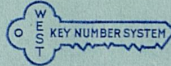


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SAINT PAUL 2, MINNESOTA

June 27, 1946

Hon. Fred M. Vinson
Chief Justice, Supreme Court of the
United States
Washington, D. C.

Dear Mr. Chief Justice Vinson:

We are pleased to note your appointment and confirmation as Chief Justice of the United States. Please accept our congratulations.

The opinions of the United States Supreme Court are published by us in the Supreme Court Reporter, first in advance sheets each two weeks during the term of the court and subsequently in a single bound volume for the term.

We expend every possible effort to make an entirely accurate report of the court's opinions and will appreciate your cooperation with us in having your secretary advise us of any errors made and also any changes or corrections which may be desired made in your opinions, so that they will be published in the permanent bound volume edition exactly as you desire them.

The Federal Reporter and the Federal Supplement, published by us, are the official organs in which are published United States Circuit Court of Appeals and United States District Court opinions. Also, there are included the opinions of the United States Court of Customs and Patent Appeals, United States Court of Appeals for the District of Columbia and the Court of Claims.

We enjoy the most cordial cooperation with all the members of the judiciary whose opinions we publish in the matter of securing complete accuracy, and hence we are accustomed to evidence our appreciation by furnishing with our compliments the advance sheets and the bound volumes, as issued, of the United States Supreme Court Reporter, Federal Reporter, Federal Supplement and the Federal Rules Decisions.

Therefore, we will be pleased to have you accept these with our compliments, for your personal use. Will you please advise us as to the address to which you desire the books sent?

With high personal regards, we are

Very truly yours,
WEST PUBLISHING CO.

By *L. D. Mercer*
Editorial Counsel

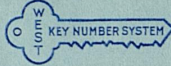
LSM:JR

*Do you
want
these -
Where do
you want
them
sent?*

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SAINT PAUL 2, MINNESOTA

August 13, 1946

Hon. Fred M. Vinson
Chief Justice, Supreme Court of the
United States
Washington, D.C.

Re: U.S. Supreme Court Reporter
Federal Reporter
Federal Supplement
Federal Rules Decisions.

Dear Mr. Chief Justice Vinson:

We wrote you June 27 extending our congratulations upon your appointment as Chief Justice of the United States. We also extended to you our offer of cooperation with which you of course are familiar as a former member of United States Court of Appeals.

We have not received your advice as to the address to which you desire these volumes sent and we assume that such is due to the multiplicity of matters demanding your attention. We will be pleased if you will have us advised at your convenience.

With high personal regards, we are

Very truly yours,
WEST PUBLISHING CO.

By *L. S. Mercer*
Editorial Counsel

LSM:JR

G - SF

Chief Justice - General
~~Publications~~
~~General correspondence~~

August 20, 1946

Dear Mr. Mercer:

Thanks for your letter of August 13th.

I appreciate your making these reports available to me, and would like to have them sent to me at the Supreme Court.

Thanks also for your congratulations on my appointment as Chief Justice of the United States. It was good of you to write.

Sincerely yours,

(Signed) Fred W. Vinson

Mr. L. D. Mercer,
Editorial Counsel,
West Publishing Company,
Saint Paul 2, Minnesota.

McH

(1946)

Court files

TENTATIVE PROGRAM FOR THE COURT SESSION

Monday, October 7th.

1. Announcement of the appointment of the Chief Justice and direction that his Commission and oaths be recorded will be made by Mr. Justice Black.
 2. The Chief Justice will make an announcement respecting the death of Mr. Justice McReynolds.
 3. The Chief Justice will ask for admissions to the Bar. (List of names of candidates and their sponsors will be placed on the Chief Justice's desk. From a duplicate list, the Clerk will call the names of the candidates.) Where a sponsor has more than one candidate, the names will be called for a single motion. When each motion is made, the Chief Justice will direct the candidate to pass to the Clerk's desk and take the oath.
 4. The Chief Justice will ask the Bar "Are there any motions?"
 5. The Chief Justice will ask the Clerk for motions. (There are 2. Motion by petitioner to dismiss the petition for certiorari in No. 246, and Motion by Appellants to dismiss the appeal in No. 440. These both are pro forma and should be granted. The usual form would be for the Chief Justice in each instance to say: "Let it be dismissed.")
 6. The Chief Justice will nod to the Cryer indicating that adjournment until Monday, October 14th, is to be announced by the Cryer.
- Cropley, Clerk.

TENTATIVE PROGRAM FOR THE COURT SESSION

Monday, October 14th.

1. ORDER LIST. If the Chief Justice adopts the custom of reading the per curiam opinions (List pages 1 and 2), the reading of citations can be omitted and the Court's action summarized for oral announcement thus:

(A)	Nos. 210)	The motions to affirm
	211)	
	212)	are granted and the
	276	judgments are affirmed,
	296	on authorities cited.

(B)	Nos. 318	The motions to dismiss
	338	are granted and the
	374	appeals are dismissed,
	424	on authorities cited.

(C)	No. 220	Read in full.
-----	---------	---------------

[Handwritten mark] The Chief Justice will then state: "The other orders of the Court appear upon the list certified by the Chief Justice and filed with the Clerk and will not be announced orally."

2. The Chief Justice will then call for admissions to the Bar.
3. The Chief Justice will inquire if there are any motions from the Bar.
4. The Chief Justice will ask the Clerk for motions.
5. THE CALL. The Chief Justice will call by number and title the ten cases appearing on the day call, pausing after each case to permit the Clerk to respond respecting the status of the case. At the conclusion of the call, the Chief Justice will again call the first case and the Clerk will report "Counsel are present". Argument of the case will then proceed.
6. At the conclusion of argument of any case, the Chief Justice will call the following case on the list by number and title and the presence of counsel will be reported by the Clerk.

- CROPLEY, Clerk.

October 14, 1946.

APPLICANTS FOR ADMISSION, OCTOBER 14, 1946.

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EDWARD S. DUVALL, JR.

~~BILLIARD MANCE DAVISON, JR.~~

February 15, 1947

TO THE CHIEF JUSTICE AND THE ASSOCIATE JUSTICES OF
THE UNITED STATES SUPREME COURT:

The secretaries to the Associate Justices of the Supreme Court have not had what technically could be described as a "raise" since July, 1941. While little "windfalls" have come our way through general governmental raises given to all employees of the Government we, as individuals, have not been given one for almost six years.

The secretaries to the judges in the lower courts are under a system whereby, each year, they automatically receive raises and, in many cases, they receive more remuneration than we do. They are not required to work the long hours we do nor is their work as exacting.

We therefore believe that the Justices should recognize our strenuous efforts to please them in our duties and make our salary equal to that of the senior law clerks(\$5,116.32 gross). We, like the poor, are always with you whereas law clerks generally stay but a year. Our work is of a highly confidential and technical nature and we should increase in value to you each year. A law clerk with one year's experience

2.

receives more financial recognition than we do. Our income is but slightly more than some of the girls engaged in secretarial work in the Clerk's office with regular hours.

The secretaries of Senators likewise receive \$7,075.06 per annum and have numerous assistants. There are 96 of them whereas we are but 9. True, their work is of a different nature but we doubt if it covers a wider range or higher responsibility than does ours. We have to be receptionists, docket book keepers, expert filers, be possessed of much technical knowledge in connection with the opinions, be efficient on the telephone, keep track of social engagements, and carefully guard the secret character of our work.

The Secretary to the Attorney General receives a remuneration of over six thousand dollars yearly, works on a five day a week schedule, and has numerous assistants. We have none.

We understand when a woman reaches the age of 55 and has had thirty years of service with the Government when employed in the Senate, she is eligible to retire with full salary.

3.

Any efforts you make on our behalf will be greatly
appreciated by all of us.

William G. Gaylord
Edith W. Allen
Edna Kingreen

Eleanor Brumgardner

Jess H. Cheatham

Ernie L. Douglas

January 3, 1948

Memorandum for the Chief Justice:

Mr. Curtis P. Mitchell, attorney for the petitioner in the case of Patton v. U.S., phoned and indicated considerable distress at the situation which apparently prevails in connection with his application for extension of time in which to file petition for certiorari in this case.

Mr. Mitchell emphasized that this was not the regular run of mine petition; that it was his thought there were a number of substantial questions involved.

He wanted the opportunity to have a personal interview with you so that he could at least convey directly to you the circumstances concerning his position in this case. I told him that the petition was before you for action, and that we would present his request to you, but that because this was a Conference Day, we doubted whether an appointment could be arranged.

PLK

Since Justice Black will not be in Tuesday
afternoon, please circulate to other
Justices first.

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
THE CHIEF JUSTICE

November 25th, 1947.

MEMORANDUM

FOR: The Members of the Court.
FROM: The Chief Justice.

The Court has been invited to visit the
Freedom Train, joining the President and the Cabinet,
on Friday, November 28th, at 11:00 AM.

Please advise whether you can be on hand or
not.

Wm. V.
Chief Justice.

	:YES:	:NO:	
Mr. Justice Black.....	:	:	
Mr. Justice Reed.....	<i>yes</i>	:	<i>uncertain now</i>
Mr. Justice Frankfurter.....	<i>yes</i>	<i>NO</i>	
Mr. Justice Douglas	<i>yes</i>	:	
Mr. Justice Murphy.....	<i>yes</i>	:	
Mr. Justice Jackson.....	:	<i>na</i>	
Mr. Justice Rutledge.....	<i>yes</i>	:	
Mr. Justice Burton.....	<i>yes</i>	:	

I have to attend a memorial service in Boston for an old friend who fell in battle.

March 30, 1948

MEMORANDUM FOR THE CONFERENCE:

The regular conference of the Court, scheduled for Saturday, April 3rd, will be held on Friday, April 2nd, at 12:00 noon.

The Chief Justice

Supreme Court of the United States
Washington, D. C.

CHAMBERS OF
THE CHIEF JUSTICE

April 13th, 1948.

FOR CIRCULATION

IN RE: Invitation for the Court to attend the ceremony in commemoration of the Fiftieth Anniversary of the Liberation of Cuba to be held in the House of Representatives, 12 Noon, April 19, 1948.

Should the invitation be accepted ?

	YES	NO
Mr. Justice Black		<i>m</i>
Mr. Justice Reed	<i>Yes</i>	
Mr. Justice Frankfurter		<i>NO</i>
Mr. Justice Douglas	<i>Yes</i>	
Mr. Justice Murphy		<i>No</i>
Mr. Justice Jackson		<i>No</i>
Mr. Justice Rutledge	<i>Proxy to C.J.</i>	
Mr. Justice Burton		<i>WAB 4/14</i>

PLEASE RETURN TO THE CHIEF JUSTICE.



*The honor of your presence is requested
at the ceremony in commemoration of the*

FIFTIETH ANNIVERSARY

OF THE LIBERATION OF CUBA

to be held

in the House of Representatives

at twelve o'clock noon

April 19, 1948



Joint Committee on Arrangements

Edward Martin, Chairman

Senate

*Edward Martin
C. Wayland Brooks
Tom Connally
Theodore Francis Green*

House

*Earl C. Michener
James E. Van Landt
Bernard W. Kearney
Thomas J. Lane*

Commemoration Ceremony



The Fiftieth
Anniversary of the Liberation
of Cuba

*1898 * 1948*

Commemoration Ceremony

Upon the Occasion of the
Fiftieth Anniversary
of the Liberation of Cuba

1898 ★ 1948

AT A JOINT SESSION OF CONGRESS

IN THE

HOUSE OF REPRESENTATIVES

AT

TWELVE O'CLOCK NOON

Washington, D. C. ★ April 19th, 1948

The Joint Committee on Arrangements

EDWARD MARTIN, *Chairman*

For the Senate

EDWARD MARTIN
of Pennsylvania

C. WAYLAND BROOKS
of Illinois

TOM CONNALLY
of Texas

THEODORE FRANCIS GREEN
of Rhode Island

For the House

EARL C. MICHENER
of Michigan

JAMES E. VAN ZANDT
of Pennsylvania

BERNARD W. KEARNEY
of New York

THOMAS J. LANE
of Massachusetts

Summary of Events Which led to the Passage by the Congress of the United States of a Joint Resolution, April 19, 1898, recognizing the right of the people of Cuba to be free and independent. ☆ ☆ ☆

CUBA'S struggle for liberation from Spanish rule, which was led by José Martí and other outstanding Cuban patriots, aroused widespread sympathy from the people of the United States. After three years of Cuban insurrection against the Spanish colonial administration, conditions on the island early in 1898 had deteriorated to such an extent that it seemed almost inevitable that United States neutrality could no longer be maintained. The sinking of the United States battleship *Maine* in Habana harbor on February 15 under mysterious circumstances, had the effect of crystallizing sentiment in the United States in favor of joining forces with the Cuban patriots in achieving their aspirations for self-rule. Further developments prompted the Congress of the United States to pass a joint resolution which reads in part as follows:

- (a) "... That the people of the Island of Cuba are, and of right ought to be, free and independent"
- (b) "... That the United States hereby disclaims any disposition or intention to exercise sovereignty, jurisdiction or control over said Island except for the pacification thereof, and asserts its determination when that is accomplished, to leave the government and control of the Island to its people."

A formal declaration of war was made against Spain on April 25, 1898, and four months later, as United States forces strove side by side with the valiant Cuban patriots for the liberation of the island, Spain sought peace. A treaty with Spain which was concluded at Paris on December 10, 1898, formally terminated Spanish rule in Cuba.

The Program for the Joint Session

PRELUDE—United States Marine Band Orchestra,
Major William F. Santelmann, *Leader*.

PRESIDING OFFICER—
The Speaker, Honorable Joseph W. Martin, Jr.

Medley of Songs of the Spanish-American War Period.

Presenting the Colors.

INVOCATION—Rev. James Shera Montgomery, D. D.,
The Chaplain of the House of Representatives.

READING OF JOINT RESOLUTION—
The Honorable Edward Martin, *Chairman*,
Joint Committee on Arrangements.

The National Anthem of the Republic of Cuba,
Miss Emma Otero.

ADDRESS—The President of the United States.

