



A CHRISTMAS GIFT FOR THE SUPREME COURT

HOW A 1959 HOLIDAY PARTY
ECLIPSED A HISTORY OF DISCRIMINATION

Ross E. Davies

ON DECEMBER 28, 1959, the *New York Times* published a little news item that was, in hindsight, both (1) a public relations triumph for Banning E. “Bert” Whittington, the U.S. Supreme Court’s Press Officer at the time,¹ and (2) a jurisprudential and institutional relief for the Court:

COURT DEFIES PRECEDENT

One of the last institutions holding out against the Christmas Party succumbed last week.

The Supreme Court had a pleasant but sober affair arranged by its press officer, Banning E. Whittington. Five of the Justices — Hugo L. Black, Felix Frankfurter, William O. Douglas, William J. Brennan Jr. and Potter Stewart — joined the small staff of employees. There were fruit punch, cookies and carols by a high school group, with some audience singing, too.²

The story has a tone that should ring familiar in the ears of modern consumers of Supreme Court news reporting: good-natured indul-

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¹ Today the title for that job is “Public Information Officer.”

² *Random Notes in Washington*, N.Y. TIMES, Dec. 28, 1959, at 11.

gence of that somewhat dull, somewhat behind the times, somewhat culturally clueless wallflower among our great institutions of national government. But the background to that story suggests that the Court was not at all clueless in 1959. Indeed, the Court's handling of that Christmas party, and the *Times* coverage of it, may have helped the Court occupy the high ground during its continuing campaign in the 1960s against racial discrimination.

I. THE WHOLE CHRISTMAS STORY

To get a sense of the significance of the *Times* reporting, imagine that it had included the following narrative (based on information known to the Court, but perhaps not to the *Times*, in 1959):

. . . In fact, the first Christmas party at the Court was in 1946,³ but it was a different kind of event back then, open only to select segments of the Court community in which all the employees happened to be white. Segregation cast a shadow over Court Christmas parties thereafter, until this year's all-employee event.

According to Justice Felix Frankfurter, in 1946 "the secretaries initiated a Christmas party in conjunction with the Justices' law clerks as hosts to which the Justices and the various offices of the Court and their secretaries were asked." But when the "proposal to have such a party was made again" in 1947, "the law clerks – some of them, or rather most of them – felt strongly that at least some of the colored employees in the Court should also be asked. It seemed to the law clerks not to do so was not only drawing the color line, but drawing the color line by the Court, or in relation to the Court, charged especially with the duty of not drawing the color line."⁴

The clerks' proposal met, however, with "opposition among the secretaries – professedly at least – and probably genuinely as to some – not on the score of racial discrimination but for social reasons as it were – that the messengers [all of whom were black]

³ See Harold Burton Diary, Dec. 23, 1946, Papers of Harold H. Burton, Reel 2, Library of Congress, Manuscript Division; *id.* at back (describing the event as an "Xmas" party).

⁴ FROM THE DIARIES OF FELIX FRANKFURTER 334 (1974) (Joseph P. Lash, ed.).

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MONDAY 23 DECEMBER

357th Day 8 Days to come

Selma's Temp. was practically normal - but we have given up the program Cleveland Christmas tip. Bids little girls - Cleveland also have been having the flu.

o Ct. Conf. 10:30 - 12.

United Mine Workers put p. Act #811 + Rules 7 Civil Procedure.

o Ct. Session 12 - 12:45 PM.

23 ^{Opinions} Quinn v. U.S. (Conscientious objectors) Rutledge
86 Dade v. U.S. reversed

35 Quinn v. Campbell (Selma's tax priority) Rutledge
affirmed U.S. priority (Rutledge dissent)

53 U.S. v. Sheridan (bad check in interstate commerce) Rutledge
reversed (Vinson & Douglas)

60 NLRB v. Turner (labor election) Murphy
reversed (Frankfurter con. Jackson diss.)

58 Eagles v. Horowitz (religious bonds) Douglas
59 Eagles v. Samuels (self. taxation plan) upheld - reversed

Ed. O'Donoghue of Cleveland had lunch in my chambers.

The staff of the Court gave a cocktail party to the Court - in the Ladies Lounge of the Bldg. 4-5 PM.

Supper with Bob at Evelyn Hotel & returned to chambers at 10 for correspondence etc.

for 12/23

F & G Sts S.E., 1400 ... Mrs. Sullivan,
Adm. Mc Morris, (Rev.) Adm. Mrs. Ezra Allen, & Mrs. Vandegriff's sister.

John Selma, Porto called Nancy #811 - Cleveland, Deborah (with her mother - Mrs. R.W. Adler, Longport, NJ - 2-2013). Do-do-do in Beaver Falls Pa. Cleveland Hotel, cancelling our ...

