "I mention these things in order that you may realize that I have been attentive to my family obligations. It has cost me, all in all, a good deal of money. I do not regret any part of it; but it has left me with less property than I otherwise would have. I will be 77 tomorrow, and it is right that I should think of my own advancing years and the needs which may come with them."

Spencer Van Devanter was a wildcatter trying to find successful oil wells in Kansas; he never managed to do so. He worked out of Severy, a small town in southeastern Kansas midway between Wichita and the Missouri border. Any money he made or received from his brother went into speculation. Often, his family were in need of necessities. On June 28, 1935, Van Devanter wrote: "Louise [their sister] is sending you a box containing used winter underwear of mine which we hope will be of some benefit to your wife." In response to a request for $150 in 1936, Willis reminded his brother of his past requests:
...requests have been granted. I appreciate your kindness to Louise, was "Please understand that you and that you would not ask me for sony to hear that you had been called and when he asked for money, he was get along if the advance was made clear candid letter and was of course would relieve his financial distress two ago when asking for an advance sponsibility for anything. Characteristically, Spencei was reminded his brother that "A year or

you got no benefit from it and are unable to return it...." Van Devanter Spencer's response reflected, as lady encouraged him to ask his

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hoped, "take some of the burden off your shoulders."

The proposal was that there be three notes: one for $1000 payable nine months after the date, a second note payable 18 months after the date, and a third payable two years after the date. Each would pay interest at 2% per annum, "from the date of each note until paid." He further suggested that Spencer might want to pay off the debt even earlier if "convenient."

This elicited no response at all, so Van Devanter wrote on June 20 to inquire about "How are you getting along with your effort to quiet the title to the land under your lease or leases, and how are you getting along with the drilling or development work!" The response was entirely predictable. Spencer indicated that he had had an unspecified illness and that, plus a lack of immediate funds, had lost him his deal, that he had been unable to quiet the title with the money sent to him, and that it had become "necessary for me to look elsewhere and make new deals." His incorrigible optimism remained unchanged. He predicted that very shortly he would be making $5000 or more each month. With such riches shortly in the offing, he was magnanimous, and even expansive, toward the Justice's request for reimbursement:

"Your letter of Feb. offering to agree on $3,000 as the amount I owe you was of course very kind. But you were kind enough to throw off the interest and I feel I have another interest in these letters as well. Since I've always been interested in how prominent people end their careers, it strikes me that this correspondence adds a further dimension on that level as well. Struggling with the infirmities of age, a hostile President, an unsympathetic Congress, and the knowledge that the makeup of the Court was about to change—added to all of this—Van Devanter had to deal with a brother he didn't know but couldn't, on principle, ignore. It must have been difficult for him."

Professor Atkinson discovered the correspondence between the Justice and his brother Spencer while doing research on a different topic. After some consideration, he wrote this article observing: "I've been thinking about the letters for some time now and I finally decided they are probably of interest to people curious about the lives of the Justices, reflecting as they do family difficulties where we might least expect them. I confess I have another interest in these letters as well. Since I've always been interested in how prominent people and their careers, it strikes me that this correspondence adds a further dimension on that level as well. Struggling with the infirmities of age, a hostile President, an unsympathetic Congress, and the knowledge that the makeup of the Court was about to change—added to all of this—Van Devanter had to deal with a brother he didn't know but couldn't, on principle, ignore. It must have been difficult for him."

Editors' Note:

Van Devanter is probably best known as the philosophical leader of the so-called Four Horsemen of the Supreme Court. The group consisted of Van Devanter together with Justices Pierce Butler, James McReynolds, and George Sutherland. Voting together along philosophical lines, the Four Horsemen provided consistent conservative opposition to President Franklin D. Roosevelt's legislative attempts to cope with the problems created by the Great Depression. Feeling that the President's legislation posed a threat to the Constitution, the group consistently voted to strike down proposed legislation. The Four Horsemen survived the threat of Roosevelt's Court-Packing proposal, but they were frequently the objects of derisive cartoons and editorials. The phrase was taken from a popular description of defensive players on the Notre Dame football team. Van Devanter's retirement in June, 1937 brought about the dissolution of the Horsemen.

Justice Willis Van Devanter died a few months later, on February 9, 1941. There is no record he ever received any money whatsoever from his youngest brother, Spencer.

Recent Acquisition Activity

Several historical objects have recently been acquired by the Curator's Office using funds made available by the Society. Most of these have been small purchases to add to the Court's Collection in particular collecting areas. Some of the highlights include:

- A late 19th century bronze plaque of Chief Justice Marshall by Moreau Vauquelin. Based on a mold of a bust made of Marshall from life while he was in France, this bronze was one of several that were presented as awards by an organization affiliated with the Johns Hopkins University. This particular plaque was awarded in 1902. The Court has another Marshall plaque, perhaps made from the same mold, that was given to the Court by Chief Justice Edward White in 1917.