RESPONSE—His Excellency Guillermo Belt, *Ambassador of Cuba*.

The National Anthem of the United States,
Miss Hollace Shaw, Columbia Concerts.

BENEDICTION—Very Rev. Ignatius Smith, O. P.,
Dean of School of Philosophy, C. U.

Retiring of the Colors.

The guests in the galleries will remain in their seats until the President of the United States and the other guests have retired.

Order of Arrangements and Program

ADMISSION

The House Wing of the Capitol will remain closed on the morning of the 19th day of April 1948 until 10 o'clock a. m., to all persons except Members, officers, and employees of the Congress.

At 10 o'clock a. m. the House Wing of the Capitol will be open to those to whom invitations have been extended under the concurrent resolution of Congress and to those who hold tickets of admission issued by the Doorkeeper of the House of Representatives under the direction of the Joint Committee on Arrangements.

The United States Marine Band Orchestra, under the direction of Major William F. Santelmann, will be in attendance at 11 o'clock a. m. in the Speaker's Lobby.

TIME OF CONVENING

The Senate and the House of Representatives will convene in their respective chambers not later than 11:30 o'clock a. m. on Monday, April 19, 1948.

RECEPTION ROOMS

The President of the United States and the members of his Cabinet will meet in the office of the Speaker of the House.

The Chief Justice and Associate Justices of the Supreme Court will meet at 11:30 o'clock in the Ways and Means Committee room, number P15, in the House side of the Capitol.

The Ambassadors, Ministers, and Chargés d'Affaires will meet at 11:30 o'clock in the Committee on Appropriations room, number P3, on the principal floor of the Capitol.

The General of the Armies, the Chief of Staff to the Commander in Chief, the Chief of Staff of the Air Force, the Chief of Naval Operations, the Chief of Staff of the Army, the Commandant of the Marine Corps, and the Commandant of the Coast Guard will meet at 11:30 o'clock a. m. in the Ways and Means Committee room, number P15, in the Capitol.

The Commander in Chief of the United Spanish-American War Veterans and staff will meet at 11:30 o'clock a. m. in the Ways and Means Committee room, number P15, in the Capitol.

SEATING

The guests of the Congress who have admission cards for the galleries are requested to occupy their seats before 11:45 o'clock a. m.

Representatives in Congress will occupy the seats on the east and west side of the main aisle in the rear of the Members of the Senate.

The following officials and guests of honor will be announced by the Doorkeeper and escorted to the seats assigned to them, in the following order:

The Senators will occupy seats in front of the Representatives on the east and west side of the main aisle.

The Chief Justice and Associate Justices of the Supreme Court will occupy seats on the right of the rostrum.

The Ambassadors, Ministers, and Chargés d'Affaires of foreign governments will occupy seats assigned them on the floor.

Members of the President's Cabinet will occupy seats in front of and on the left of the rostrum.

The General of the Armies, the Chief of Staff to the Commander in Chief, the Chief of Staff of the Air Force, the Chief of Naval Operations, the Chief of Staff of the Army, the Commandant of the Marine Corps, and the Commandant of the Coast Guard will occupy the seats assigned them on the floor.

[6]

The Commander in Chief of the United Spanish-American War Veterans and staff will occupy seats assigned them on the floor.

The Members of the Committee on Arrangements will occupy the seats provided for them on the floor.

The President Pro Tempore of the Senate will occupy a chair to the left of the Speaker.

The Speaker of the House will preside and will occupy a seat to the right of the President Pro Tempore of the Senate.

The Secretary of the Senate and the Clerk of the House will occupy seats assigned them on the floor.

The President of the United States escorted by the Joint Committee on Arrangements.

RETIREMENT

The Speaker of the House of Representatives will then declare the joint session dissolved. The assemblage will kindly remain seated until the distinguished guests have retired.

The Joint Congressional Committee on Arrangements will escort the President of the United States and the members of his Cabinet from the Hall of the House.

The Doorkeeper will escort the invited guests from the Hall of the House in the following order:

The Chief Justice and the Associate Justices of the Supreme Court of the United States.

The Ambassadors and the Ministers of foreign governments.

The General of the Armies, the Chief of Staff of the Commander in Chief, the Chief of Staff of the Air Force, the Chief of Naval Operations, the Chief of Staff of the Army, the Commandant of the Marine Corps, and the Commandant of the Coast Guard.

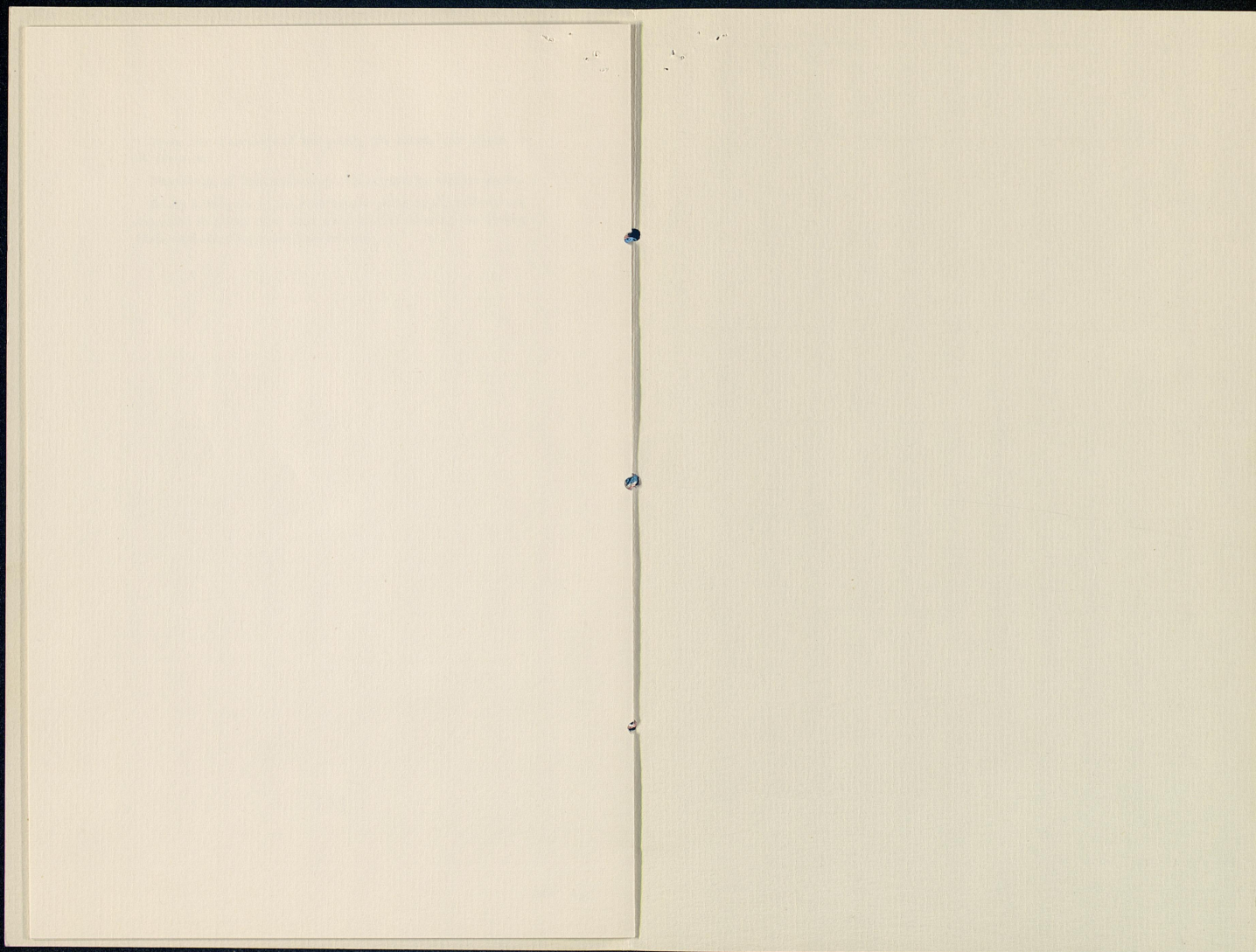
The Commander in Chief of the United Spanish-American War Veterans and other invited guests.

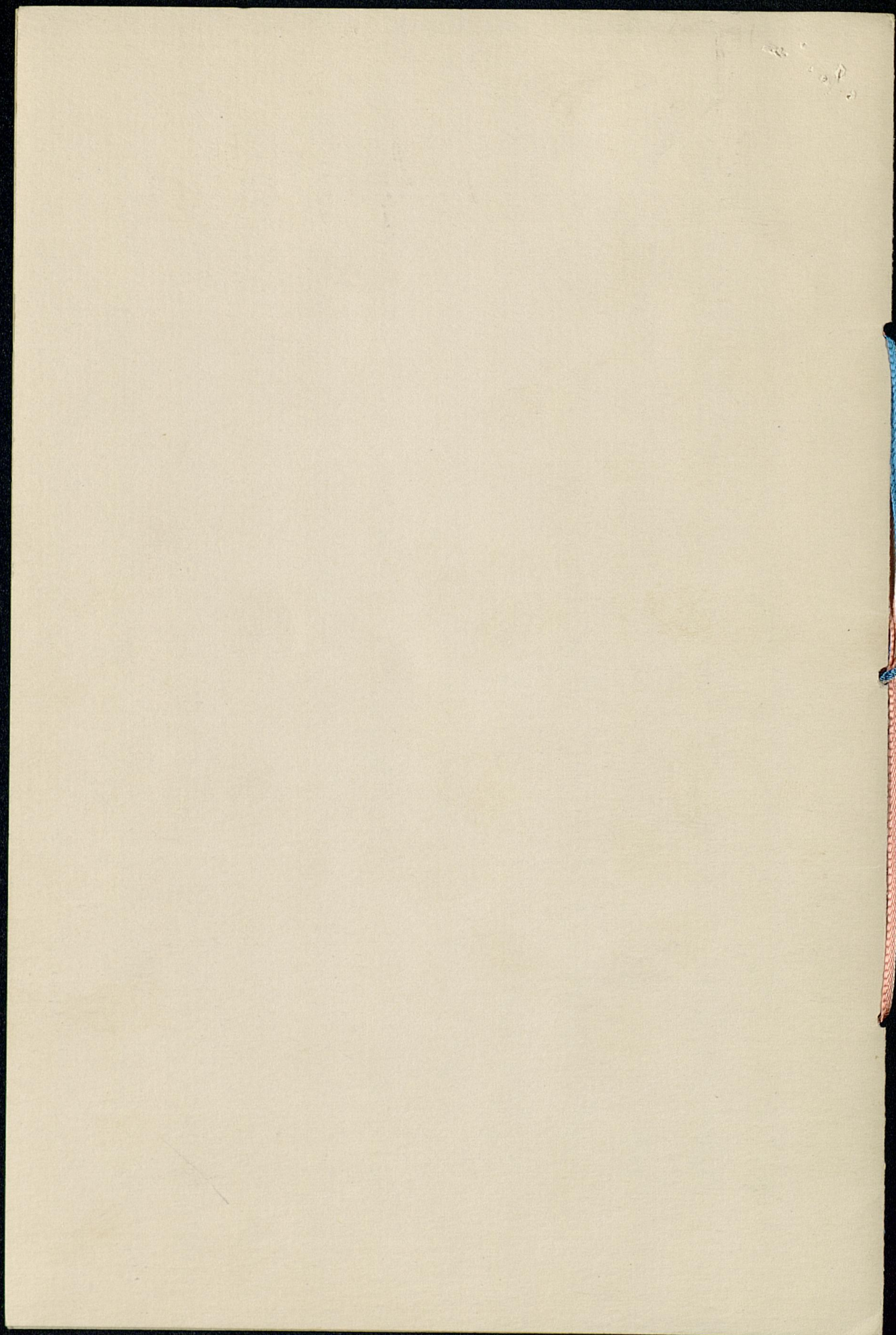
[7]

Upon the retirement of the guests, the Senate will return to its Chamber.

The House of Representatives will resume its regular session.

At the conclusion of the program the guests in the galleries are requested to retain their seats until the President of the United States and the other guests have retired.





File

Office of the Marshal,
Supreme Court of the United States
Washington, D. C.

RECEIVED

APR 13 11 28 AM '48

April 13, 1948

CHAMBERS OF THE
CHIEF JUSTICE

Fred M. Vinson
Chief Justice of the United States
Washington, D. C.

My dear Mr. Chief Justice:

Congressman Van Zandt just phoned to ask if we had received the tickets to the celebration of the liberation of Cuba. I told him yes, but that as Court was scheduled for a session on that day I did not know whether or not the Court would be able to attend the joint session. However, The Court was considering the possibility of attending and would advise us when the matter was settled.

Mr. Van Zandt then said that if all could not attend, could not some, as otherwise it would throw them off their timing for the air net works, that the Court was scheduled to enter the House Chamber at 11:45 and leave at 12:45.

Respectfully submitted,

Thos E. Waggoner
Marshal, Supreme Court, U.S.

TEW:dw

THE W. H. ANDERSON COMPANY

LAW BOOK PUBLISHERS

524 Main Street.,



Cincinnati 1, Ohio

Dayton, Ohio

April 29, 1948

The Hon. Frederick M. Vinson
Chief Justice
Supreme Court of the United States
Washington, D. C.

Dear Mr. Chief Justice:

My attention has been called to a matter which deeply concerns me and my company.

I refer to the practice of some of the Justices in citing Throckmorton's Ohio General Code to the exclusion of Page's Annotated Ohio General Code, Lifetime Edition. See, for example, the recent case of *Winters v. State of New York* 68 S.Ct. 665, at page 674

The opinion was written by Justice Reed, but the reference to Section 13035 of the Throckmorton Code is in the dissenting opinion by Justice Frankfurter.

As you know, both Codes are based on the Official Code of 1910 and the section numbers are identical. Consequently, it is not necessary to cite either edition by name.

I dislike to bother you with a matter of this kind but it does mean a lot to us and I am sure you would not want the court to discriminate against us.