"The staff of the Court gave a cocktail party to the Court - in the Ladies Lounge of the Bldg. 4-5 PM." Harold Burton Diary, Dec. 23, 1946, Papers of Harold H. Burton, Reel 2, Library of Congress, Manuscript Division.

are servants, and servants for practical purposes of the secretaries under whose direction they work. These secretarial opponents of the proposal in effect took the position that just as hostesses don't ask their servants to their parties, so they should not be asked at a purely social occasion to ask their messengers."⁵ (This was a bad argument, not least because the analogy was bad: The messengers were not the personal servants of the secretaries. The messengers served the Justices, as employees of the Court, under the supervision of the secretaries. The messengers were no more the secretaries' servants than the secretaries were the Justices' servants.) "The upshot of the matter was that the secretaries withdrew from the proposed party and the law clerks decided to go on their own as hosts and to invite the Justices' messengers and a few other colored employees."⁶

Justice Frankfurter's diary contains a lengthy description of the escalation of the controversy and the Court's failure to resolve it. The Marshal of the Court refused to authorize use of Court facilities for the clerks' party without approval from the Justices themselves.⁷ So, Chief Justice Fred Vinson brought the matter up at a meeting of the Justices on December 20, 1947. At first it appeared that the clerks would get their way, with the Chief Justice and Justices Hugo Black and Stanley Reed speaking first and voting for the plan. But then Justice Robert Jackson objected on two grounds — first, that the clerks should not be permitted to use a social event at the Court to "make a demonstration of the matter" of one of the "great social conflicts in the country," and second,

⁵ *Id.*

⁶ *Id.*

⁷ The Marshal, Thomas E. Waggaman, may have been attempting to frustrate the clerks' plan. *Cf., e.g.,* A. Leon Higginbotham, Jr. and William C. Smith, *The Hughes Court and the Beginning of the End of the "Separate But Equal" Doctrine*, 76 MINN. L. REV. 1099, 1104 (1992) (retelling a Justice Thurgood Marshall anecdote about Chief Justice Charles Evans Hughes's reaction to race discrimination by Waggaman in the late 1930s: "Hughes instructed Waggaman to go outside the building and look at the portals of the Supreme Court, which are emblazoned with the words, 'Equal Justice Under Law.' The Chief Justice added that if after reading these words, Waggaman did not understand what the policy of the Supreme Court should be, he would be replaced. From that day onward, there reportedly were no further attempts made to exclude blacks from the Court's cafeteria.").

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that “there is a good deal of justice on the part of the girls in not wanting the kind of a party that the boys have insisted upon.”⁸ (It is puzzling that Justice Jackson went out of his way to express sympathy for the secretaries’ preference for a segregated party when the question before the Justices was whether to permit the clerks to have a party with the messengers, not the secretaries.) He was then joined by Justice Frankfurter in a proposal to avoid the whole controversy by banning all social functions at the Court other than the Justices’ own. After deliberating at some length and with some heat, the Justices voted 5-2 against the Jackson-Frankfurter proposal.⁹ (Justices Frank Murphy and William O. Douglas were absent at the time of the vote.¹⁰) And there the matter ended, unresolved. Instead of ordering the Marshal to permit a desegregated Christmas party at the Court, the Court hosted no party at all.¹¹

The following year no effort at all seems to have been made to organize a Court Christmas party. Perhaps this was because Justice Frankfurter’s hiring of the first black law clerk in the history of the Court — William T. Coleman — for October Term 1948¹² made a mockery of the “we won’t celebrate Christmas with our servants” rationale used by the secretaries and supported by Justice Jackson in 1947.

In any event, it appears that in 1947 and thereafter Christmas celebrations at the Court were conducted by Justices in their own chambers, where each was free to discriminate or not, on his own

⁸ FROM THE DIARIES OF FELIX FRANKFURTER at 334-35 (Frankfurter apparently paraphrasing Jackson).

⁹ *Id.* at 335.

¹⁰ Harold Burton Diary, Dec. 20, 1947, Papers of Harold H. Burton, Reel 2; FROM THE DIARIES OF FELIX FRANKFURTER at 334.

¹¹ *Id.* at 335-36; JOHN PAUL STEVENS, FIVE CHIEFS: A SUPREME COURT MEMOIR 74-75 (2011) (“The justices now have a joint reception to which all clerks are invited; . . . and there is both a Christmas party and an end-of-term party to which all justices and clerks are invited. No such routine contact between justices and clerks working in other chambers occurred in 1947.”); BERNARD SCHWARTZ, DECISION: HOW THE SUPREME COURT DECIDES CASES 66-67 (1996).

¹² See WILLIAM T. COLEMAN, COUNSEL FOR THE SITUATION 76-78 (2010).

initiative.¹³ There was one exception (there may have been others, but we have not found any). In 1951, Justice Jackson presided at a non-chambers Christmas party at the Court. It is not clear whether the party was segregated or not, but Justice Harold Burton's diary entry about the event does not mention messengers or other non-white employees. The interests that had endorsed excluding the messengers in 1947, however, were well-represented: "Luncheon in Cafeteria with Justice Jackson, Miss [Helen C.] Newman (the Librarian) + the Secretaries + some others who had arranged to sing Christmas carols at 1PM – which we did."¹⁴

And so it took the Court 13 years to make its way from the all-white Christmas party of 1946, through the controversy of 1947, and through the long, mostly empty period that followed, down to this year's all-employee Christmas party of 1959. . . .

Thus, if the full story of the Court's Christmas parties had been told, the first sentence of the *Times* story probably would have been something like this: "One of the last institutions holding out against the Christmas Party succumbed last week, a dozen years after opting for no Christmas party at all, rather than a desegregated one."