- Two 19th century photographic portraits, one of Associate Justice Stephen Matthews by Mathew Brady's Studio and one of Associate Justice Lucius Q. C. Lamar by Napoleon Sarony. The Lamar photograph was taken in New York City in February 1890 during the centennial of the investiture of Chief Justice John Marshall. Should anyone reading this article have any "Marshall"alia they would consider donating or loaning to the Court for this exhibit, please contact the Curator's Office at (202) 479-3298 or the Society's Acquisitions Committee.

Trivia Quiz: Answers

Leaving the Bench

1. Justice John Rutledge resigned in 1791 to assume his judicial post in South Carolina. In 1795, he was given a recess appointment as Chief Justice of the United States by President Washington, and actually served for six months. Rutledge left the Court a second time when the Senate refused to confirm his appointment as Chief Justice.

2. Justice Thomas Johnson resigned in 1793, but lived in retirement until 1819.

President Washington considered appointing Rutledge to the post of Chief Justice, but decided there were too many prominent southerners in the government, and offered him an appointment as the senior Associate Justice instead. He took office in 1790, but because of bad health and a lack of cases, he never attended the first session in New York.
1. Chief Justice John Jay was elected Governor in 1795. In 1800, President John Adams asked Jay to return to the Court as Chief Justice, but Jay declined.


3. Justice David W. Davis was elected to the Senate in 1876, and he took his seat in the Senate in 1877. In 1881, Davis was elected President pro temp of the Senate. He died in office in 1886.

4. Justice Charles Evans Hughes resigned to run against Woodrow Wilson for President of the United States in 1916. After losing the election, he served later as Secretary of State for Presidents Harding and Coolidge. In 1930, he returned to the court as Chief Justice.


6. Chief Justice John Jay was elected Governor in 1795. In 1800, President John Adams asked Jay to return to the Court as Chief Justice, but Jay declined. Adams appointed John Marshall instead.


8. Justice Owen Roberts resigned from the Court in 1944. He was Dean at the University of Pennsylvania from 1945 to 1951.


10. James F. Byrnes served briefly on the Court in 1941 and 1942. During the War, he essentially managed domestic issues so that Roosevelt could devote his attention to military and foreign affairs. Subsequently, Byrnes was Secretary of State under Truman, and later, Governor of South Carolina.

**Trivia Quiz Answers**

3. Justice David W. Davis was elected to the Senate in 1876, and he took his seat in the Senate in 1877. In 1881, Davis was elected President pro temp of the Senate. He died in office in 1886.

4. Justice Charles Evans Hughes resigned to run against Woodrow Wilson for President of the United States in 1916. After losing the election, he served later as Secretary of State for Presidents Harding and Coolidge. In 1930, he returned to the court as Chief Justice.


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**Buffalo Bill Historical Center Frontier Justice Symposium**

The Frontier Justice Symposium will address a number of contemporary topics, including: Indian rights, ranching and land use, the military and the West, and law enforcement and violence. The symposium will take place October 19-21 in Cody, Wyoming.

Frontier Justice invokes images of the Old West and the laws that governed it; the Frontier Justice Symposium will discuss those issues that still impact us today. "The conference is organized with a vision for the future, taking into account the rich culture and history of the frontier of America's past, blending together a study of the law, history and economics. It is designed for the law practitioner, history buff, and Public Policy Specialist," Wallace Johnson said. Mr. Johnson, a Former Assistant Attorney General, Land and Resources Division, U.S. Department of Justice and Special Assistant to the President of the United States, is also a member of the steering committee of the Frontier Justice Symposium.

**Membership Update July 1 to September 30, 2000**

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**Historians, legal scholars, law enforcement officials, and business leaders will provide their insights into significant Old West issues that are still crucial. Distinguished speakers include: Alan K. Simpson, Former Senator; Griffin Bell, Former Attorney General of the United States; Lois Shiffer, Current Assistant Attorney General, U.S. Department of Justice Environmental and Natural Resources Division; Lindsay Robertson, Director, Center for Indian Law and Justice; Jerry Parkinson, Dean, University of Wyoming Law School; Charles Schroeder, CEO of the National Cattlemen's Association; Judge Ronald Holdaway, U.S. Court of Appeals for Veterans Claims; Renard Strickland, Dean, University of Oregon Law School, and B. Byron Price, Buffalo Bill Historical Center Executive Director.**

For more information on the Frontier Justice Symposium or to register, visit the Buffalo Bill Historical Center website www.bbhc.org or call (307) 578-4084.
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