With kind personal regards and best wishes, I am

Very sincerely yours,

THE W. H. ANDERSON COMPANY

Herbert W. Folger

H. W. Folger, Chairman

HWF:mjc

May 21, 1948

Mr. H. W. Folger,
Chairman,
The W. H. Anderson Company,
524 Main Street,
Cincinnati 1, Ohio.

Dear Mr. Folger:

I received your letter of April 29th, relative to the practice of some of the Justices in citing Throckmorton's Ohio General Code to the exclusion of Page's Annotated Ohio General Code, Lifetime Edition, and circulated amongst the members of the Court.

I feel certain that there is no intent to discriminate, and hope that it will not happen again.

With kind regards,

Sincerely,

(Signed) Fred W. Vinson

FMV:McH

Supreme Court of the United States.

Memorandum.

-----, 194

C.

I know you
will smooth his
feathers.

Those who will
hereafter share
the obligation of Page!
H

June 7, 1948

MEMORANDUM FOR THE CONFERENCE:

The Conference this week will be held on Friday,
June 11th.

The Chief Justice

McKENNEY, FLANNERY & CRAIGHILL

HIBBS BUILDING, WASHINGTON 5, D. C.

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JOHN E. LARSON
A. MURRAY PRESTON
G. BOWDOIN CRAIGHILL, JR.
LLEWELLYN C. THOMAS

June 22nd, 1948.

My dear Mr. Chief Justice:

I am informed by Mr. Waggaman that the Court has made suitable provision for the display and protection of the Lincoln Manuscript which I tendered to you sometime ago, and as I am leaving on June 30th, I have handed Mr. Waggaman, for delivery to you, the original Manuscript, the photographic negatives which Mr. Krock had made and from which further copies may be stricken off, and a copy of Mr. Krock's article in the New York Times of February 12th last, which gives an excellent description of the document and the history of the case in which it was used.

As I told you, this Manuscript, wholly in the handwriting of Abraham Lincoln, is an outline of his argument in the case of Lewis for use of Longworth vs. Lewis, Administrator, which he argued at the December Term 1848, and in which Chief Justice Taney rendered the decision on March 13th, 1849. From an examination of the records of the Court, it appears to have been the only argument ever made by Mr. Lincoln in the Supreme Court. This Manuscript was sent to me by Mrs. Robert T. Lincoln after her husband's death. I had prepared for him a deed of gift depositing his father's papers in the Library

(2)

of Congress, but this unique memento of his father he retained in his own possession.

I also am handing Mr. Waggaman an unusually fine framed etching, on parchment, of President Lincoln made by Nuytens, the well known Belgian etcher, from whom I obtained it some years ago.

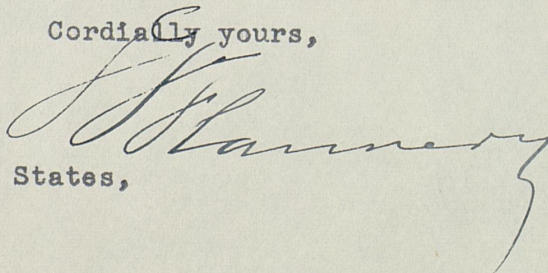
I also am delivering to Mr. Waggaman the following unusual volumes which I hope you will find worthy of preservation in the Supreme Court Library:

1. The "Doomsday Book" of Mr. Justice Holmes, presented to me by the late John G. Palfrey, the Justice's Executor, after we had completed the administration of his estate;
2. The original Commonplace Book of Sir Samuel Romilly, the great English Jurist and Law Reformer;
3. A copy of the third edition of the Reporters presented by the author, Mr. Wallace, to Judge Green, of Staunton, Virginia, to whom it was dedicated, containing Judge Green's revision and original notes used by Mr. Wallace in the fourth edition, which is bound with the third. This unusual book came to me from Mr. William A. Maury, an uncle of Mrs. Flannery, who for many years was Assistant Attorney General of the United States.

Cordially yours,

Honorable Fred M. Vinson,
Chief Justice of the United States,
Washington, D. C.

JSF:M



NEW YORK TIMES, February 12, 1948

Lincoln's Clear Legal Mind Shown By Rare Text of His Notes in Suit

By ARTHUR KROCK

Special to THE NEW YORK TIMES.

WASHINGTON, Feb. 11—The complete text—hitherto unpublished—of notes written in his own hand by Abraham Lincoln, to guide his oral argument in the only case in which he ever appeared before the Supreme Court of the United States, is herewith reproduced from the original for publication on the 139th anniversary of Lincoln's birth.

The document was lent to THE NEW YORK TIMES for this purpose by its owner, J. Spalding Flannery, a distinguished member of the bar of the District of Columbia. It was presented by Mrs. Robert Todd Lincoln, widow of the elder son of the War President, to Mr. Flannery, who was her husband's personal attorney, and drew for him the deed of gift whereby the Lincoln papers, recently opened by the terms of that deed, were conveyed to the Library of Congress.

It is Mr. Flannery's purpose to give the original of this rare docu-

ment to the Chief Justice, of the United States, Fred M. Vinson, as part of the historical exhibit which he hopes the court will establish in "some safe and suitable repository."

The text, according to the few who have inspected it, reveals Lincoln as a lawyer of great skill and competence, which some biographers have slighted and some have denied.

The decision of the High Court was adverse to the cause of the young Illinois lawyer and was written by Roger B. Taney, the Chief Justice whose Dred Scott decision set in motion a train of events that helped greatly to carry Lincoln to the Presidency and bring on the War Between the States.

The case Lincoln argued was en-

Continued on Page 4, Column 4

LIKE real cigar richness? Try PRINCE HAMLET all Havana Filler. 10c and 2 for 25c.—Adv.

Rare Lincoln Data Show Legal Skill

Continued From Page 1

titled *Lewis v. Lewis* (Supreme Court Reports 46-49, pages 773-783). His notes show that he intended to make the argument at the December session of the court in 1848, a hundred years ago. And in 7 Howard (Supreme Court Reports) he is listed as one of the attorneys admitted to practice at that term. But according to "Lincoln—Day By Day Activities," by Benjamin P. Thomas, and published in 1936 by the Abraham Lincoln Association of Springfield, Illinois, the future President, then the only Whig member of the House of Representatives from Illinois, was admitted to practice before the court and made his argument in this case on the same day—March 7, 1849, concluding it on March 8. All authorities, however, agree that the Chief Justice rendered his unfavorable decision on March 13, 1849.

Admitted with Lincoln to court practice in the December term, according to Howard, were other notable persons: Hannibal Hamlin of Maine, who was to be elected Vice President of the United States on the ticket with Lincoln in 1860; Albert Pike, the famous Freemason, lawyer and explorer of the Southwest (pardoned by Andrew Johnson for his Confederate activities yet tried for treason afterwards); Joseph P. Bradley, whose vote on the Electoral Commission in 1877 gave the Presidency to Hayes over Tilden; and Judah P. Benjamin of Louisiana, celebrated Confederate statesman and later the leader of the parliamentary bar of Great Britain.

The case of *Lewis v. Lewis* involved a very technical point of law, and, at the request of this correspondent, a most eminent legal authority here today analyzed the issue and commented on Lincoln's notes as follows:

In 1819, Broadwell conveyed to [William] Lewis a tract of land in Ohio by warranty deed. In 1825, a third party recovered 100 acres of the land from Lewis in an ejectment action. Eighteen years later, in 1843, Lewis brought suit for breach of warranty against the administrator of Broadwell's estate in the Federal Circuit Court for the District of Illinois. The administrator [Thomas Lewis, whom Lincoln represented], relying upon the Illinois statutes of limitation, pleaded that the suit was barred by the passage of time.

In 1827, the Illinois Legislature had enacted a statute providing that suits of the sort involved here must be commenced within sixteen years after the cause of action has accrued. The statute, however, contained a savings clause which stated that, with respect to persons beyond the limits of the state when the cause of action came into existence, the sixteen-year period should begin to run only when such person should come into the state. The plaintiff had not been in Illinois until he filed suit in 1843. But in 1837, the Illinois Legislature had repealed the savings clause. The issue thus became whether the sixteen-year period of limitation should be held to run from the date the cause of action came into being or from the date of the repeal of the savings clause. If the former construction were made, this suit would be barred. But if the latter were accepted, the suit could be maintained. The case came before the Supreme Court of the United States upon a certificate of division in opinion between the judges of the circuit court.

Opinion of Chief Justice

The Supreme Court, through Mr. Chief Justice Taney, held that the sixteen-year limitation period ran from the date of the repeal of the savings clause and, hence, that the suit was not barred by passage of time. The opinion points out that with the repeal of the savings clause in 1837, the cause of action in this case was for the first time subjected to the operation of the statute. If the plaintiff had come into the state the day before the savings clause was repealed, he would have been afforded sixteen years thereafter in which to bring suit. The court, relying upon its decision in *Ross et al. v. Duval*, 13 Peters 57, concluded that the Illinois Legislature in enacting the repeal statute had placed out-of-state plaintiffs in the same position they would have occupied under the 1827 statute if they had come into the state on the date of passage of the 1837 act.

Mr. Justice McLean entered a vigorous dissent, contending that *Ross v. Duval*, in which he had written the opinion of the court ten years earlier, did not support the position of the majority and was, in effect, being overruled.

R. Cropley, Clerk of the Supreme Court, made a search with this result, as narrated in his letter to Mr. Flannery under date of Feb. 24, 1934:

I traced the case through the original dockets and the condensed dockets to identify, so far as shown there, what papers were filed; and then sent to our file rooms in the Senate Office Building for everything connected with the case which could be found. You will recall that a fire in the Capitol in 1898 destroyed a large number of the Clerk's files. In sorting out those which survived the fire it was the practice to tie up with the record such correspondence and manuscript briefs as escaped destruction.

A thorough search failed to produce a file in the case and I turned to the record in the hope that I might find some of the salvaged papers tied with it. The record itself shows evidence of having been in contact with the fire and there are no papers with it except the original judgment of this court. This leaves me to conclude that the entire file in the case was destroyed.

Very small space has been given in Lincoln biographies to Lewis v. Lewis. Frederick Trevor Hill in his book "Lincoln the Lawyer" (Century, 1906) had a few lines about it and reproduced the first page of the text of the notes which is here published in full for

the first time. Hill was granted this permission by Robert T. Lincoln some years before the entire paper was presented to Mr. Flannery. He wrote that "the briefs are still in existence today," but Mr. Cropley's letter indicates that on this point Hill was misinformed.

In authorizing this publication Mr. Flannery wrote, under date of Feb. 3, 1938:

On many occasions during the years I represented Mr. Robert T. Lincoln he told me that he had a paper of his father which he had laid aside for me, but that he had mislaid it and would give it to me when he found it. After his death, Mr. Lincoln's personal attorney brought me this manuscript and I was surprised and delighted to find it was the outline of his argument in the case of *Lewis, etc.*

Please carefully preserve and promptly return the manuscript and any photographic plates which you may have made, so that I may deposit the original in the Supreme Court of the United States whenever that court designates a safe and suitable repository for its many valuable, historical archives. This unique manuscript belongs to the Nation and to the Bar of this country and I am anxious to have it carefully preserved in the proper custody.

The text of Lincoln's notes for the oral argument, exactly as he wrote it in long-hand, is as follows:

In the Supreme Court of the United States
December Term A. D. 1848

Lewis for use of Longworth)
vs.) On division of opinion
Lewis, adm. of Broadwell)
from the District of Illinois—

History of the case, and the Statutes bearing on it—

Date of deed sued on	March 12, 1819
" of eviction	June 1825
" of act of limitations	Feb. 10, 1827
" of Broadwell's death	1827
" of Cromwell admr.	July 9, 1827
" of Cromwell's death	July 1836
" of repeal of saving	Feb. 11, 1837
" of Lewis' admr	Jan. 19, 1843
" of commencement of suit	1843

Declaration sets out covenants of *seizen* and of *warranty*, and assigns breaches on both—

Plea (among others) that action did not accrue in sixteen years. Replication, that from July 1836 to Jan. 19, 1843, there was no administrator of Broadwell, and

Demurrer to Replication.

The opinion of the Judges were opposed on the following points—

1st Whether the statute of 1827 begins to run from the time of the repeal of the saving clause in 1837, or from the time the debt became due?

2nd Whether the statute began to run before administration was granted—

3rd Whether the period which elapsed between the two administrations mentioned in the replication is to be deducted from the period of the statute of limitations of 1827?

As to the first point, it may be subdivided into two others—1st Did the Legislature intend it to be retrospective? and, if so

2nd Had they constitutional power to do so?

Did they intend it to be retrospective?

Examine the statute itself—its language & its provision as to taking effect—

Had they constitutional power?

What constitutional provision does it infringe? Nature of Limitation laws—Laws of remedy, not of right. Angell on Limitations, Chap. II, Sec. 11.

Examine the case, and show that the exact point is not in any of them—

Call vs Hagger et al 8 Mass. 423. In this case, the action accrued in 1807. In 1809 the Legislature passed an act limiting actions on this class of causes, to one year—The court held, that a true construction of the act did not apply to it to the case—Read from the case—

Sayre vs Wiener, 8 Wend. 661. In this case, the action accrued more than 2 years before the passage of the act, limiting actions of that class to 20 years—The court held that, both on principle, and by the language of the act, it did not apply to the case—

Vanarsdale vs Livingston 12 Wend. 490. Same case, in principle, and same decision, as last above—

Frey vs Kirk 4 Gill and Johnson 509—In this case an act of 1715, limited actions of this class to 3 years, with a saving for plaintiffs beyond seas—This cause of action accrued to a person beyond seas, in 1816. In 1818 the saving was repealed—In 1828 the action was brought. The court held that three years having elapsed since the repealing act, the statute applied—Read, & comment on what is said about a former case—

Examine these cases to show what has been held not unconstitutional—

Calder & wife vs Bull & wife 3 Dallas 386—This case decided that where a Probate Court decides against the validity of a Will, and the right of appeal is gone by lapse of time, a special act of the Legislature (of Connecticut) directing a rehearing by which the will is held valid, does not infringe the Constitution of the United States—

Jackson vs Lamphire 3 Peters 280 to 291—This case decides that, when the opposite parties claim the same land by deeds of *different dates* from the same grantor, an act of the Legislature (of New York) three years younger than the deeds, appointing commissioners to decide disputed titles, in a class of cases, to which the case in question belonged, giving the right to the losing party to sue at law or in equity in three years from the award of the commissioners and not after, and by which commissioners, in the case, the land was awarded to the younger deed, is not unconstitutional—

(Read from page 90 out).