There is no need to describe in detail how welcome such news would have been to Arkansas Governor Orval Faubus, Virginia Senator Harry F. Byrd, Sr., and others engaged in resistance, massive

¹³ See, e.g., Harold Burton Diary, Dec. 23, 1947 and Dec. 23, 1948, Papers of Harold H. Burton, Reel 2 (chambers Christmas parties for entire staff, without regard to race); Harold Burton Diary, Dec. 22, 1949, Dec. 22, 1950, Dec. 21, 1951, Dec. 23, 1952, and Dec. 23, 1953, Papers of Harold H. Burton, Reel 3 (same); Harold Burton Diary, Dec. 23, 1954, Dec. 23, 1955, Dec. 21, 1956, Dec. 20, 1957, Papers of Harold H. Burton, Reel 4 (same); Harold Burton Diary, Dec. 23, 1958 and Dec. 23, 1959, Papers of Harold H. Burton, Reel 5 (same).

¹⁴ Harold Burton Diary, Dec. 21, 1951, Papers of Harold H. Burton, Reel 3; see also John Q. Barrett, *Supreme Court at Christmastime (1951)*, THE JACKSON LIST, Dec. 21, 2011, thejacksonlist.com/wp-content/uploads/2014/02/20111221-Jackson-List-SCt-Christmastime.pdf. Also, on December 30, 1953 (closer to the new year than to Christmas), "Justice Douglas gave a party for law clerks, secretaries, reporters, etc. in his chambers – not for Justices." Harold Burton Diary, Dec. 30, 1953, Papers of Harold H. Burton, Reel 3. Again, no mention of messengers or non-white participants.

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and otherwise, to desegregation.¹⁵ A few quick examples should suffice. First, the story of the Court's gradualism in Christmas party desegregation could have been deployed in support of a legal argument that the Court's own definition of "all deliberate speed" – the vague and never-after fully specified schedule for school desegregation mandated in *Brown v. Board of Education* in 1955¹⁶ – was 12 years, at least.¹⁷ Under normal rhetorical conditions, such a claim might have been punctured as an empty tu quoque, but in 1958 the Justices had made the issue personal and institutional as well as constitutional by individually signing their emphatically unanimous and authoritative opinion in *Cooper v. Aaron*.¹⁸ If the Court and its Justices were the embodiment of constitutional compliance, the argument

¹⁵ See, e.g., THE MEMOIRS OF EARL WARREN 288-98 (1977) (Chief Justice on massive resistance); Michael J. Klarman, *Brown, Racial Change, and the Civil Rights Movement*, 80 VA. L. REV. 7 (1994); RICHARD KLUGER, *SIMPLE JUSTICE* ch. 26, 27 (1975).

¹⁶ 349 U.S. 294, 301 (1955); see also Dennis J. Hutchinson, *A Century of Social Reform: The Judicial Role*, 4 GREEN BAG 2D 157, 168 (2001) (quoting Thurgood Marshall: "In 1954, I was delirious. What a victory! I thought I was the smartest lawyer in the entire world. In 1955, I was shattered. They gave us nothing and then told us to work for it. I thought I was the dumbest Negro in the United States."); but see KLUGER, *SIMPLE JUSTICE* at 746.

¹⁷ Cf. Gordon B. Davidson et al., *Supreme Court Law Clerks' Recollections of Brown v. Board of Education II*, 79 ST. JOHN'S L. REV. 823, 878-79 (2005) (quoting E. Barrett Prettyman, Jr., former *Brown*-era law clerk to Justices Jackson, Frankfurter, and John Harlan, on the meaning of "all deliberate speed": "It was perfectly clear that something had to begin right away, but I think what people couldn't quite understand, and I'm not sure they still do, is then what? I mean, how long do you get? . . . Do you do it by six months or ten years or a lifetime?"); Philip Elman and Norman Silber, *The Solicitor General's Office, Justice Frankfurter, and Civil Rights Litigation, 1946-1960: An Oral History*, 100 HARV. L. REV. 817, 842-43 (1987) (recounting story of the phrase's origin in a Francis Thompson poem, *The Hound of Heaven*).

¹⁸ 358 U.S. 1 (1958); *id.* at 19 ("Since the first *Brown* opinion, three new Justices have come to the Court. They are at one with the Justices still on the Court who participated in that basic decision as to its correctness, and that decision is now unanimously reaffirmed."); see also, e.g., Anthony Lewis, *Supreme Court Forbids Evasion or Force to Balk Integration*, N.Y. TIMES, Sept. 30, 1958, at 1 ("The Chief Justice began by saying that all nine members of the court had been joint authors of the opinion. He looked at each of the justices in turn as he read their names.").

might have gone, then following their practice of taking a dozen or so years to desegregate was constitutional. Second, the Court's Christmas party segregation might also have been useful evidence on the factual question of how long it really took for a public institution that was deeply, constitutionally committed to desegregation to actually achieve it. Finally, and perhaps most potently, the disconnect between the Court's words and deeds on the matter of desegregation might well have undermined its moral authority as a champion of desegregation in particular and racial equality generally.¹⁹ "Who," the Court's critics could have asked, "is living up to the shared aspirations of a nation 'indivisible'?"²⁰

¹⁹ Skepticism about the Court's own commitment to nondiscrimination had been entwined with public attention to *Brown v. Board of Education* and its progeny from the beginning. See, e.g., *Supreme Court Hiring*, THE AFRO AMERICAN [Baltimore], Jan. 3, 1953 (magazine section), at 3, 7:

While the judges of the U.S. Supreme Court were pondering the constitutionality of of segregated schools, last week, local citizens were pondering segregation in employment at the Supreme Court, above whose portals is carved in marble "Equal Justice For All."

