When James Francis Byrnes entered the South Carolina Governor's Mansion following his inauguration in January of 1951, he was the first governor to have served as a member of the U.S. House of Representatives (1911-1925) and the U.S. Senate (1931-1941), as a Supreme Court Justice (1941-1942), and as a Cabinet Officer (Secretary of State, 1941-1942). No other American historical figure has served in both houses of Congress, the Cabinet, on the Supreme Court and as Governor of a state.

Governor Byrnes did not grow up accustomed to mansions. An Irish Roman Catholic orphan, he grew up in poverty in Charleston, South Carolina. He was forced to end his formal education at age fourteen because of family finances, but refused to accept his plight. He became a messenger in a local law office and then became a court reporter. Under the tutelage of two judges, he evolved into an educated young gentleman and passed the South Carolina Bar in 1903. Then began his outstanding career, which took him to Washington, to Russia with President Franklin D. Roosevelt for the Yalta Conference, to Germany with President Harry S. Truman for the Potsdam Conference, and to many other corners of the world before returning to his home state as Governor.

South Carolina welcomed his return. He and Mrs. Byrnes (Maude Busch), whom he married on his birthday in 1906, turned the Governor's Mansion into more than a home for themselves. Though childless, the couple filled the Mansion with throngs of young people. They regularly entertained the Byrnes Scholars - deserving students whose college educations were financed by the Byrnes. Several years ago, a gentleman was seen standing on Lincoln Street in front of the Mansion as if pondering. Upon being approached, he explained he had been a Byrnes Scholar and had not visited since being welcomed by the Byrnes many years before. With a tear in his eye, he recalled the generous and caring spirits of Governor and Mrs. Byrnes. They had influenced his life incredibly and his gratitude was evident.

The Byrnes entertained many others during their years in the Mansion. In 1952, General Dwight D. Eisenhower was a guest at a small private luncheon and John Foster Dulles visited the Mansion while researching his ancestors who had lived in the state. Perhaps the most frequent guest was South Carolina native Bernard Baruch. He and the governor were close friends and had much in common. Both

Continued on page 8
A Letter from the President

As long-term members of the Society are aware, the library of the Supreme Court, known as the James B. O’Hara Library, or simply the Library, is comprised of numerous collections that help illustrate her law career. One of the most significant of these collections is the Belva A. Lockwood collection, which was assembled by the Society’s Collections Manager, Mary A. van Balgooy, over the past few decades. The collection includes a variety of materials, ranging from rare books and manuscripts to photographs and other artifacts. The Library’s holdings in this area are housed in the Supreme Court Historical Society’s entrance hall, which is open to the public. The Library staff is available to help visitors find the materials they are interested in. In addition to the Library, the Society’s publications, such as the Supreme Court Historical Society Quarterly, are also available to members. The Society also offers membership to non-members who are interested in learning more about the history of the Supreme Court. For more information, please visit the Society’s website at www.supremecourthistory.org. Thank you for your support of the Society’s mission to preserve and share the history of the Supreme Court.
Tall and patrician in bearing, John W. Davis had a keen mind and intellect. As Solicitor General, he argued sixty-seven cases before the Supreme Court.

Editors' Note: The first of an occasional series focusing on the lives of former Solicitors General.

John W. Davis was born, in Clarksburg, West Virginia on April 13, 1873. He was the son of John Jay Davis, a prominent attorney and state legislator. Even as a child, Davis gave early evidence of his intellectual ability. Tutored by his mother, Anna Kennedy Davis, young John could read even before he had learned the alphabet. An important part of his childhood was spent observing his father's courtroom battles.

In the fall of 1887, Davis was sent to Pantops Academy, an all-boys college preparatory school in Virginia. As a result of his string-like appearance, Davis soon became known as "Bones," a nickname he would carry through college. By age sixteen, Davis was ready to enter college, and enrolled at Washington and Lee University as a sophomore in the fall of 1889.

Davis worked hard throughout college, earning honors in English and geology. Of his intelligence, one professor remarked, "Davis has a mind of unusual power, which he has cultivated with judgment and success." Davis thrived outside of academics, too: he joined the Phi Kappa Psi fraternity, played intramural sports, and sang in the glee club.

After earning his Bachelor of Arts, Davis spent a little over a year as an apprentice in his father's law office. During this time, Davis read cases and attended court with his father. This work fueled Davis' resolve to become a lawyer, and he entered Washington and Lee University School of Law in the fall of 1894. Thanks to a grueling academic routine, Davis received his law degree in just one year.