The second point of disagreement between the judges, to wit—

"Whether the statute began to run before administration was granted?" is entirely included within the first point—

The third point to wit, "Whether the period which elapsed between the two administrations mentioned in the replication is to be deducted from the period of the statute of limitations of 1827?" remains to be considered—

Angell on Limitations, Chap VII, Sec. 2, and cases cited, hold that where an *of action* accrues *after* the death, and before administration, the statute does not run until administration—(Read) Sec. 3 and cases cited hold that where an action accrues *before* the death, so that the statute begins to run, it does not cease running between the death, and administration—(Read)

Conant, adm. vs Hitt, 12. Vermont R. 285 This case decides that a creditor whose action accrues in his life time, dying, the statute of limitations is not suspended during the time that elapses before administration; but taking a distinction the cases of *creditors* and *debtors* the court say: "When a *debtor* dies his creditor has no powers either to sue, or procure an executor or an administrator to be appointed, whom he can pursue—When a creditor dies those who come in his right can take administration and sue when they please.

Show by Judge McLean's report, that in Illinois, a creditor make take administration of the estate of his deceased debtor—3. McLean's R. 3. 568.

Berg vs Sumner—1. McMullan R. 333. This case decides that a first administrator of a *debtor*, dying, the statute of limitations is not suspended during the time that elapses before a second administration.

July 6, 1948

Mr. John Spalding Flannery,
McKenney, Flannery & Craighill,
Hibbs Building,
Washington 5, D.C.

Dear Mr. Flannery:

Thank you for your letter of June 22nd.

As I informed you, the Court appreciates very much your interest as well as your gifts of the Lincoln Manuscript and the other volumes as set forth in your letter.

Again, on behalf of the Court, I take this means of expressing its appreciation for your courtesies.

With personal regards, I am

Sincerely yours,

(Signed) Fred M. Vinson

PLK:McH

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GERALD P. NYE
PRESIDENT

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CHAMBERS OF THE
CHIEF JUSTICE

June 25, 1948

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Chief Justice of the United States
Supreme Court of the United States
Washington, D. C.

Dear Justice Vinson:

My work and the interests of our firm compelled large interest in that plan of the Federal District Court for the District of Columbia, reported in the press this week, to microfilm its current records. This plan, you will note from this letterhead, is right down my alley. Will you let me burden you for just a moment with what I see in the way of possible application of our services to the burdensome records of your Court.

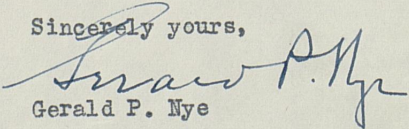
We are quite prepared to do microfilming on a current basis. But the main application of our services has been to the great backlog and accumulation of records that were requiring much space and constituting a recurring expense burden.

Would not the accumulation of the Supreme Court of the United States lend themselves to filming in a very positive way? These can be so processed and organized as to afford, in small space, easy access to any record desired. It would bring good housekeeping and great security to the records. Above all else it would afford tremendous economy in space.

I want very much for chance to talk with you, or whichever officer of the Court you might designate, about the possibilities in this field. I am prepared to show what was done for others by our firm. A recent operation was that for the Chesapeake and Ohio Railroad where we reduced a body of 12,000 cubic feet of permanent records to film that is accommodated in only five filing cabinets.

Pardon me for intruding in this manner but I felt confident you would warrant the liberty of this approach.

Sincerely yours,


Gerald P. Nye

GPN:mf

June 29, 1948

Honorable Gerald P. Nye,
President,
Records Engineering, Inc.,
Suite 919 - Dupont Circle Building,
1346 Connecticut Avenue, N.W.,
Washington, D.C.

Dear Senator:

I have your letter of June 25th, with reference to your desire to discuss the feasibility as well as the possibility of microfilming the records of this Court with me or someone whom I might designate for such purpose.

While the matter of microfilming the records of the Court never has been given full consideration, it has been preliminarily explored, and it was concluded that the cost incident to such service, so far as the past records are concerned, would be prohibitive.

However, in order that you may have an opportunity to present your views with respect to the improved processing now available and what advantages it may afford to the Court with respect to such record keeping, I am asking the Clerk of the Court, Mr. C. Elmore Cropley, to contact you concerning the matter so that a time mutually convenient may be worked out between you for the purpose of discussing this proposition. Mr. Cropley, as the Clerk of the Court, is fully and directly responsible for the orderly and proper maintenance of the records of the Court.

Sincerely yours,

(Signed) Fred M. Vinson

File

OFFICE OF THE CLERK,
Supreme Court of the United States,
Washington 13, D. C.
July 14, 1948.

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JUL 14 2 57 PM '48

CHAMBERS OF THE
CHIEF JUSTICE

My dear Mr. Chief Justice:

Pursuant to your letter of June 29th to former Senator Gerald P. Nye, in response to his letter to you of June 25th, respecting the microfilming project of Records Engineering, Inc., which correspondence you referred to me, I have had a thorough and constructive conversation with Senator Nye and his associate, Mr. Zitmore.

In the course of Senator Nye's visit, we viewed the several classifications of records of the Court and considered the feasibility and practical aspects of reproducing them on microfilm. As the records and briefs in cases disposed of by the Court are now, and since the 1938 Term have been, microfilmed through the American Association of Law Libraries, and duplicate films are available to any who desire them, further activity in that field would be mere duplication. Microfilming earlier terms would be expensive and unprofitable in the absence of a large number of subscribers for duplicate films. This fact has been disclosed through the exploration of the subject by the Library Association.

As the other records of the Court could not appropriately be disposed of to conserve space by the substitution of microfilm reproductions, the only immediately apparent advantage of the project in its application to this Court would be that of security in the preservation of recorded data in the event of calamity loss of original documents. Whether the Court would consider it advisable to have its Minute Books and Dockets microfilmed and reproduction in that form remotely deposited in the interest of security of its records, is a matter for the Court's consideration.

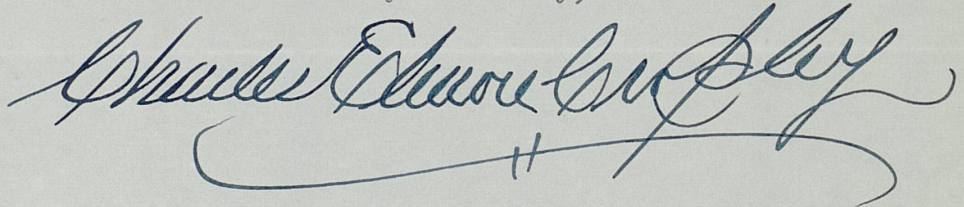
I believe that my recital in this letter condenses fully and fairly the conclusion reached through my conversation with Senator Nye and his associate and is in accord with his views as a result of the detailed

Mr. Chief Justice, page 2.

consideration we gave to the several aspects of the project in its relation to this Court.

Your correspondence with Senator Nye is returned herewith and the matter held in abeyance pending your further instructions.

Yours very sincerely,

A handwritten signature in dark ink, reading "Charles E. McNair". The signature is written in a cursive style with a large, sweeping flourish at the end that extends under the name.

Honorable Fred M. Vinson,
Chief Justice of the United States,
Washington.

File Copy

July 13, 1948

MEMORANDUM FOR MR. FELLER:

Office Procedure

For the purpose of achieving the greatest efficiency, the maintenance of proper records, and in order that the Front Office may be fully informed as to all matters pending within the office, the following method of processing various matters through the office should be followed:

1. The complete record -- briefs, transcripts of records, petitions, etc. -- will be sent by the Clerk's Office to the Front Office, where their receipt will be recorded, and they will be charged and forwarded to you.
2. Any requests for additional copies of papers or for any supplementary papers should be made through the Front Office rather than, as heretofore, directly to the Clerk's office. No record in any individual case should be loaned, transmitted, or otherwise removed from the office without first being submitted to the Front Office. This procedure is necessary in order that our records may accurately reflect the present location of any single case record.
3. Upon completion of the work on a case, all papers in the case, together with the memorandum prepared thereon, should be sent to the Front Office. Nine copies of the memoranda in Miscellaneous cases should be submitted to the Front Office.
4. Memoranda on the cases that are pending for Conference should be submitted not later than noon of the day preceding the Conference date (which generally would be a Friday), and it is desirable, as well as preferable, to have them submitted on the evening of the second day preceding the Conference date (which generally would be a Thursday).

Special attention should be given to memoranda in those cases which must be circulated. These should have preferred attention and, if at all possible, should be submitted to the Front Office by Wednesday preceding the Conference. Of course, there will be instances in extraordinary cases, such as capital cases, where this will not be possible, but these can be taken care of as they arise.

It is the desire of the Chief Justice that all capital cases be given preference, and the memoranda prepared and submitted as soon after their receipt as possible. In such cases, where the date of execution will permit, the maximum time they should be held should not exceed one week from the date of their receipt by you; in this respect, consideration should be given to the fact that cases of this type are "circulation cases", and at least two days are required for circulation.

If any case on the Miscellaneous Docket is held, by request or otherwise, for a period of longer than three weeks, information as to the reason therefor should be given by you to the Front Office.

PRINTING

All arrangements for printing will be made by the Front Office. When the opinions are in readiness for submission to the printer, they should be turned over to the Front Office. Upon receipt of the printed copies of the opinion, sufficient numbers will be given to you for your review in connection with work incident to the editing, etc. of the opinion. Distribution of the printed opinion to the Associate Justices will be handled through the Front Office.

SERVICES

All requests for office supplies, materials, etc., should be made to either Mrs. McHugh or myself. You will be issued keys to your respective offices, for which you will be charged, and upon the termination of your services, the keys should be turned back to the Front Office.

We have concluded from experience that it is not only desirable but necessary for one of your staff to be present in the office as long as the Chief Justice is in the building. This includes, not only the lunch hour, but also the evening. The details concerning this arrangement can be worked out by you.

Copy Mr. Sedar
Mr. Brown

Paul Kelley

L. CONSIDERATION OF CASES

(a). Printed petitions for certiorari.

Generally, each Saturday morning during the term, the Clerk's office delivers to the Chief Justice's office the printed petitions for cert., with the printed records and opposing briefs. Each of the offices of the Associate Justices also receive a similar set of papers.

These certs are generally distributed by the Clerk's office upon the expiration of the time allotted to the respondent to file brief in opposition &c. During the term, at the expiration of such time, the case is placed upon the Conference List for the next Conference of the Court. This Conference list is distributed by the Clerk's office. Cases distributed on Saturday are generally placed upon the list for the next conference, i.e., the Conference following the one for that Saturday, if any.

All petitions for cert. are examined by the law clerks who prepare a memorandum on each case. This memo. contains a recommendation by the law clerk as to action to be taken upon the petition - i.e., whether cert. should be granted or denied - whether the grant should be limited - whether the case should be placed upon the Summary Docket (argument limited to 1/2 hr. to a side). The original of the memo. is delivered to the office of the Chief Justice, with all the papers in the case. Such memoranda should be completed on the case and submitted to the Chief Justice by Thursday evening at the latest. This in order that he may have ample time to prepare the matter for presentation to the Conference on the following Saturday.

In those cases wherein it is felt that the printed petitions for cert. are insufficient in merit, or otherwise, as to justify their not being discussed in Conference, such recommendation is submitted. Generally, this is determined by the C.J. Cases falling within this category are then placed upon a "special" or "dead" list, copies of such lists being sent to each of the Associate Justices - and, unless a request by an Associate Justice is made for the removal of any case from such list, they are not discussed in Conference and such petitions are denied.

All other printed petitions for cert. are considered at the Conference. This group, of course, represents those that do not appear on the "special" or "dead" list hereinbefore referred to.

As a general rule, no announcement of the vote on the cert. is made. However, sometimes, a Justice may desire his position to be noted, and, in such cases, this is carried out by a special notation. Information as to the reason for the Court's action is not given out.

The memoranda prepared by the law clerks to the C.J. on the printed petitions for cert. is not generally distributed to the Asso. Justices - as each of the Asso. Justices' law clerks prepare memo. for their respective Justice - however, Mr. Justice Burton has indicated a desire to receive copies of the memo. prepared in all cases and this should be done.

(b). Petitions for cert. in forma pauperis. Petitions for cert. in forma pauperis are not listed on the Conference List automatically. As memoranda are prepared by the law clerks and submitted to the C.J.'s office, notification thereof by the C.J.'s office to the Clerk's office as to the readiness of a particular case is given and the Clerk then places them upon the list for Conference consideration.

IN THESE CASES COPIES OF THE MEMORANDA PREPARED ARE SENT TO EACH OF THE ASSOCIATE JUSTICES - therefore, the CJ's office should be furnished with nine copies of the memorandum in each case.

Generally, the C.J.'s office notifies the Clerk's office as to those in forma pauperis cases that are ready for Conference not later than Thursday evening of the Thursday preceding the Conference Saturday. The Clerk then compiles what is termed a "Supplemental Conference List" upon which these cases appear.

Generally in, in forma pauperis cases only one petition and record (if any) is filed, and that of course is the one delivered to the C.J.'s office. If the examination by the law clerks denotes, in their opinion, that there is no substantial questions involved, the record and the petition is NOT CIRCULATED - i.e., is not sent to the other Justices of the Court.

However, IN THOSE CASES WHEREIN IT IS FELT THAT THERE IS/SUB* STANTIAL QUESTION, THE LAW CLERKS SO INDICATE BY NOTING AT THE FOOT OF THEIR MEMO. "CIRCULATE".

In the past, the practice has been to circulate all IN FORMA cases seeking review of judgments of conviction in CAPITAL CASES.