They learned while visiting the court that a racial bar extends from the bench of the high tribunal right down to the maintenance employees.

On one side of this racial bar are the professional and clerical posts, the supervisory positions, and the jobs of elevator operator and uniformed guard – all held by white persons.

²⁰ Charles J. Ogletree, Jr., and Susan Eaton, *From Little Rock to Seattle and Louisville: Is "All Deliberate Speed" Stuck in Reverse?*, 30 U. ARK. LITTLE ROCK L. REV. 279, 287 (2008); *id.* ("This is not a matter of merely academic concern or semantics, as such arguments help determine which side gets to stake out the moral high ground within the public consciousness."); see also, e.g., Jim Chen, *Mayteenth*, 89 MINN. L. REV. 203, 212 (2004). Justice Jackson might have been anticipating problems with his own stance on Court Christmas parties when he asked during oral argument in *Briggs v. Elliott* (one of the *Brown v. Board of Education* companion cases) in 1953, "What are we going to do to avoid the situation where in some districts everybody is perhaps held in contempt of court almost immediately because that judge has that disposition, and in some other districts it is twelve years before they get to a hearing?" Transcript of Oral Argument, *Briggs v. Elliott*, Dec. 8, 1953, in 49 LANDMARK BRIEFS AND ARGUMENTS OF THE SUPREME COURT OF THE UNITED STATES: CONSTITUTIONAL LAW 540 (Philip B. Kurland and Gerhard Casper, eds.).

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Of course, the Court could have avoided all the legal, factual, and moral hazards to which its ugly Christmas party history exposed it in 1959 by simply doing the right thing starting in 1947: supporting a desegregated party of the sort advocated by the law clerks. Ironically, the Court might also have achieved the same result in the end by doing the wrong thing in 1947: supporting the segregated party favored by the secretaries. Then, when Earl Warren became Chief Justice in 1953, he would have desegregated the party as part of the same sweep of institutional housekeeping in which he desegregated, for example, the Court's washrooms.²¹ The segregated party would have been just another bit of jetsam of racist Court history and practice, submerged in the wake of the new Chief Justice and his *Brown v. Board of Education* supermajority for civil rights. But the Court supported neither party in 1947, instead taking a tack that would later be associated with massive resistance — abandoning an activity when desegregating it became too uncomfortable.²² Thus in 1959, when a Christmas party became unavoidable for whatever reason (perhaps the pressure of the trend in holiday office parties alluded to by the *Times*), the Court was trapped between its unsavory role as pre-*Brown* segregator and its nobler post-*Brown* role as civil rights champion.

Yet none of this came out with the news of the 1959 party. The *Times* portrayed the Court as merely a fuddy-duddy institution, taking an amusingly long time to get with it on Christmastime office socials — not as a place once riven by racial tensions, perpetuating for years the internal color lines that disabled co-workers from sharing a holiday punch bowl. And so, instead of enduring a potentially damaging turn in the media limelight, held up as another example of shamefully go-slow desegregation (albeit with a happy holiday ending), the Court was able to carry on, uninterrupted, with its judicial work. This was quite a public relations coup for an institution that preferred to keep its internal workings out of the public eye, in favor of

²¹ See SCHWARTZ, DECISION at 66; see also BERNARD SCHWARTZ, *SUPER CHIEF: EARL WARREN AND HIS SUPREME COURT — A JUDICIAL BIOGRAPHY* 129 (1983); *id.* at 63.

²² See, e.g., *Griffin v. County School Board of Prince Edward County*, 377 U.S. 218, 221-22 (1964); *Palmer v. Thompson*, 403 U.S. 217, 240 (1971) (White, J., dissenting).

its public work of denying, granting, deciding, opining, and ordering. Indeed, the other major newspapers seem to have viewed the Christmas party story as so insignificant that it did not even merit the squibby coverage given by the *Times*. They gave it none.

II. THE TELLING OF THE SHORT STORY

But how was it that things turned out so very well for the Court? How, if the earlier Christmas parties were so far off the journalistic radar, did word of the 1959 party get out? And how, once word of the 1959 party did get out, did the earlier parties and related matters remain unpublicized?

Two possibilities seem most plausible (there are plenty of others, but they strike me as too far-fetched). Of the two, the second seems like the better bet.