After being admitted to the bar in 1895, Davis practiced law with his father in West Virginia for one year. He then returned to his alma mater to teach as an assistant professor of law. After a difficult year of teaching, Davis decided that he preferred the "rough and tumble" of private practice to the "daily grind" of teaching, and returned to work alongside his father in Clarksburg.

In 1899, Davis married Julia McDonald, a light-hearted and introspective young woman nicked "Birdie" because of her lovely singing voice. Sadly, she died in childbirth only a year later, leaving a daughter also named Julia.

Davis was elected to the West Virginia House of Delegates in 1900, and quickly became Democratic Floor Leader and chairman of the judiciary committee. But his interest in elective office soon waned and he returned to full-time private legal practice.

Shortly after his election as President, Woodrow Wilson (above) appointed Davis Solicitor General of the United States. He left nearly six years later to accept Wilson's appointment as Ambassador to the Court of St. James.
Yet, in November 1910, Davis successfully sought election to the House of Representatives. He served only one term, but with significant results. With his law firm background, Davis was one of the authors of the Clayton Act, which considerably strengthened national anti-trust laws.

Davis also remarried during this time. His new wife was Ellen Graham Bassell, the divorced daughter of one of his father's old legal rivals. Against his parents' wishes, the marriage took place on January 2, 1912.

Woodrow Wilson's election in 1912 ended the long drought that had seen only one Democratic President since Lincoln. Shortly after assuming office, Wilson appointed Davis Solicitor General and this began a Supreme Court odyssey which comprised, essentially, the remainder of Davis' life. Davis loved oral argument. As Solicitor General, he personally argued all important cases. Later, as a private attorney, his legal practice was almost exclusively limited to appellate advocacy.

One of the earliest and most important cases Davis argued was Gunn v. United States, a civil rights case centered on the constitutionality of Oklahoma's 'grandfather law' that essentially disenfranchised black voters. The Court sided unanimously with Davis, striking down the Oklahoma state law on the grounds that it violated the Fifteenth Amendment. By the time he resigned in 1918, Davis had argued sixty-seven cases before the Court. He was such a skilled lawyer that Chief Justice White once remarked, "no one has due process of law when Mr. Davis is on the other side."

Davis left his post in the Department of Justice to accept Wilson's appointment as Ambassador to the Court of St. James in 1918, just as World War I was ending. Here he worked tirelessly and successfully to advance Anglo-American harmony during a period of post-war stress. In 1921, Davis left England for New York and became head of his firm Davis, Polk, Wardwell, Sunderland & Kiendl (now Davis, Polk & Wardwell). Clients of the prominent Wall Street law firm included many of the major companies in the United States, such as J.P. Morgan and Company and U.S. Steel.

Davis's success as one of America's most prominent lawyers caused regular mention of his name whenever there was a Supreme Court vacancy, but he always discouraged these rumors, claiming he had already given ten years of his life to public service, and that he enjoyed practicing law far too much to enter the world of public service again. He once said that he "was never happier, either in my work or in my surroundings," than when he was working as a lawyer.

But this resolve was tested in 1924. The Democratic Convention, desperately searching for a candidate to challenge incumbent Calvin Coolidge, nominated the dark horse John W. Davis for President after 103 ballots. The result was a foregone conclusion; Coolidge won in a landslide. Davis' remaining years were but a capstone to his legal brilliance. As both Solicitor General and as private advocate he argued more than 140 cases before the Supreme Court. Unfortunately, his last was an argument for the losing, pro-segregation side, of Brown v. Board of Education.

John Davis died on March 24, 1955, in Charleston, South Carolina at the age of eighty-one. One thousand mourners turned out for his funeral. Following his death, an editorial in the Washington Post declared him to be "a superior man, with a courtliness that came from a fine intellect and a warm heart and a gentle manner." His life is the subject of the biography

Recognized as one of the preeminent lawyers in the country, Davis was drafted by the Democratic Convention in 1924, to run against President Calvin Coolidge.

"Andrea Comer is a recent graduate of George Washington University. She was an intern in the Society's office during the summer of 2006."
southwestern Virginia and later to eastern Tennessee. His grandfather lived for forty years as a farm and wagon maker in the Sequatchie Valley north of Chattanooga.