As information, circulation is made in the order of ~~seniority~~ seniority --, i.e., Mr. Justice Black, Reed &c. Upon completion of the round, the papers are returned to the C.J.'s office, where they are kept for the Conference.

Generally, only circulated cases are discussed at conference. The list of the IN FORMA cases which are to be discussed at Conference is circulated along with the SPECIAL list of printed petitions for cert. and are referred to as "take-up" cases. IN FORMA PAUPERIS cases not on the take up list are not discussed at conference, and are denied. Of course, should any Justice feel that the record in the case should be circulated - or that the case should be brought-up for Conference discussion, such action is taken upon his request.

ALSO, in the event the Conference should deem it desirable to have a "response" in a certain case, it ~~may~~ orders the Clerk to have the Respondent file a "Response". IN SOME INSTANCES, the law Clerks may feel that a Response is warranted. In such cases, it is the practice for them to so indicate, on the foot of their memorandum, as follows "CIRCULATE" - CALL FOR RESPONSE - or, ~~merely~~ merely "CALL FOR RESPONSE".

Talked with the Chief Justice concerning this matter,
and he feels that rather than engage in any exchange
of correspondence in connection with this matter, that
it is better to let it drop.

PLK

THE UNIVERSITY OF TEXAS
AUSTIN 12

SCHOOL OF LAW

July 15, 1948

Hon. Fred M. Vinson, Chief Justice
Supreme Court of the United States
Washington, D. C.

Dear Sir:

Enclosed is a copy of a recent article in the Texas Law Review which considers, with regard to their effort upon the duration of pendency of litigation, the vacation of judges of the Supreme Court of Texas and the decision-day practice in that Court. The study includes a survey of like vacations and practice in other jurisdictions. In the instance of a previous article upon other phases of the study my assistant and I sent copies, in similar manner, with the request that each recipient suggest to us whether we had made any mistake about his particular court. The response was most helpful. All additional information and correction resulting from this inquiry as to the last article are noted on pages 726-7 of the present article.

We are now circulating a copy of our present article in the same manner and with a like request. In view of the fact that our letters to all of the judges addressed are of like wording we are noting in the lower margin, the particular pages of the present article upon which your Court is mentioned. Please favor the study by suggesting whether or not we have made any error respecting your Court, and if so what. In this manner we would be greatly aided in our endeavor to procure accuracy. In order that you may not be put to unnecessary inconvenience, we are enclosing a return envelope. Any corrections that are suggested will be acknowledged, as in the previous instance, in the next article of the study.

Yours very truly,

Robt. W. Stayton

RWS/js

See pages 714-5, 720, and 727-8 of the copy for the places which mention your Court.

9

IDA O. CRESKOFF
CLERK

OFFICE OF THE CLERK
UNITED STATES CIRCUIT COURT OF APPEALS
FOR THE THIRD CIRCUIT
2046 U. S. COURT HOUSE
PHILADELPHIA 7

RECEIVED
APR 7 11 02 AM '48
CHAMBERS OF THE
CHIEF JUSTICE

File

April 6, 1948

Hon. Fred M. Vinson
United States Chief Justice
Supreme Court Building
Washington, D. C.

Dear Judge Vinson:

I am enclosing for your
information a copy of the amended rules of
this Court effective March 19, 1948.

Respectfully yours,

Ida O. Creskoff

Clerk

Enc.

Copies sent to each of the Associate Justices

11/2/48

Disbarment
Fred A. Baker

cont. 11/13
no act.
Hand

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Nov 1 2 46 PM '48
October 25, 1948

CHAMBERS OF THE
CHIEF JUSTICE

To the Honorable Chief Justice and
Associate Justices of the
Supreme Court of the United States
Washington- D. C.

Gentlemen:

We the undersigned Indians of California take this opportunity to write to you about Frederic A. Baker, sometimes recorded as Fred A. Baker, whom we believe has, in a flagrant manner violated the law and ethics of the legal profession.

We address ourselves to you for the reason that we do not know of any State Bar to which he has been admitted to practice, and for the further reason, we have information to the effect that he is admitted to practice in your Court. Mr. Baker is not admitted to practice in the Courts of California according to advice received from officials of the State Bar. There is much evidence to which Indians in all parts of California can bear witness to the effect that Frederic A. Baker personally appeared at meetings of Indians for the obvious purpose of soliciting Indians for authority for an attorney contract. His method of procedure was to tell the Indians, there assembled, that he was not there to solicit a contract for himself, but if the Indians choose him, he would be glad to serve them as an attorney. Mr. Baker would then proceed to give a long recital of his qualifications and experience in Indian affairs. This resulted in him being employed as an attorney for certain Indians of California to represent them before the Indian Claims Commission.

For such action as you may deem appropriate, we are submitting information relating to Mr. Baker's activities. It appears to us that he is not a proper person to serve the Indians as an attorney. Indians in many parts of California, can bear witness to his efforts to secure a contract with their people.

As supporting evidence of this statement, the records show that Fred A. Baker, as an employee of the Department of the Interior for about 30 years prior to 1940, told representatives of the Indians of California that he was not interested in representing Indians as their attorney. Under date of May 9, 1940, Mr. Baker wrote the Honorable Elmer Thomas, Chairman of the U. S. Senate Committee on Indian Affairs, relating to this subject. A photostat copy of the letter is attached. Notwithstanding this, within a matter of days, secured employment with the Attorney-General of California as his assistant in prosecuting certain claims of the Indians of California against the Federal Government. He was employed to handle claims against the United States. This was known to Mr. Baker to be a violation of the Federal Law which reads as follows:

Ex-Officers and Employees not to prosecute claims in Departments.

"It shall not be lawful for any person appointed as an officer

clerk, or employee in any of the Departments to act as counsel, attorney, or agent for the prosecution of any claim against the United States which was pending in either Department while he was such officer, clerk, or employee, nor in any means to aid in the prosecution of such claim, within two years next after he shall have ceased to be such an officer, clerk, or employee." (U.S. Title 5, Sec.99)

Congressman Gilchrist of the House Committee on Indian Affairs, in his comment on this provision of Federal Law, under date of January 26, 1944, said:

"It seems to me that law is double-barreled. It first has in there the two-year limitation, and then it has the prohibition against him acting in any matter that was pending while he was employed by the Government."

During the time Mr. Baker was acting as an assistant to the Attorney-General of California, there was a Bill pending before Congress to provide the Indians of California with a right to be represented by attorneys of their own selection. During this time Mr. Baker met in conference with some 200 Indians, at Auburn, California. He said to them: "How many of you want me to represent you as your attorney in the pending case before the Court of Claims?" The record of the vote shows that not one Indian raised his hand. Such solicitation is, as we understand it, a violation of the ethics of the legal profession. Mrs. Martha Le May and Clave Rey, of Auburn, also W. G. Walker, were at that meeting. The services of Mr. Baker as an assistant to the Attorney General of California were not solicited by the Indians and the Indians have never been satisfied with his activities in helping to secure a compromise judgment, which resulted in a stipulation of a gross of \$17,000,000 for the Indians, less offsets in the sum of \$12,000,000 claimed by the Federal Government for certain gratuities and a net judgment of \$5,024,842.34 for the Indians of California. Out of that judgment, the State of California claimed and was reimbursed in the sum of \$28,000, largely to reimburse the State for the expenditure of \$420.00 a month, plus expenses, which the State paid to Mr. Baker. The Indians had been told by State officials, and by Mr. Baker, that the handling of the Indians' case by the Attorney-General of the State would not cost them anything.

Mr. Baker has been wantonly destructive with reference to legislation advocated by other persons, including Members of Congress. He appeared before the Senate Committee on Indian Affairs on November 22nd, 1943 advocating a Bill which did not secure approval of either the House or Senate Committee. He wrote threatening letters to many persons who opposed, or whom he feared would oppose his program, including a letter to Senator Wheeler, then a member of the Senate Committee on Indian Affairs. The Committee Chairman, Senator Thomas (Elmer), wrote to the Attorney General of California protesting against Mr. Baker's reappearance in Washington as an advocate of Indian Legislation. He said in part:

"Mr. Baker has demonstrated that he is not a proper person to represent the Indians of California.

"The Senate Committee refuses to be interested or blackmailed by Mr. Baker or other representatives of your Department. You or your subordinates will always receive courteous treatment at the hands of the Committee, but we suggest that in the future some one other than Mr. Baker represent your office before this Committee."

The facts show that Mr. Baker and certain Indians of California represented by him, were in Washington for a month or more during June and July 1947. The records show that he failed to comply with the provisions of Title III-Regulation of Lobbying Act included in the "Legislative Reorganization Act of 1946"-approved August 2-1946, Public Law No. 601, 79th Congress. Mr. Baker, we understand, did not register as a lobbyist or make a report of his receipts and expenditures in connection with his lobbying activities. He is, therefore subject to prosecution for his failure to comply with the law relating to his lobbying activities. The penalty provision of which read as follows:

"(Sec. 310 (a) -Any person who violates any of the provisions of this title, shall upon conviction, be guilty of a misdemeanor, and shall be punished by a fine of not more than \$5,000.00, or imprisonment for not more than twelve months, or by both such fine and imprisonment.

(b) In addition to the penalties provided for in sub-section (a), any person convicted of the misdemeanor specified therein is prohibited, for a period of three years from the date of such conviction, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Congress in support of or opposition to proposed legislation; and any person who violates any provision of this subsection shall, upon conviction thereof, be guilty of a felony, and shall be punished by a fine of not more than \$10,000, or imprisonment for not more than five years, or by both fine and imprisonment.

The report sent out by representatives of the Federated Indians of California, signed by Bertha Stuart (one of Mr. Baker's associates), reveals that on the 18th day of June, 1947, Mr. Baker or his associates, sent two telegrams from Washington, D.C. One was sent to Don Allen, who was at that time, an assemblyman of the California State Legislature, and a strong advocate that the Indians should be represented by the Attorney General of California. The other telegram was sent to Mr. H. H. Linney, a Deputy of the Attorney General of California, who assisted the Attorney General and Mr. Baker in securing the stipulated judgment referred to in this letter.

In Sept., 1947, Mr. Baker, in a subterfuged manner, attempted to circumvent the Secretary of the Interior and the Indians Claims Commission, laws relating to Attorney contracts and their approval by causing certain Indians to file a petition with the Indian Claims Commission without benefit of legal counsel of record. The rules of the Indian Claims Commission include the following:

Sec.38: "Disbarment or suspension: Where it is shown to the Commission that any member of the Bar representing a party before the Commission has been disbarred, or suspended from practice in the Supreme Court of the United States, or in any other Federal Court, or in any court of record of any State or Territory, he shall be forthwith suspended from practice before this Commission; and unless, upon notice mailed to him at the address shown in the Clerk's records, and to the Clerk of any of the Courts mentioned in which he shall have been disbarred, or suspended, he shows good cause to the contrary, within 30 days, he shall be barred from appearing before the Commission as attorney for any claimant."

We respectfully ask that the record of Mr. Baker be examined for the purpose of determining whether it warrants his suspension or disbarment. Supplementary information and exhibits will be furnished on request.

Respectfully submitted

Committee of Indians of California

By

Linwood Ward
Theron B. Wootte
Lottie Ferris
Aileen J. Beauchamp
W. S. Walker
Willie Johnson
Alfred C. Hillis

Address

Linwood Ward
2921 Querst
Eureka
Calif

U. S. Court of Claims,
Washington, D. C.
May 9, 1940.

Honorable Elmer Thomas,
Chairman, Senate Committee On Indian Affairs,
Washington, D. C.

My dear Senator Thomas:-

During the past month the Attorney General of California offered me a post in his office for the principal object of assisting him in the trial of the California Indians' suit in the U. S. Court of Claims. Under the enabling Act of 1928 I served as the principal member of a Commission designated to enroll the California Indians. This task was finished in the year, 1933. Previous to that time I had served among the Mission Indians of Southern California as a Probate Attorney and also in Northern California.

I have accepted the post offered by the Attorney General of California with the express understanding that I shall never, under any circumstances serve as a private attorney in this case even though an opportunity for so doing were offered in the future. Furthermore, I have offered to serve without compensation of any kind should the funds provided by the State of California fail at any time.

As Land Field Agent in San Francisco during the past three years I have had occasion to study the economic condition of the California Indians. In retiring from the Federal Service I am completing a term of duty extending back to the year 1898 at which I left the Illinois State Normal University for service with armed forces under General Lawton in the Philippine Campaign. Returning home I entered the University of Michigan Law School from which I was graduated in the year 1904. For the past 30 years I have been out in the field in charge of projects of various kinds, - a part of this time was spent in Oklahoma on the Eastern Cherokee Enrollment Commission, the Eastern Cherokee Payment Commission of 1910 and as Probate Attorney for the Osages. My record in the public service is open to all and of it I am not ashamed. By special arrangement my position in the Federal Service is being abolished so that I may accept the new post of duty.

Knowing your lively interest in the California Case I hereby offer my services to you in any way in which you may find them useful. If your time would permit I should esteem it a great pleasure to meet you again. I shall be free to call upon you any time next week at your convenience. I have never been called as a witness in this case before any Committee of the Congress and yet it is generally conceded that I have had the best opportunity of becoming familiar with the case, - of anyone in public life. The California case can be solved! I stand ready to help you solve it, - I envy you the great opportunity you have as Chairman of the Senate Committee on Indian Affairs to right the wrong done the California Indians by the non-ratification of their treaties in 1851. Call me when you desire to see me.

Sincerely yours,

Frederick A. Baker

C O P Y

U. S. Court of Claims,
Washington, D.C.
May 9, 1940.

Honorable Elmer Thomas,
Chairman, Senate Committee on Indian Affairs,
Washington, D.C.

My dear Senator Thomas:-

During the past month the Attorney General of California offered me a post in his office for the principal object of assisting him in the trial of the California Indians' suit in the U.S. Court of Claims. Under the enabling Act of 1928 I served as the principal member of a Commission designated to enroll the California Indians. This task was finished in the year, 1933. Previous to that time I had served among the Mission Indians of Southern California as a Probate Attorney and also in Northern California.