A. Editorial Discretion

First, perhaps the *Times* or other newspapers did know in 1959 about the history of Christmas parties at the Court, as well as that year's event. After all, top-notch reporters are good at finding things out. But perhaps editorial judgment in 1959 favored silence about the ugly past. Perhaps the journalistic wisdom was that readers did not need to know about the Court's earlier racial improprieties, much as readers did not need to know about U.S. Presidents' marital infidelities. It was certainly possible. Reasonable minds can differ about the proper role of journalists in general, and of the Supreme Court press corps in particular: how much doubting and digging should reporters do, and how much of what they know should they tell?²³

²³ See, e.g., Anthony Lewis, *Sex and Leadership*, N.Y. TIMES, Feb. 23, 1998, at A19; Anita L. Allen, *Privacy and the Public Official: Talking About Sex as a Dilemma for Democracy*, 67 GEO. WASH. L. REV. 1165, 1174 (1999); David J. Garrow, *Mental Decrepitude on the Supreme Court*, 67 U. CHI. L. REV. 995 (2000); compare also, e.g., Linda Greenhouse, *Telling the Court's Story: Justice and Journalism at the Supreme Court*, 105 YALE L.J. 1537 (1996), and *Judicial Conference Second Judicial Circuit of the United States*, 201 F.R.D. 106, 186 (2000), with Randall Kennedy, *Cast a Cautious Eye on the Supreme Court*, in COVERING THE COURTS: FREE PRESS, FAIR TRIALS, AND JOURNALISTIC PERFORMANCE 125 (1999).

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Was 1959 really the right time, a journalist might have asked herself or himself, to be reporting on the fairly recent (1947) and successful resistance by some Court employees to the desegregation of Court social events? That in itself would have been a troubling story, but it would have been made even more embarrassing by some of the details from 1947, including:

- The resisters were aided by two Justices who spoke against hosting a desegregated Christmas party (for reasons not entirely clear), and yet were members of the unanimous Court in *Brown v. Board of Education*.
- Those two Justices were from the enlightened North (Frankfurter and Jackson), while the Justices who spoke in favor of desegregating the Christmas party were from the benighted South (Vinson, Black, and Reed).
- It was law clerks who championed the desegregated Christmas party – and thus it was clerks, not Justices, who were taking the lead in desegregation of the Court itself.²⁴

I know of no evidence, however, tending to prove or disprove that anyone at the *Times* or any other newspaper knew about or even suspected any of this in 1959.

There were people inside the Court who knew how to prompt a journalist²⁵ and knew about the events of 1947, including two whose knowledge was first-hand (Justices Black and Frankfurter). And then

²⁴ This might also have complicated debates about clerical influence at the Court. Compare, e.g., William H. Rehnquist, *Who Writes Decisions of the Supreme Court?*, U.S. NEWS & WORLD REPORT, Dec. 13, 1957, at 74, with William D. Rogers, *Do Law Clerks Wield Power in Supreme Court Cases?*, U.S. NEWS & WORLD REPORT, Feb. 21, 1958, at 114; see also Brad Snyder & John Q. Barrett, *Rehnquist's Missing Letter: A Former Law Clerk's 1955 Thoughts on Justice Jackson and Brown*, 53 B.C. L. REV. 631 (2012); David J. Garrow, "The Lowest Form of Animal Life": *Supreme Court Clerks and Supreme Court History*, 84 CORNELL L. REV. 855, 869-71 (1999).

²⁵ See, e.g., WILLIAM M. WIECEK, *THE BIRTH OF THE MODERN CONSTITUTION: THE UNITED STATES SUPREME COURT, 1941-1953*, at 399 (2006) (Frankfurter); Brad Snyder, *Taking Great Cases: Lessons from the Rosenberg Case*, 63 VAND. L. REV. 885, 946 n.340 (2010) (Douglas).

there were those former law clerks who had tried and failed to partially desegregate the Court in 1947. None of them, as best I can tell, spoke or wrote in public, or privately commented to a reporter or editor, about the failure of the *Times* to publish the full scoop on Christmas parties at the Court. Too much can be made of silent dogs, but here they just might be some slight evidence that the Court community of 1959 was happy that the journalistic community of 1959 was ignorant of (or intentionally silent about) holiday socializing in the Court community of 1947.

B. Good Fortune

Second, perhaps the *Times* found out about the 1959 party fortuitously, and in a context where the news did not raise journalistic suspicions of a deeper and dirtier story. That chance and that context, I suspect, came in the form of a cheerful announcement in the Court's brand-new employee newsletter, *The Docket Sheet*.

On December 16, 1959, the Court put out the first issue of *The Docket Sheet*. The editor, Bert Whittington (the Court's press officer) described the inspiration for the new publication in a sidebar on the front page of that first issue:

This began as only a note to employees on the new Credit Union. Now, it has graduated to a monthly memorandum to be called, "The Docket Sheet." The Marshal, Clerk and other officers felt that a monthly circulation of information of interest to employees would benefit us all. We hope so. We hope you will look forward to it; also to participating with ideas and information.

The Chief Justice, after reading this first issue, agreed to contribute. He said, "I think this project by the staff of the Court will prove of real value. I welcome it, and take this opportunity to wish all employees of the Building a Merry Christmas and Happy New Year."²⁶

²⁶ Bert Whittington, *THE DOCKET SHEET*, Dec. 16, 1959, at 1, reprinted in 17 GREEN BAG 2D 327, 328 (2014).