Even before he joined the high court, Rutledge was curious about whether his father's family were descendants of John Rutledge, a signer of the Constitution and one of the first five Justices appointed to the Supreme Court by President Washington (1789-1791). John Rutledge resigned after two years to become Chief Justice of the South Carolina Court of Common Pleas, but when John Jay resigned as the first Chief Justice of the United States to accept the governorship of New York (1795), John Rutledge accepted a recess appointment by President Washington to succeed Jay as Chief. He served but one term; the Senate refused confirmation because Rutledge had publicly attacked the Jay Treaty with Great Britain, and perhaps also because Rutledge was rumored—in John Adams' words—to have an "accelerated and increased ... Disorder of the Mind."

In pursuing his possible South Carolina ancestry, after investigation based primarily on family lore, Rutledge concluded at one point, that there was no connection to John Rutledge. To an inquirer in 1943 he wrote: "We are quite sure that no Rutledge is descended from any of the South Carolinian Rutledges, inasmuch as the dates in their families would not coincide with what must have been the approximate date of my great-grandfather's birth and perhaps of his death." If there was any connection, he speculated to another correspondent, "it probably was a collateral one in Revolutionary days."

Very recently, however, reliable information has come to light from internet sources that, indeed, Justice John Rutledge was related to John Rutledge. It shows that Justice John Rutledge was a surgeon, Dr. John Rutledge, who was born in Ireland around 1739 and came to America about 1755. He was married fourteen-year-old Sarah Hext, his older brother Andrew's stepdaughter. They had seven children, the first of whom was John (b. 1739), the last, Edward (b. 1749).

Over the next four generations John Rutledge and his wife, Elizabeth (Grimke) had a son, Frederick. He married Henrietta Pinckney (Henry) and they also had a son named Frederick. This Frederick married Henrietta Rutledge. (Frederick and his wife Henrietta were second cousins. He was a grandson of John Rutledge and a granddaughter of Edward Rutledge.) They had a son, Henry Matthew Rutledge, Colonel, Confederate States of America, whose wife, Mary Hamilton (Seabrook), gave birth in 1833 to Archibald Hamilton Rutledge, who became the renowned poet laureate of South Carolina.

Archibald Rutledge was an author well known for his lifetime of outdoor stories and poetry. His anthology of poems is read even today. He spent most of his life in South Carolina and died there in 1917, aged 90. He was the source of information about the Rutledge family, from John Rutledge to S. A. Rutledge, Manuscript Division, Library of Congress, Washington, D.C. See also Rutledge to S. A. Rutledge, May 2, 1799. Rutledge Papers (my understanding had been that this letter was written about the turn of the century, but this writer was in the state at the time of my father's birth. If this was true, it would make a rather difficult thing to get several generations in between him and John Rutledge.)


Rutledge and his wife, Sarah Lucy (Singleton), gave birth to Thomas Rutledge (b. 1861), the father of Wiley, Jr. The second Justice Rutledge was born March 22, 1778, the man whom Justice Wiley Rutledge would have been pleased to know that his suspected connection with these early South Carolina Rutledge patriots has at last, been well documented.

Thus young Wiley knew his widowed grandmother and of course, who he was and of his family.

Paralleling this history, Edward Rutledge and his wife, Henrietta (Middleton) had a son, Jackson Middleton Rutledge, whose wife Sarah Lucy (Singleton) gave birth to Thomas Rutledge (b. 1803) in Virginia. Wiley Rutledge's grandmother had fifteen children over a period of thirty years—six from his first marriage to Nancy Jane (Wilson) and nine more from the second to Jane (Hallow) Pope, the youngest being Wiley Eble Rutledge (b. 1861), the father of Wiley, Jr. the second Justice Rutledge (b. 1894).

In short, the only possible connection with John Rutledge that Wiley Rutledge could think of, but doubted—"a collateral one in Revolutionary days"—has turned out to be true. Justice Wiley Rutledge would have been pleased to know that his suspected connection with these early South Carolina Rutledge patriots has at last, been well documented.

Theodore Needels is a psychiatrist, and the son-in-law of Wiley Rutledge.

WASHINGTON, D.C., Feb. 4, 1943. In your previous letter, dated August 28, 1942, you introduced me to the history of the Rutledge family, and in particular mention of the connection with the Rutledge family of John Rutledge, Jr., the second Justice, and Justice Wiley Rutledge. I am very interested in this history, and would like to have a copy of the letter which you have just mentioned.

Edward Rutledge was President Roosevelt's last appointee to the Supreme Court. Wiley Rutledge was President Roosevelt's last appointee to the Supreme Court. By Theodore S. Needels.