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Sincerely yours,

(Sgd.) Fred A. Baker

Supreme Court of the United States

Memorandum

----- May 3 -----, 194__50.

Mr. Kelley
Office of the Chief Justice

R

December 28, 1948

MEMORANDUM FOR THE CONFERENCE:

There will be a conference of the Court on Wednesday morning, December 29th, at 10:30, to consider the proposed amendments to the Rules of Civil Procedure submitted by the Advisory Committee, copy of which was circulated to each of you yesterday.

C. J.

Copy

January 11th, 1949.

MEMORANDUM

TO - Mr. Feller:

The following Miscellaneous Docket cases
should be reported on as promptly as possible:

Nos.	275 -	Received	December 16th -
	280 -	"	" 23rd
	281 -	"	" 23rd
	285 -	"	" 23rd
	287 -	"	" 30th
	288)		
	289)		
	293)	...Received	December 30th.
	295)		
	296)		
	297)		

PLK
PLK -

January 29, 1949.

My dear Mr. Tyler:

Your tender of the silver urn presented to Mr. James D. Maher, a former Clerk of this Court, by the members of its Bar upon his completion of fifty years of service to the Court, and two volumes of bound letters from lawyers throughout the Country, one embracing tributes to him incident to that anniversary and the other the congratulatory messages sent to him upon his appointment as Clerk, is gratifying to the Court and it has accepted your gifts.

On behalf of the Associate Justices and myself I express to you our appreciation of your generous contribution to the Court of these articles as a memorial to Mr. Maher. That they will be preserved in the atmosphere of his endeavors holds appropriate significance, for they will enlarge the recorded history of the Court of his time and symbolize to those who follow him the instructive tradition of one who spent his life furthering the best interests of the Court through devotion to its service.

Speaking for the Court, I thank you for your gifts to it.

Yours sincerely,

Chief Justice

Frederick Stansbury Tyler, Esquire,
2635 Sixteenth Street,
Washington, D. C.

Copies sent to each Justice - 2/4/49.

I hope you will remember our meeting at dinner at the Justin Millers at the Wardman Park Hotel some years ago?

I have just arrived from England and have brought with me some stones which once formed part of the of the Middle Temple and Inner Temple, London, which was badly damaged by German bombs during the recent war.

The Middle Temple and Inner Temple, as you may know, are associations of trial lawyers and were the places at which many famous Americans in the olden days reviewed their legal training.

I wish to present these stones, suitably inscribed, to American Bar Associations and should also like to give one case to the U.S. Supreme Court in the hope that it would be displayed there as a symbol of the common traditions of the American and English-speaking peoples and their association in two world wars.

I have a message of goodwill to convey to the American Bench and Bar from the Lord Chancellor of England.

Will you kindly let me know whether you would consent to accept one of the cases and if an appropriate ceremony can be arranged during the next two weeks or so?

With kind personal regards -

Yours sincerely

sgd Eric Underwood

(See Who's Who" - and Who's Who in
America)

Member of the Bar of England -

The Honorable

Mr. Chief Justice Vinson

U.S. Supreme Court -

I apologize for a hand-written letter but I am in some haste and this hotel does not provide stenographic assistance

Cunard White Star



RECEIVED

JAN 27 9 26 AM '49

R.M.S. "Caronia"

CHAMBERS OF THE
CHIEF JUSTICE

37 East 64 Street
New York 21

25 Jan. 49

Dear Mr. Chief Justice Vinson,

I hope you will remember our meeting at dinner at the Tushnet Millers at the Waldman Park Hotel some years ago?

I have just arrived from England and have brought with me some stones which once formed part of the fabric of the Middle Temple and Inner Temple, London, which was badly damaged by German bombs during the recent war.

The Middle Temple and Inner Temple, as you may know, are associations of trial lawyers and were the places at which many famous Americans in the older days received their legal training.

I wish to present these stones, suitably inscribed, to American Bar associations and should also like to give one case to the U. S. Supreme Court in the hope that it would be displayed there as a

Symbol of the Common traditions of the American and
English-speaking peoples and their association in two
world wars.

I have a message of Goodwill from the
American Bench and Bar from the Lord Chancellor
of England.

Will you kindly let me know whether you
would consent to accept one of the cases and if
an appropriate ceremony can be arranged during
the next two months or so?

With kind personal regards,

Yours Sincerely
Eric Underwood

(See "Who's Who" and
"Who's Who in America").

The Honorable
Mr. Chief Justice Vinson
U. S. Supreme Court.

Member of the Bar of
England.

I apologize for a hand-written letter, but I am
in some haste and this hotel does not
provide stenographic assistance.

Also, Conf. for ~~7 Sat~~ ~~10 Feb~~ Feb 12 to
start at 10 am rather than 12 noon

5:00pm., next Thursday will be satisfactory
with the White House - they would
like to know as soon as possible if
this meets the Court's approval and/or
convenience.--

of Keen
Chambers

440 pm

2/3/49

Miss Coates

Mrs Allen

Mrs Cheater

Mr Dykeman

McHugh

Miss Gaylord

Miss Luggren

Mrs Douglas

Miss Hatter

February 8, 1949.

My dear Mr. Underwood:

The Chief Justice has instructed me to acknowledge to you his receipt of your letter of January twenty-fifth and to express appreciation for your courteous tender to the Court of a case of stones from the war damaged portions of the Middle Temple and the Inner Temple.

By direction I acquaint you with the Court's policy to confine its acceptance of gifts to those items possessing the inherent quality of direct relationship to its history and development, or to its membership or those closely associated with its service. You will therefore, I am sure, appreciate the necessity of holding to that appropriate course in this instance in maintenance of the uniform policy.

I am, Sir

Yours very sincerely,

Clerk of the Supreme Court
of the United States.

Eric Underwood, Esquire,
37 East 64th Street,
New York 21, New York.

THE NEW YORKER
MARCH 5, 1949

No. MISC.

23



"All I've got to say is this is one hell of a time to lose a search warrant."

JAMES STONE

W.E. STONE

PHIL STONE

James Stone & Sons
Lawyers
Oxford, Miss.

April 5, 1949

Re: Interstate Realty Company
v. Woods

RECEIVED

APR 7 3 55 PM '49

CHAMBERS OF THE
CHIEF JUSTICE

Personal

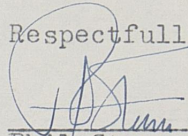
Hon. Fred Vinson
Chief Justice of the United States
c/o Supreme Court of the United States
Washington, D.C.

Dear Mr. Chief Justice:

I cannot refrain from writing you to thank you and your associates for your kindness, patience and courtesy shown last Wednesday and Thursday, to a scared Mississippi country lawyer in his first fumbling appearance before your Court. The questions were very helpful. Without intending the least invidious distinction, I especially wish you to thank Mr. Justice Frankfurter for his questions which helped me so much to get at the core of my case and which questions I so much enjoyed.

I hope you will not bother to acknowledge this letter.

Respectfully yours,


Phil Stone

PS: jm

P.S. I am sure that you observed when Pat Eager presented me for admission by a slip of the tongue he asked for my "adoption" instead of my admission. Perhaps I bear the unique distinction of being the only lawyer ever to be adopted by the Supreme Court of the United States.

OFFICE OF THE CLERK
UNITED STATES DISTRICT COURT

T. HAROLD CAMPION
CLERK

FOR THE
MIDDLE DISTRICT OF PENNSYLVANIA
U. S. POST OFFICE AND COURTHOUSE
SCRANTON 2, PENNSYLVANIA

RECEIVED
IN REPLYING GIVE NUMBER
AND TERM OF CASE AND
NAMES OF PARTIES
APR 24 9 34 PM '49
CHAMBERS OF THE
CHIEF JUSTICE

file
April 22, 1949.

Hon. Fred M. Vinson,
Chief Justice of the United States Supreme Court,
Washington, D. C.

Dear Judge Vinson:

I am enclosing copy of Order made by
Honorable Albert L. Watson, United States
District Judge, directing that this office
observe Daylight Savings Time, beginning
Monday, April 25, 1949, and until Monday,
September 26, 1949, unless otherwise
ordered by this Court.

Sincerely yours,

T. H. Campion
T. Harold Campion, Clerk.

THC:BK

UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE: :
OBSERVANCE OF : NO. 78 MISCELLANEOUS
DAYLIGHT SAVINGS TIME :

ORDER

NOW, APRIL 21, 1949,

IT IS ORDERED by the Judges of this Court that the Clerk's Offices and the Probation Offices in this District observe Daylight Savings Time beginning Monday, April 25, 1949, and until Monday, September 26, 1949, unless otherwise ordered by this Court; and it is suggested that the offices of the United States Attorney and the offices of the United States Marshal in this District observe Daylight Savings Time in the same manner, in order that all offices connected with this Court may properly function.

(S) Albert L. Watson

Chief United States District Judge

April 29, 1949

MEMORANDUM FOR THE CONFERENCE:

Justice Frankfurter has informed me that it would not be convenient for him to attend the conference scheduled for Friday, May 6th. Therefore, the conference next week will be held on Saturday, May 7th, at 10:00 a.m.

The Chief Justice

Supreme Court of the United States
Washington, D. C.

RECEIVED

APR 28 11 58 PM '49

CHAMBERS OF THE
April 28, 1949
CHIEF JUSTICE

Dear Chief:

On the assumption that our Conferences would be at 10:00 o'clock on Saturdays for the rest of the Term, I have made an imperative engagement for Friday of next week (May 6th), and therefore regretfully will not be able to attend a Conference to be held that day.

F. F.

The Chief Justice

April 30, 1949

MEMORANDUM FOR THE FILES:

The Court voted not to be hosts at a luncheon or a reception for the Inter-American Bar group. The basis for its action was the precedent that it would set.

The Court was agreeable to the State Department or the local group having a reception in one of the conference rooms of the Supreme Court, which members of the Court who desired would attend as guests.

COMMITTEE MEMBERS AND OFFICERS OF THE INTER-AMERICAN BAR
ASSOCIATION WHO HAVE INDICATED ATTENDANCE AT THE
SIXTH CONFERENCE, DETROIT, MICHIGAN
MAY 22 - JUNE 1, 1949

ARGENTINA

Aftalion, Dr. Enrique R. Galileo 2450 Buenos Aires, Argentina	Ojea, Dr. Julio Oscar 25 de Mayo 182 Buenos Aires, Argentina
Laplaza, Dr. Francisco P. Palacion de Tribunals Lavalley y Talcahuano Buenos Aires, Argentina	Orione, Dr. Francisco Calle 53, No. 411 La Plata, Rep. Argentina
Lobos, Dr. Roberto N. Cangallo 328 Buenos Aires, Argentina	Ottolenghi, Dr. Mauricio A. Av. Roque Saenz Peña 628, 7º piso Buenos Aires, Argentina
Mendilaharzu, Dr. Eduardo F. Ave. de Mayo No. 749 - Apt. 66 Buenos Aires, Argentina	Risueño, Dr. Manuel Ma. Av. Roque Saenz Peña 547 Buenos Aires, Argentina
Martínez Paz (h), Dr. Enrique San Jerónimo 265 Córdoba, Argentina	

BOLIVIA

Duran P., Dr. Manuel
Presidente
Colegio de Abogados de la
Capital
Casilla 204
Sucre, Bolivia

BRAZIL

Azevedo, Dr. Noé Rua Riachuelo, 73, 4º andar Sao Paulo, Brasil	Miranda Jordao, Dr. Edmundo de 7 Praca Maua 160 Rio de Janeiro, Brasil
da Cunha, Dr. Abelardo Av. Graca Aranha, 57-10 Rio de Janeiro, Brasil	Theiler, Dr. Eduardo Praca Getulio Vargas 2 (311) Rio de Janeiro, Brasil
Medeiros, Dr. Arnoldo, Pres. Instituto da Ordem dos Advogados Brasileiros Rua Teixeira de Freitas N. 4 Rio de Janeiro, Brasil	

CANADA

Fox, K.C., Harold G. St. Catharine's Ontario, Canada	Moorhouse, Eric G. Royal Bank Bldg. 383 Richmond St. London, Canada
Gouin, Senator Leon-Mercier 511 Place d'Armes Montreal, Canada	Spencer, K.C., Lynn B. Welland, Ontario, Canada
Jamieson, D. Park Sarnia, Ontario	
McCarthy, D. L. 38 King Street West Toronto 1, Canada	

CHILE

Alessandri R., Dr. Arturo
Casilla 2338
Santiago, Chile

Elton A., Dr. Guillermo
Blanco 725, Casilla 1391
Valparaíso, Chile

Carey B., Dr. Guillermo
Morandé No. 246, Of. 302
Santiago de Chile

Tagle Valdes, Dr. Mario
Banco de Chile
Santiago de Chile

COLOMBIA

Brigard Silva, Dr. Camilo de
Apartado aereo 3692
Bogotá, Colombia

CUBA

Blanco, Dr. Alberto
Cuba 355, 5º piso
Habana, Cuba

Miró Cardona, Dr. José
Colegio de Abogados de Habana
Lamparillo 114
La Habana, Cuba

Blanco, Dr. Carlos
Minister Counselor
Embajada de Cuba
Washington 9, D. C.

Moran, Dr. Carlos M.
Obispo 351 Dep. 604
La Habana, Cuba

Chediak, Dr. Natalio
Calle Cuba 355
La Habana, Cuba

Raggi, Judge Armando M.
Asociación de Funcionarios del
Poder Judicial de la República
de Cuba
La Habana, Cuba

Dolz, Dr. Enrique
Manzana de Gomez 316
La Habana, Cuba

Real y Alonso, Dr. Gregorio del
Edificio Nova Scotia 216-18
Cuba No. 225
La Habana, Cuba

Godoy, Dr. Gaston
Aguiar #405
La Habana, Cuba

Siero Perez, Dra. Isabel
Colegio de Abogados de la Habana
Lamparilla 114
La Habana, Cuba

Dancis, Dr. Antonio
Edificio Larrea, 417
La Habana, Cuba

Merino Brito, Judge Eloy G.
Asociación de Funcionarios del Poder
Judicial de la República de Cuba
La Habana, Cuba

Tabio, Dr. Evelio
Magistrado del Tribunal
Supremo
La Habana, Cuba

DOMINICAN REPUBLIC

Troncoso, Dr. Wenceslao
Isabel La Católica 55
Ciudad Trujillo, República Dominicana

ECUADOR

Alarcón, Sr. Dr. Gernán
Quito, Ecuador

Córdova, Dr. Wilson
First Secretary
Embajada del Ecuador
2125 LeRoy Place
Washington, D. C.