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Given the time of year and the intended audience for the publication, it should come as no surprise that the lead story was about holiday season activity inside the Court. The story was titled “CHRISTMAS PARTY – A BIG EVENT THIS YEAR”:

This year, for the first time, we will have a Building-wide Christmas Party. All employees everywhere in the Building are invited to come and extend the greetings of the season to their fellow workers. It’s set for Wednesday, Dec. 23 at 4 p.m., Main Floor Conference Room. There’ll be light refreshments, music and much good will . . . we hope you won’t miss our first big Holiday-Season get-together.²⁷

As to what prompted the party itself, I have no idea. Similarly, I do not know whether it was the Christmas party story in the December 16 *Docket Sheet* itself that became the basis of the Christmas party story in the December 28 *New York Times*, or whether word of the party reached the *Times* in some other way. Somehow, though, the *Times* got the idea that the 1959 Christmas party was the Court’s first, and I can find no source other than *The Docket Sheet* for that idea. I doubt anyone at the Court would have lied to a *Times* reporter about the history of Christmas parties at the Court. But if a journalist saw *The Docket Sheet* – Whittington, as the Court’s press officer, routinely dealt with the press and may well have intentionally or unintentionally shared the newsletter with reporters – and ran with the story, who would have been in a position to correct or stop it? And who would have wanted to? Moreover, why would a reporter have inferred anything bad or suspicious from the announcement of the “first . . . Building-wide Christmas Party”? It would have been quite reasonable to lean on the word “first” – to treat that as the news – not the words “Building-wide,” especially absent any evidence or hints that “Building-wide” also meant “desegregated.” All there was to see was a happy holiday story on a slow news day between Christmas and the new year.

²⁷ *Christmas Party – A Big Event This Year*, THE DOCKET SHEET, Dec. 16, 1959, at 1, reprinted in 17 GREEN BAG 2D 327, 328 (2014).

And so, it seems, one way or another, the fiction of the Court's first Christmas party was born.

All of this still leaves open the question of whether it was a harmless fiction. Was it a good thing or a bad thing that the *Times* did not report in 1959 – for whatever reason – the history of Christmas parties at the Court dating back to 1946? Would the world have been a better place then or be a better place now if the public had known about this ugliness at the time? For example, would public awareness of the Court's own imperfect compass have strengthened massive resistance? Or, for counter-example, would the Court's awareness of public awareness of the Court's imperfect compass have inspired better treatment within the Court itself of racial minorities – and women, and other victims of discrimination – when it came to doling out very limited and extremely valuable job opportunities at the Court?²⁸

III. THE DOCKET SHEET

The Supreme Court's new employee newsletter may not have been conceived in 1959 as a public relations tool for the Court, but it seems to have performed that function well at the start. In the 1960s, *The Docket Sheet* would become a source of information for national publications such as the *ABA Journal*, which even encouraged readers to get their own *Docket Sheets*: "A copy can be obtained free by writing to Bert Whittington, the Court's press officer."²⁹

The first seven issues of *The Docket Sheet* – covering December 1959 through June 1960 – are reprinted in their entirety below on pages 328-354. Why the first seven? Two reasons. First, every issue of *The Docket Sheet* contains interesting and entertaining material, and a couple dozen pages' worth seems like an appropriate amount

²⁸ See, e.g., SETH STERN AND STEPHEN WERMIEL, JUSTICE BRENNAN: LIBERAL CHAMPION 386-89, 399-402 (2010) (describing Justice Brennan's persistent resistance to hiring female law clerks and the extraordinary, and successful, exertions of a former clerk to change his mind on one occasion).

²⁹ Arthur John Keeffe, *Practicing Lawyer's guide to the current LAW MAGAZINES*, ABA J., Aug. 1964, at 788.

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for a first installment, at least for publication in the little *Green Bag*. Second, getting to the seventh issue means getting to *The Docket Sheet*'s coverage of Justice Tom Clark's June 9 lunch date. It was, in hindsight, another interesting internal Court event, a foreshadowing of some of the civil rights controversies in which the Court has recently been involved – albeit a foreshadowing of which Justice Clark was probably perfectly unaware. Take a look for yourself at page 3 of the June 1960 *Docket Sheet* (page 352 below).

GB

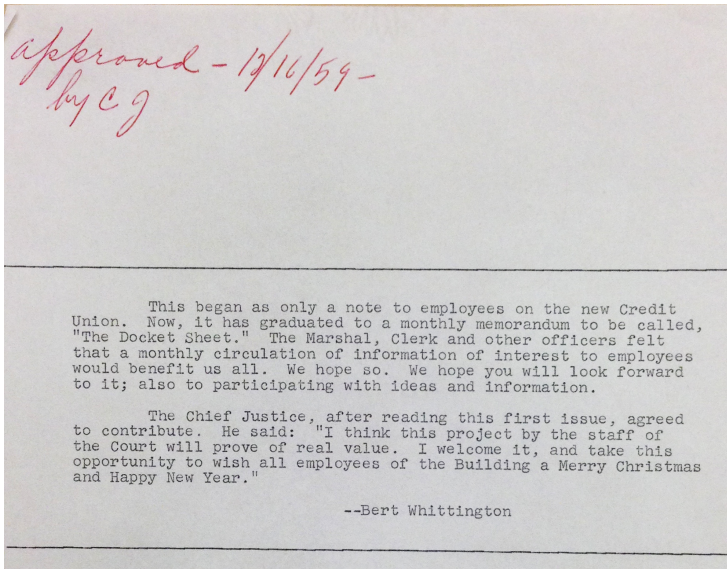




THE DOCKET SHEET

Banning E. "Bert" Whittington

Mr. Whittington explains the roots of *The Docket Sheet* on page one of the first issue (page 328 below). It does seem to have been rather an informal start. This sign-off by Chief Justice Earl Warren (in box 666 of his papers at the Library of Congress, Manuscript Division) is the only official blessing of the publication we have found:



The issues of *The Docket Sheet* printed here are from box 313 of the papers of Justice Harold Burton (also in the Manuscript Division).