John Rutledge served as Chief Justice of the United States during an interim appointment, but when it reconvened, the Senate refused to confirm his appointment.
One guest questioned the reason for the cook's imprisonment, had been advisors to U.S. Presidents and worked diligently in his jovial manner, Governor Byrnes answered, "Poisoning the governor". The dinner came to a sudden halt! The governor had realized rehabilitation of the prisoners who worked at the mansion was a good thing and they apparently had gained the permission of the governor. On Christmas mornings after the administration had ended, with the permission of the present governor, they would go to the Byrnes Columbia home and gather around the piano. While Mrs. Byrnes played, all burst forth with carols of the season!

Not since James F. Byrnes has a South Carolina governor claimed all the titles he so honorably held; however, presently, Governor Mark Sanford leads South Carolina. Governor Sanford has been frequently invited to the Governor's Mansion for a reception. At some hour he found his place at the piano and began entertaining the guests. He played through the night until the sun rose over the city, at which time he threw his cloak around himself and took his leave. On another occasion while a tour for German students was being conducted, the director was approached by one of the gentlemen who asked if he could play the piano. Thinking of the present governor's napping children upstairs, she hesitated until another in the group whispered in her ear - "He's the Cabinet Minister of Music!"

Conversely, Byrnes would play a phenomenal performance. The director silently approached by |^||||l|||||g||^^ < draw-approached by |^||||l|||||g||^^ < draw-

Alabama
Thomas Howard Keene, Montgomery
Brian Hennigan, Los Angeles
North Carolina
Charlott J. Barnes, Lenoir
Kelly Montgomery, Raleigh
Connecticut
S. Bernard Ableman, Wilmington
John W. Kozyak, Coral Gables

Florida
Donna J. Blazevic, Palm Harbor
Max B. Walton, Wilmington
Kentucky
Joyce A. Moore, Hopkinsville
Mary A. Hall, Hopkinsville

Georgia
Carr G. Dodson, Macon
Paul J. Vickers, Valdosta

Illinois
Richard C. Bellow, Chicago
Jeffrey J. Miltner, Chicago

Iowa
Kathleen A. Mayfield, Des Moines
Karen I. Scherer, Des Moines

Maine
Paul J. O'Connell, Portland
Anthony M. Shuster, Portland

Maryland
George W. Miller, Annapolis
Mary A. O'Sullivan, Annapolis

Massachusetts
James K. Vines, Boston
Joseph R. Dunn, San Diego

Michigan
Joseph A. Goodwin, Detroit
William T. Muir, Coral Gables

Minnesota
Margaret P. Smith, St. Paul
Rena M. Pettersen, St. Paul

Mississippi
Mary A. Mayfield, Jackson
Joseph R. Dunn, San Diego

Missouri
Charles C. Papy III, Miami
Leslie J. Lott, Coral Gables

Montana
Paul H. Johnson, Helena
Mary A. O'Sullivan, Helena

Nebraska
Mary A. O'Sullivan, Lincoln
Paul H. Johnson, Lincoln

Nevada
Joseph A. Goodwin, Las Vegas
Kevin D. Morley, Las Vegas

New Jersey
David A. Flores, Pasadena
Mary A. O'Sullivan, East Orange

New Mexico
Mary A. O'Sullivan, Albuquerque
Paul H. Johnson, Albuquerque

New York
Robert C. Carlson, San Diego
Mary A. O'Sullivan, Brooklyn

North Carolina
Barrett W. Whittemore, Dalton
Paul H. Johnson, Florence

North Dakota
Mary A. O'Sullivan, Bismarck
Paul H. Johnson, Bismarck

Ohio
Mary A. O'Sullivan, Columbus
Paul H. Johnson, Columbus

Oklahoma
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Rhode Island
Mary A. O'Sullivan, Providence
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South Carolina
Mary A. O'Sullivan, Columbia
Paul H. Johnson, Columbia

South Dakota
Mary A. O'Sullivan, Sioux Falls
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Tennessee
Mary A. O'Sullivan, Nashville
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Texas
Mary A. O'Sullivan, Austin
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Utah
Mary A. O'Sullivan, Salt Lake City
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Vermont
Mary A. O'Sullivan, Burlington
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Virginia
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Washington
Mary A. O'Sullivan, Seattle
Paul H. Johnson, Seattle

West Virginia
Mary A. O'Sullivan, Charleston
Paul H. Johnson, Charleston

Wisconsin
Mary A. O'Sullivan, Madison
Paul H. Johnson, Madison

Wyoming
Mary A. O'Sullivan, Cheyenne
Paul H. Johnson, Cheyenne

The editors express gratitude to her for the article, as well as for providing the photographs used herein.
The interest in preserving the valuable history of the highest court in the United States is on the rise. As the Court’s Historical Society seeks to enhance awareness and appreciation of the Supreme Court’s history, we are often approached by non-members, or others, who have anything they would care to share with us. Please contact the Acquisitions Committee at the Society’s headquarters for the highest court at 244 East Capitol Street, N.E., Washington, D.C. 20543. Contributions to the acquisitions fund would be welcome. You may also reach the Society through its website at www.supremecourthistory.org.