Amador N., Dr. Estéban
Mayorazgo 1213 Col. Valle
Mexico, D. F.

Córnejo, Sr. Dr. Cristóbal
Quito, Ecuador

Astudillo, Sr. Dr. Darío R.
Quito, Ecuador

Mora V., Sr. Dr. Alfonso E.
Quito, Ecuador

Cadena Arteaga, Sr. Dr. Manuel
Eduardo
Quito, Ecuador

Ochoa Ortiz, Sr. Dr. Francisco
135 W. 84th St. Apt. 6A
New York, N. Y.

ECUADOR

Peñaherrera V., Sr. Dr. Carlos
Quito, Ecuador

Terán Varela, Sr. Dr. Benjamín
Quito, Ecuador

GUATEMALA

Aguilar, Dr. Octavio
Guatemala, C.A.

Sánchez, Lic. Jorge F.
Guatemala, C.A.

HAITI

Bellegarde, Dr. Dantes
Avenue John Brown
Port-au-Prince, Haiti

MEXICO

Cepeda V., Lic.
Francisco I. Madero 5 5-406
Mexico, D. F.

Mantilla Molina, Lic. Roberto L.
Paseo de la Reforma No. 95-510 y
511

Mexico, D. F.

Fernandez del Castillo, Lic.
German
Av. 20 de Noviembre Num. 36
Mexico, D.F.

Roel, Jr., Lic. Santiago
Morelos Ote. 305 altos
Despachos 7 y 8
Monterrey, N.L., Mexico

Gomez Mont, Lic. Felipe
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Despachos 101-106
Mexico, D. F.

Sánchez Mejorada, Lic. Carlos
Bolívar 8, Dept. 310
Mexico, D. F.

Macedo, Lic. Miguel S.
Reforma 95
Mexico, D. F.

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Alfaro, Dr. Ricardo J.
Número 2, Calle 1a
Panama City, Panama

Rivera Reyes, Dr. Juan
Av. Norte Nos. 8, 10 y 12
Panama, Panama

PERU

Abastos, Dr. Manuel G.
Casilla de Correo 1819
Lima, Peru

Kiefer Marchand, Dr. Xavier
Pacae 928, of. 404
Lima, Peru

Arrus, Dr. Oscar F.
Edificio Gildemeister 412
Lima, Peru

de Lavalley, Dr. Hernando
Edificio San Pedro 301
Lima, Peru

Basadre, Dr. Jorge
(listed under United States)

de Lavalley, Dr. Juan Bautista
(listed under United States)

Belaunde Guinassi, Dr. Manuel
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Miro Quesada, Dr. Oscar
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Camilloni, Dr. Humberto
Juan Fanning #383
Lima, Peru

Navarro Irvine, Dr. Felix
Ayacucho 332
Lima, Peru

Castillo Feeley, Dr. Manuel del
Apartado 367
Lima, Peru

Sanchez Palacios, Dr. Manuel
Corcovado, 465, Rej. Derecha
Casilla 31
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Echecopar Garcia, Dr. Luis
Beytía 309, 2° Piso
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Zubiaga, Dr. Juan B.
Rifa 332, Of. 10
Lima, Peru

Gallagher, Dr. Manuel C.
Beytía No. 309, 2° Piso
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URUGUAY

~~Arrosa, Dr. Juan Carlos~~
~~Rincón 454~~
~~Montevideo, Uruguay~~

Abal, Dr. Juan Daniel
Cerrito 635, 2º piso, Esc. 30
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Gonzáles Mullin, Dr. Horacio
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Uruguay
Montevideo, Uruguay

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Mendez, Dr. Aparicio
18 de Julio 1417
Montevideo, Uruguay

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Buenos Aires 479
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Colegio de Abogados del Distrito
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Apartado 347
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UNITED STATES

Prospective delegates to Sixth Conference, Detroit, Michigan
May 22 - June 1, 1949

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111 W. Monroe Street
Chicago, Illinois

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Seattle 1, Washington

Allen, Judge Florence E.
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Basadre, Dr. Jorge
Pan American Union
Washington, D. C.

Bennett, James V.
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Department of Justice
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Bingham, Jos. Walter
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Bishop, William W.
University of Michigan Law School
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Bradway, John A.
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1011 Investment Bldg.
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6635 Catina Street
American Bank Bldg.
New Orleans, La.

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67 Broad Street
New York 4, N. Y.

Casey, James J.
37 Wall Street
New York 5, N. Y.

Cirese, Helen M.
221 N. LaSalle Street
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Clagett, Mrs. Helen L.
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Arlington, Virginia

Cohen, Harry D.
139 North Clark Street
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Conlen, William J.
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Philadelphia, Pa.

Coulter, Glenn M.
1703 Ford Bldg.
Detroit, Michigan

Cudlip, William B.
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Detroit, Michigan

Dart, Jr., Henry P.
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Land Title Bldg. (1831)
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Dinu, Miss Madeline C.
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812 N. E. Ainsworth
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The Ohio State University
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210 Portland Bldg.
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912 American Security Bldg.
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Special Deputy Commissioner
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- - - - -

Bryan, Mrs. Mildred
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Washington 16, D. C.

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Ontario, Canada

Viau, Mr. Jacques
Montreal, Quebec
Canada

Shortt, Mr. Edward M.
London
Ontario, Canada

CHILE

Garnham, Dr. Alberto
Banco Central de Chile
Valparaiso, Chile

Olivares, Dr. Miguel
Santiago, Chile

COLOMBIA

Escallon, Dr. Rafael
Banco de la República
Of. Nos. 506, 507
Bogotá, Colombia

Villegas, Dr. Silvio
Ambassador from Colombia to
Organization of American States
Colombian Embassy
Washington, D. C.

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Gans, Dr. Oscar
Ambassador of Cuba
Cuban Embassy
2630 16th Street, N. W.
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Suínaga y Luján, Lic. Pedro
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Lopez Martinez, Lic. Guillermo
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School of Law
Southern Methodist University
Dallas, Texas

Veech, Max I.
800 National Bank Bldg.
Detroit 26, Michigan

April 12, 1949

*Committee
called upon the
of 11 am 4/29/49*

Mr. William Roy Vallance,
Secretary General,
Inter-American Bar Association,
1129 Vermont Avenue, N.W.,
Washington 5, D.C.

Dear Mr. Vallance:

I will be glad to meet with your committee in regard to the Sixth Conference of the Inter-American Bar Association, to be held from May 22 to June 1. I would suggest that you phone my office so that a mutually convenient time may be arranged.

With kind regards,

Sincerely,

FMV:McH

JOSEPH A. MOYNIHAN
President
519 Wayne County Court House
Detroit 26, Michigan

WILLIAM ROY VALLANCE

Secretary General

MIGUEL S. MACEDO

Treasurer

DAVID B. KARRICK

Assistant Treasurer

Assistant Secretaries General:

ENRIQUE GARCIA SAYAN

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Port-au-Prince, Haiti

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ENRIQUE DOLZ

Manzana de Gomez 316
Habana, Cuba

MARIO TAGLE VALDES

Banco de Chile
Santiago, Chile

ABELARDO da CUNHA

Av. Graca Aranha, 57-10
Rio de Janeiro, Brazil

INTER-AMERICAN BAR ASSOCIATION

ORGANIZED MAY 16, 1940

EDMUNDO DE MIRANDA JORDAO, Brazil
CARLOS SANCHEZ MEJORADA, Mexico
OSCAR DAVILA I., Chile
HERNANDO de LAVALLE, Peru

Honorary Presidents

HEADQUARTERS OFFICE

210-211 Portland Bldg., 1129 Vermont Ave.,
WASHINGTON 5, D. C.
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Executive Committee

GEORGE MAURICE MORRIS

Chairman

CAMILO de BRIGARD SILVA

ENRIQUE V. GALLI

GASTON GODOY

JOSEPH A. MOYNIHAN

MIGUEL S. MACEDO

LUCIEN MORAUD, K. C.

HAROLDO VALLADAO

WILLIAM ROY VALLANCE

April 9, 1949

Re 5600
LET 3097

The Chief Justice
The Supreme Court
Washington, D. C.

My dear Mr. Chief Justice:

The Sixth Conference of this organization will be held at Detroit, Michigan, from May 22 to June 1, 1949. It is expected that 150 lawyers from Latin America and Canada will attend this meeting. A considerable number of this group has indicated a desire to come to Washington after the Detroit meeting is over on June 1 and obtain information regarding our governmental institutions. They have indicated an especial interest in visiting our Supreme Court.

At the five previous meetings which were held in the capitals of the respective countries they have visited the Supreme Courts and have been received by the chief justices and members of the courts.

I have been asked to serve on a committee to confer with you to ascertain whether you would be willing to receive this group of visiting lawyers on June 4 or 5 at such time as would be convenient to you. Our committee would like to call upon you or such person as you may designate to speak for you in order that we may discuss the matter further and ascertain what arrangements may be made for these distinguished visitors.

An announcement regarding the Sixth Conference of this organization and a list of delegates, notice of whose appointments has been transmitted to the headquarters office, are enclosed.

Hoping to receive a favorable response and with assurance of my highest regard, I am

Very sincerely yours,

William Roy Vallance
WILLIAM ROY VALLANCE
Secretary General

WRV:ml

encls "SIXTH CONFERENCE - DETROIT, MICHIGAN - MAY 22 - JUNE 1, 1949"

June 1, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the Conference of the Court
is held on Friday, June 10th, at 10:00 a.m. rather than Saturday,
June 11th?

Chief Justice

okay with Justice
Black -

June 1, 1949

TO: Mr. Justice Black
Mr. Justice Reed *yes*
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the Conference of the Court
is held on Friday, June 10th, at 10:00 a.m. rather than Saturday,
June 11th?

Chief Justice

June 1, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter ✓
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the Conference of the Court
is held on Friday, June 10th, at 10:00 a.m. rather than Saturday,
June 11th?

Chief Justice

Certainly

W.C.

June 1, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas ✓
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the Conference of the Court
is held on Friday, June 10th, at 10:00 a.m. rather than Saturday,
June 11th?

Chief Justice

Yes -
much better
W

June 2, 1949

Mr. Tolan of Justice Murphy's office phoned to say that it was perfectly agreeable to Justice Murphy to hold the conference on June 10th.

June 1, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson ✓
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the Conference of the Court
is held on Friday, June 10th, at 10:00 a.m. rather than Saturday,
June 11th?

Chief Justice

OK for me
R.H.F.

June 1, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the Conference of the Court
is held on Friday, June 10th, at 10:00 a.m. rather than Saturday,
June 11th?

yes

Chief Justice

June 1, 1949

Mrs. Cheatham phoned to advise that it is agreeable with Justice Burton to have the Conference on June 10th.

June 13, 1949

TO: Mr. Justice Black *OK NWB*
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the conference this week
is held on Friday, June 17th, at 10:00 a.m. instead of Saturday,
June 18th?

The Chief Justice.

Speak with Burton

June 13, 1949

TO: Mr. Justice Black
Mr. Justice Reed ✓
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the conference this week
is held on Friday, June 17th, at 10:00 a.m. instead of Saturday,
June 18th?

yes - I urge it
JR

The Chief Justice.

June 13, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter ✓
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the conference this week
is held on Friday, June 17th, at 10:00 a.m. instead of Saturday,
June 18th?

The Chief Justice.

Yes - subject to
the Federal Commission
that I may have to
appear in Court in N. Y.
on Friday. 47

June 13, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson ✓
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the conference this week
is held on Friday, June 17th, at 10:00 a.m. instead of Saturday,
June 18th?

The Chief Justice.

OK
RTH

June 13, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge ✓
Mr. Justice Burton

Would it be convenient for you if the conference this week
is held on Friday, June 17th, at 10:00 a.m. instead of Saturday,
June 18th?

The Chief Justice.

Yes,
J. W. R.

June 13, 1949

TO: Mr. Justice Black
Mr. Justice Reed
Mr. Justice Frankfurter
Mr. Justice Douglas
Mr. Justice Murphy
Mr. Justice Jackson
Mr. Justice Rutledge
Mr. Justice Burton

Would it be convenient for you if the conference this week is held on Friday, June 17th, at 10:00 a.m. instead of Saturday, June 18th?

The Chief Justice.

June 21, 1949

MEMORANDUM FOR THE CONFERENCE:

The Conference of the Court this week will be held on
Friday, June 24th, at 10:00 a.m.

The Chief Justice.

New York City
New York

August 27th 1949

File

RECEIVED

To Chief Justice of the Supreme Court
Washington, D.C.

AUG 28 10 01 AM '49
CHAMBERS OF THE
CHIEF JUSTICE

Your Honor Judge Vinson

You will be responsible for any
Act of Tom Clarde's while he is a Justice
of the Supreme Court.

The Oath he took was one in which
he has to serve his Country first and foremost,

He had better do so there is a NEW
WIND "in this land of ours and people like
Tom Clarke will have to serve the people if
they want to keep their High places ----there
is a price to pay

Integrity.

Sincerely

A Protestant.

noted 7/21
file

RICHARD F. WOLFSON
PHILIP B. KURLAND

KURLAND & WOLFSON

ATTORNEYS AT LAW
39 BROADWAY
NEW YORK 6, N. Y.

June 28th, 1949.

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CHAMBERS OF THE
CHIEF JUSTICE

Dear Mr. Chief Justice:

Mr. Kurland and I, under the auspices of the Guggenheim Foundation, are revising Robertson & Kirkham, Jurisdiction of the Supreme Court of the United States. It may help you to identify us if I say that Mr. Kurland served as law clerk to Mr. Justice Frankfurter and I as law clerk to Mr. Justice Rutledge.