— *The Editors*

Bert Whittington was the U.S. Supreme Court's Press Officer from 1947 to 1973.

Banning E. Whittington

THE DOCKET SHEET

Vol. 1 - No. 1

December 16, 1959

CHRISTMAS PARTY--A BIG EVENT THIS YEAR

This year, for the first time, we will have a Building-wide Christmas Party. All employees everywhere in the Building are invited to come and extend the greetings of the season to their fellow workers. It's set for Wednesday, Dec. 23 at 4 p.m., Main Floor Conference Room. There'll be light refreshments, music and much good will...we hope you won't miss our first big Holiday-Season get-together.

OUR CREDIT UNION EXPECTS 4% DIVIDEND

Our new Federal Credit Union is a good way to save, as well as borrow. In reply to inquiries, some advantages are: All profits (after reserves and operating expenses) go to members as dividends...the Senate Credit Union, with which we are affiliated, paid 3% in 1956; 3-1/2% in 1957 and 1958; and anticipates paying 4% in 1959, plus a refund of interest. You get free life insurance, matching the amount of your shares up to \$2000, decreasing somewhat after age 55. Withdrawals: Make them at any time, the same as at your bank, but some notice is needed on large amounts such as \$1000 or more. Credit Union saving is easy for us...just sign up, then mail in your payments...a central point here in the building may soon be opened a few hours a week, or on pay days...the "thrift habit" is a primary aim of the Credit Union and you can join for a \$5.00 share...there is no maximum on the amount that you can invest...be sure and buy shares in even amounts of \$5.00 because dividends are figured only on \$5.00 shares.

This began as only a note to employees on the new Credit Union. Now, it has graduated to a monthly memorandum to be called, "The Docket Sheet." The Marshal, Clerk and other officers felt that a monthly circulation of information of interest to employees would benefit us all. We hope so. We hope you will look forward to it; also to participating with ideas and information.

The Chief Justice, after reading this first issue, agreed to contribute. He said, "I think this project by the staff of the Court will prove of real value. I welcome it, and take this opportunity to wish all employees of the Building a Merry Christmas and Happy New Year."

--Bert Whittington

The Docket Sheet

A few notes, too, on borrowing: Featuring lower interest rates than the "money lenders," the Credit Union's purpose is to provide funds from a common pool to help fellow employees over rough financial spots...our unit, for the first time, looks to an interest refund, meaning that a percentage of interest paid this year would be returned to borrowers...you can borrow small amounts; you don't necessarily need to apply for \$100 or more...emergency loans can be worked fast, too, here in the Building...see Perry Lippitt, who is our member of the Credit Committee...make sure you get the right information though, on savings or loans...either see Mr. Lippitt or Miss Margarite Geiger in Room 34A of the Senate Office Building (Code 180 X-2730).

To date, we have not made a good showing as a Credit Union group...we have only 47 members out of a total of 240 eligible employees...the officers of the Court have all joined as shareholders...more are needed to make us a Go-Go unit...it only takes \$5.00...Mr. Lippitt has the blanks and information.

COURTHOUSE NOTES

The man with the new Lieutenant bars on the Police Force is Leonard Cross, who succeeds L.A. Anderlot, now retired. Lt. Cross has been with the Court 17 years, and he's a native of D.C. Stepping up into Cross's place as Sergeant is Joe Reil, a 5-year man on the force...he is a native of Woodridge, N.J. Congratulations are in order when you see these officers in the halls. Jim Browning's multilith machine is now installed and ready to go...it is supposed to be able to reproduce anything (except money)...Do you have a challenge for it? Mrs. Elsie Douglas, back at full time with Mr. Justice Frankfurter after recovering from a broken leg, and it's good to see her...nurse Rebecca McGuire is the same, after a 3-month seige in the hospital, but she has a new son to show us now. This she did the other day in the cafeteria.

Work of transferring the old records of the Court, beyond 50 years back, is almost completed...these records are now at National Archives...Mike Rodak has a new son...Mrs. Mertens' annual Christmas Tree is a home-made creation this year and does our cafeteria proud...and the Building closes from noon Thursday to Monday for Christmas and from 5:00 p.m. Thursday to Monday for New Years, if you didn't know.

New Addresses: Jean Clemencia (Marshal's Office) 4230 - Southern Ave., S.E., LU 2-6421; The Whittingtons (Press Office) - 6037-5th Rd., N., Arlington 3, Va., JA 2-4860; Mary McPherson (Char Force) - 207-A St., N.E., LI 6-0973; Helen Lally (Library) - 3200 16th St., N.W., AD 4-9112; Pvt. William H. Chavis (Police) - 3529 Stanton Rd., S.E., JO 1-1621.