Submitted by:

Florentino A. Ramirez Jr., Dallas

Patrick M. Donovan, Philadelphia

Marc J. Sundin, Philadelphia

Rhode Island

Lauren A. Coit, Newport

Rynne Ruppersberger, Barrington

South Carolina

Cherie W. Blackman, Charleston

C. Michael R. Bridges, Charleston

Irvin G. Condon, Charleston

Richard A. Fanning Jr., Charleston

Elizabeth V. Green, Columbia

Thomas William McGee III, Columbia

Dominic A. Star, Myrtle Beach

Tennessee

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John R. Commons, Salt Lake City

David B. Dellenbeck, Salt Lake City

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Richard D. English, Arlington

Wanted

In the interest of preserving the valuable history of the highest court, the Supreme Court Historical Society would like to locate persons who might be able to assist the Society’s Acquisitions Committee. The Society is eager to acquire artifacts; memorabilia, literature and any other materials related to the history of the Court and its members. These items are often used in exhibits by the Court Curator’s Office, or others with whom they might care to share their history of the Court.

Submitted by:

William L. Hurd, Richmond

James T. Murray Jr., Milwaukee

Ryan Patrick Moore, Williamsburg

Catherine A. Rafferty, Sterling

Phillip Sorrentino, Richmond

Anthony F. Troy, Richmond

William E. Walters, Alexandria

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Catherine Grogan, Shorewood

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Lars Guldbransen, Milwaukee

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International

Canada

Dorette R. Pollard, Ottawa

Japan

Takeshi Nakahio, Fukuoka City

"WANTED"
SOCIETY TRUSTEE MAKES PRESENTATION TO THE CHIEF JUSTICE OF THE PHILIPPINES

On a recent trip to Asian Pacific countries, Society Trustee Joseph Moderow and his wife Karen had the privilege to spend time with Associate Justice Reynato Puno of the Supreme Court of the Philippines. Mr. Moderow used the opportunity to act as an ambassador of the Society during the visit. Shortly after Mr. Moderow’s visit, Justice Puno was elevated to the position of Chief Justice of the Supreme Court of the Philippines.

A great admirer of the judiciary of the United States of America, Chief Justice Puno completed post-graduate education in the United States. He has held a number of positions in the judiciary and the government of his country. In 1980, at age 40, he was appointed Associate Justice of the Court of Appeals. In 1984, he was appointed Deputy Minister of Justice.

Supplementing his judicial career, he has been a lecturer and a professor of law at universities in his country. Chief Justice Puno has garnered the most prestigious awards in the Philippines, and as a post-graduate student, received five awards given by the Lawyers Cooperative Publishing Co of New York and the Bancroft Whitney Publishing Co. of California. Those awards included the American Jurisprudence prize for Excellence in US Constitutional Structure.

During Mr. Moderow’s visit he had an opportunity to discuss the Supreme Court of the United States with Chief Justice Puno. Mr. Moderow discussed many aspects of the Court with Justice Puno, and of course, the work of the Supreme Court Historical Society. Mr. Moderow described his visit: “As a representative of the SCHS, I took the opportunity to present Chief Justice Puno with a John Marshall Commemorative Coin. (I carry several with me wherever I travel at the suggestion of Ralph Lancaster who served as the chair of the ad hoc coin committee). He was impressed that Chief Justice Roberts actively supports the Historical Society.”

At the conclusion of his visit, Mr. Moderow also presented Chief Justice Puno with a Supreme Court lapel pin. Puno is the 22nd Chief Justice of the Supreme Court of the Philippines. In comments made following announcement of his appointment as Chief Justice, Puno observed that the judiciary “has but one constituency and it is a constituency of one—the blindfolded lady with a sword unsheathed. She represents justice, fair justice to all, unfairness to none. I hope to be an instrument of this justice.”

John Marshall Commemorative Silver Dollars are available for purchase through the Society’s Gift Shop, by telephone at (888) 539-4438, or through the gift shop component of the Society’s website.

Supreme Court Historical Society
224 East Capitol Street, N.E.
Washington, D.C. 20003
www.supremecourthousehistory.org