We are anxious to make this revision not only a guide to the bar but also a useful instrument for the Court itself. In this connection, we would be happy to receive either from you or from your law clerks any suggestions with respect to insertions, deletions or corrections. Of course, any suggestions we may receive will be entirely off-the-record.

It is our hope that the revision will aid your office in its jurisdictional work.

Respectfully yours,

Richard F. Wolfson

Mr. Chief Justice Vinson,
United States Supreme Court,
Washington, D.C.

JOHN ALVIN CROGHAN
ATTORNEY AT LAW
DENRIKE BUILDING
WASHINGTON 5, D. C.
STERLING 3410

File

NOTED

September 6, 1949

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CHAMBERS OF THE
CHIEF JUSTICE

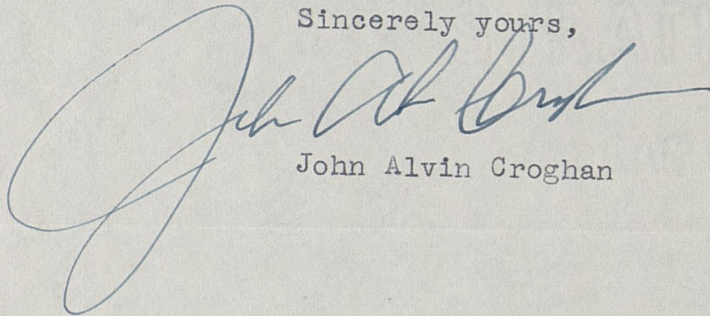
Honorable Fred M. Vinson
Chief Justice of the United States
United States Supreme Court
Washington, D. C.

Dear Justice Vinson:

Several months ago I left the firm of Davies, Rich-
berg, Beebe, Busick & Richardson, here in Washington, to
open my own office and to specialize in trial work ~~and~~ court
appearances.

I would appreciate the opportunity, from time to
time, to represent indigent petitioners who may have cases
before the Supreme Court. I assure you that any such cases
assigned to me will be handled to the best of my ability.

Sincerely yours,



John Alvin Croghan

*Ask receipt
Thank you much*

HARRY G. FINS
ATTORNEY AT LAW
77 WEST WASHINGTON STREET
CHICAGO 2

PHONE FINANCIAL 6-0047

November 18, 1949

RECEIVED
Nov 21 9 17 AM '49
CHAMBERS OF THE
CHIEF JUSTICE

Honorable Fred M. Vinson
Chief Justice of the United States
Supreme Court Building
Washington, D. C.

Dear Sir:

By way of introduction, permit me to state that I am the author of several volumes on pleading, practice and procedure, and have been teaching for a number of years State and Federal Procedure in the Post Graduate Division of one of the law schools of this city.

I am in the process of preparing a treatise on Federal Practice and am encountering considerable difficulty in attempting to apply the old Rules of the Supreme Court to the revised 1948 Titles 18 and 28 of the United States Code. There seems to be a definite need for an immediate revision of the Rules of the Supreme Court. The Rules refer to the old statutes which were repealed in 1948. Some of the Rules have become obsolete as a result of the 1948 Code revisions and some are inconsistent with the new Federal civil and criminal codes and leave procedural questions up in the air.

The most difficult problem presents itself in the taking of a direct appeal from the United States District Court to the Supreme Court. Thus, as to Government appeals in criminal cases (Title 18 U.S.C. Section 3731), it is clear that the appeal is to be taken by the filing of a Notice of Appeal as provided in Rule 37 of the Federal Rules of Federal Procedure, and the same Rule 37 provides that "Petitions for allowance of appeal, citations and assignments of error in cases governed by these Rules are abolished." As to direct appeals from the United States District Court to the Supreme Court in civil cases, the situation is much more complicated. Rule 72 of the Federal Rules of Civil Procedure, as amended by the Supreme Court on December 29, 1948, which became effective on October 20, 1949, has deleted the requirement

- 2 -

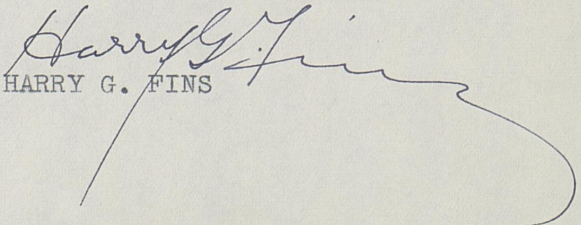
for a petition for appeal, assignment of error, citation, jurisdictional statement and bond appeal, but the Rules of the Supreme Court still contain these requirements. Likewise, Section 1252 of Title 28 of the United States Code (1948), dealing with a direct appeal from an order holding an Act of Congress unconstitutional, speaks specifically of a "party who has received Notice of Appeal under this Section," yet the Rules of the Supreme Court still require a petition for appeal, assignment of error, order allowing appeal and citation. Under the present confusing situation, it may be necessary to do all of that and also to file a Notice of Appeal and then let the Supreme Court decide which is surplusage.

Since the object of modern procedure is to simplify matters, and in view of the fact that most lawyers are now familiar with the use of Notice of Appeal, and since the petition for appeal, assignment of errors and citation are useless vestiges of by-gone days, I take the liberty to suggest that this procedure be abolished and that the "Notice of Appeal" practice be adopted for all appeals. This would make appeal practice from the District Court to the Court of Appeals and from the District Court to the Supreme Court uniform. I am of the opinion that the legal profession would benefit greatly by the Supreme Court's immediate action in revising its Rules.

May I ask you kindly to advise me as to whether such revision is in progress and, if so, how soon may we expect its promulgation?

Thanking you in advance, and hoping to hear from you in the very near future, I remain

Respectfully yours,


HARRY G. FINS

HGF:F

November 30, 1949

Mr. Harry G. Fins,
77 West Washington Street,
Chicago 2, Illinois.

Dear Mr. Fins:

I have your letter of November 18th, and appreciate
your sending me your views relative to the Rules of the
Supreme Court.

Sincerely,

(Signed) Fred M. Vinson

CHAMBERS OF
THE CHIEF JUSTICE

Supreme Court of the United States
Washington 13, D. C.

*Justice Black OK'd
in chambers
12/13/49*

December 13th, 1949 -

Mr. Justice Reed -
Mr. Justice Frankfurter -
Mr. Justice Jackson -
Mr. Justice Burton -
Mr. Justice Clark -
Mr. Justice Minton -

The attached proposed revision of the forms containing the pictures and brief biographical sketches of the individual members of the court are submitted for your information.

Mr. Justice Black is interested in ascertaining the views of the members with respect to having a supply of these forms printed which would bear the facsimile signatures of the members. It is his notion that these forms could be used to good advantage in responding to the numerous requests for biographical information and for autographs. Of course, a separate supply, on the smaller form (without the signatures) can be printed-up for use in distribution to visitors to the court. However, it might be desirable to have the one form, bearing the signatures, used for all purposes.

approved

In the event there is accord, and the "facsimile" form is ~~preferred~~, it will, of course, be submitted for Mr. Justice Douglas' signature.

Will you please indicate your position on the table set out below:-

	"Facsimile Form"		For	
	Approved :-	For Genl. Use	Limited Use	
Mr. Justice Reed	:	:	:	
Mr. Justice Frankfurter.....	:	:	:	
Mr. Justice Jackson	:	:	:	
Mr. Justice Burton	:	:	:	
Mr. Justice Clark	:	:	:	
Mr. Justice Minton	:	:	:	

and return to my office -

C.J.-

Supreme Court of the United States
Washington 13, D. C.

CHAMBERS OF
THE CHIEF JUSTICE

December 13th - 1949 -

Mr. Justice Reed
Mr. Justice Frankfurter ✓
Mr. Justice Jackson
Mr. Justice Burton
Mr. Justice Clark
Mr. Justice Minton - ✓

*Returned to Ray Harding
who will talk with SPO
as to best method to
proceed for
"facsimile
short" job*

The attached revised form containing the pictures and a brief biographical sketch of each member of the court is submitted for your information.

5/4/50

Mr. Justice Black is interested in ascertaining the views of the members with respect to having a supply of these forms printed bearing facsimile signatures of the members (the "long" form attached hereto illustrates the probable size and appearance). It is his notion that such a form could be used to good advantage in responding to the numerous requests for biographical information and autographs, and probably for general distribution, thus supplanting the present "short" form. Of course, if it should be desired, a separate supply on the smaller form (without the signatures) could be printed-up for general distribution purposes.

In the event there is accord, and the "facsimile" form is approved, it will, of course, be submitted for Mr. Justice Douglas' approval and signature.

Will you please indicate your approval or disapproval on the table set out below -

Facsimile Form				
	App'd	Disapprove	Gen'l Use	Limited Use
Mr. Justice Reed.....	X	:	:	X
Mr. Justice Frankfurter..	X	:	:	X
Mr. Justice Jackson.....	X	:	:	X
Mr. Justice Burton	X	:	:	X
Mr. Justice Clark	X	:	either form ok.	:
Mr. Justice Minton	X	:	:	X

*certains
short form
for Gen. Use*

*see memo
2/12/50.*

and return, with enclosures, to my office -

C.J.-

[May 13, 1950]

Supreme Court of the United States
Washington 13, D. C.

CHAMBERS OF
JUSTICE HAROLD H. BURTON

Dear Chief -

This is not clear to me, but I have no objections to any of the alternatives. I assume this suggests adding facsimiles of signatures between the ^{pictures of} ~~several~~ justices in the hope that this would satisfy the autograph collectors. I have no objections to trying it but I assume that collectors want originals and not facsimiles and that the "ersatz" autographs will result usually in a second request.

For general distribution to visitors (not seeking autographs) it seems to me that our short form is best - and entirely adequate.

(If Justice Clark is featured as the first Texan - why not also Justice Minton as the first Indianian? - and Justice Douglas the first to be appointed from Washington?).

Original Filed in VIP Correspondence File

5/1/50 -

Mrs. Allen:--

There is attached circular letter dated December 13, 1949, with respect to the proposition of having the biographical sketch sheet of the Court prepared with the facsimile signatures of the Justices affixed thereto.

As you know, the sheets for general distribution have been revised to include Mr. Justice Clark and Mr. Justice Minton and they are now in use; thus, the only question awaiting determination is Mr. Justice Douglas' reaction to the "facsimile" signature sheet. As indicated, it is thought that this could be used in response to requests for autograph photos, etc., of the Court.

As I indicated to you in conversation, We did not care to bother Justice Douglas with the matter until after his return, and I have held it for a little further time in order that he could get "out from under" the accumulation. It would be appreciated if you would be good enough to bring this to his attention at such time you deem it proper.

Thanx -

Paul Kelley -

Dear Mr. Kelley -

Letter is O.K. with me; but
I would like a supply of the short
form. I just watered an ever as
respects me. I was appl'd from
Comm. nat Washington to Wash. &
my home. (initials)

5/3/50

NEW JERSEY STATE BAR ASSOCIATION

ROBERT K. BELL
PRESIDENT

JOHN H. YAUCH, JR.
FIRST VICE-PRESIDENT

PHILIP R. GEBHARDT
SECOND VICE-PRESIDENT

OFFICE OF THE SECRETARY
BROAD STREET BANK BUILDING
TRENTON 8, NEW JERSEY

December 30, 1949

GEORGE P. MOSER
THIRD VICE-PRESIDENT

EDWARD T. CURRY
TREASURER

EMMA E. DILLON
SECRETARY

RECEIVED

JAN 3 3 41 PM '50

CHAMBERS OF THE
CHIEF JUSTICE

Hon. Fred M. Vinson,
Chief Justice of the United States,
Supreme Court Building,
Washington 13, D. C.

My dear Chief Justice:

At the Mid-Year Meeting of the New Jersey State Bar Association which was held on December 9 and 10, 1949, we had certain recommendations from our Committee on Federal Legislation which I have been directed to forward to you. The first is that Judges of the federal courts should be selected on a bi-partisan basis. The report of the committee in making this recommendation said, "New Jersey practitioners know that this is the soundest method of selecting judges. It is the system which obtains in New Jersey and which has been found eminently satisfactory. However, both major parties when in power usually name federal judges only from their own party. Today for example, practically every U. S. Judge in the country is a Democrat. Granted that the judges may all be able and impartial, nevertheless from the public aspect it would give the court more respect and the people more confidence if the political aspect of judicial selection were reduced as much as possible. This is one method.

The second recommendation was that a plan for retirement of federal judges should be adopted. On this subject the committee said, "The committee believes it would be more feasible to recommend at this time that the retirement age be fixed at 75 years. It also believes that a judge who then becomes inactive should receive full pay for the balance of his life."

The third recommendation was that Supreme Court Justices should be prohibited from performing any duty outside of the regular judicial duties required of the office. On this recommendation our committee said, "On occasions the services of members of the U. S. Supreme Court have been used for enterprises not connected with their judicial offices. Two notable instances have been

NEW JERSEY STATE BAR ASSOCIATION

Sheet No. 2

Hon. Fred M. Vinson

December 30, 1949

the Pearl Harbor investigation and the Nuernburg trials. Both tasks were controversial in nature and not related to the performance of the regular duties of the justices involved. The result is not good. The highest tribunal in the land should not have itself involved in any non-judicial matters. It detracts from the dignity and prestige of the office."

May we respectfully request your favorable consideration of these recommendations of our Association.

EED:jb

Respectfully yours,

Emma E. Dillon

Secretary.

January 5, 1950

Miss Emma E. Dillon,
Secretary,
New Jersey State Bar Association,
Broad Street Bank Building,
Trenton 8, New Jersey.

Dear Miss Dillon:

I am in receipt of your letter of the 30th, and note the recommendations of your Committee on Federal Legislation. I thank you for transmitting them to me.

However, I believe you will find that there already is a statutory provision for the retirement of federal judges. As I understand it, it is voluntary at the age of 70 years. I also think you will find that there are other statutory provisions for retirement because of disability.

With kind regards,

Very truly yours,

(Signed) Fred M. Vinson

FMV:McH