Banning E. Whittington

Court's Newest Employees: Clerk's Office - June M. Hoffman; Mrs. Virginia Gibson. Reporter's Office - Anne Baker Hanson; James Clark; Genevieve Howell. Police Force - Pvt. Stephen Sokolski and Pvt. Basil Demian.

The Marshal is readying a pleasant surprise after the first of the year for long-time employees of the Court... since this means most of us, it's worth watching for.

Bert Whittington
Bert Whittington

The Docket Sheet

Vol. 1, No. 2

January 15, 1960

For The First Time:

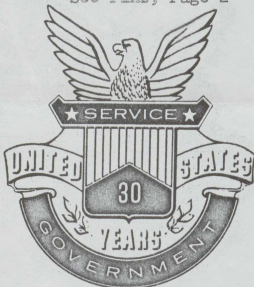
COURT EMPLOYEES TO GET PINS FOR LONGEVITY SERVICE IN GOVERNMENT

For the first time, merit pins for longevity service will be awarded to employees here, we are happy to report.

Similar to pins presented in other Federal Agencies, as you can see from the sample below, they will be awarded yearly, probably around Christmas time.

All of your Government service will count. The pins will go to all employees including those under the Architect of the Capitol.

Most of us, at the outset, will receive a pin. They are to be awarded to all employees with 10 years or more of Government Service, as of the See Pins, Page 2



Your pin will be lettered with "Supreme Court," unless part of an employees service was with another agency.

xxx COURTHOUSE NOTES xxx

Our good friend, Mr. Justice Reed reached his 75th birthday on December 31. This is a milestone in any man's life. As you know, he still comes to his office everyday...Woodie Watkins (Air Conditioning) is back on the job after recuperating from a second seige of heart troubleOlyus F. Hood (Justice Brennan's Office) has a son, Warren, born in December...The Court attended the January 5 Joint Session of Congress in a body to hear the President's State of the Union message... Rice Odell has replaced Don May as reporter here at the Court for the Washington Daily News. Mr. May has moved on to UPI... Lt. Cross is now attending an advanced course for Lt.'s and Sgt.'s at the DC Police Academy ...Next week, Civil Service Commission, is sponsoring a Government-wide observance of it's 77th Anniversary. Most agencies are taking part...For those who might be interested in Radio or TV, we have a new Manual on the industry called - On Mike! On Camera! - which we'll be glad to loan out.

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NEW ADDRESSES:

Capt. John B. Kendrick (Police Force)-4926 56th Ave., Hyattsville, Md., AP 7-3451. Iris Lee (Custodial Force)-3008 15th St., N.E. Martha L. Mason (Char Force)-53 T. St., N.E., HO 2-1562.

Banning E. Whittington

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CHRISTMAS PARTY WELL ATTENDED

Our first building-wide Christmas party was well attended by more than 150 employees...consensus was that everyone had a good time.

The Washington-Lee High School Madrigal Singers gave a wonderful performance, as did George Hutchinson's daughters.

We hope you'll look forward with us to a better party for next year. Much credit goes to "Hutch" for this year's arrangements.

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SERVICE PINS (Cont.)

past December 31.

The steps to a new pin will be each 5 years, as follows:

Bronze, 10 years
Silver, 15 and 20 years
Gold, 25 up to 40 years
Gold with Diamond, 40 years and over.

At present, only two diamond pins will be presented. They go to Harold Joice, (Stationery Department), a 40-year veteran with the Court and 42 years Government service overall, and Walter Wyatt, the Reporter of Decisions, who has a total of 42 years of Government service.

A special presentation meeting will be held in the near future with everyone invited. You will be kept posted as to the date and details.

If you have had service with other agencies and believe you are eligible for a service pin, you might check with the Marshal to make sure he has you on his list.

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JUSTICE STEWART'S SAILFISH ARRIVES

Mr. Justice Stewart is proudly displaying his sailfish, caught last August off Miami Beach. A 7'8" beauty, it is now mounted on a wall of his private chambers.

The Justice says he will be happy to show it to anyone who would like to drop into his office.

He hooked the fish on a one day's outing while attending the ABA Convention. His warning, if you catch one, is to have lots of money to pay the taxidermist.

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SICK LIST:

Andrew Puceta (Carpenter Shop) - throat ailment. Horace Slade - (First Aid) - virus, slight pneumonia.

A number of other employees are out with the virus bug that has hit most of Washington.

Our Retirees

COLLINS SERVING AS
LAW LIBRARIAN

Randolph S. Collins, retired from the Reporter's Office, is now Law Librarian of the Supreme Court of Utah...good luck to Spence...he and his wife now live at 2036 Lincoln Lane, Salt Lake City 17.

Herewith: Addresses for some other retired employees: (more will be carried in later issues) - Elbert E. Heard (Police)

See Collins, Page 3

The Docket Sheet

Page 3 - The Docket Sheet

With Door Prize!

ANNUAL MEETING OF OUR CREDIT UNION SCHEDULED FOR JANUARY 22

The Senate Credit Union, with which we are affiliated, will hold its Annual membership meeting this month and all employees here are invited, whether they are Credit Union members or not. The meeting is scheduled for 3:00 p.m., Friday, January 22 in the auditorium of the New Senate Office Building.

Since we are new to the Credit Union, everyone is urged to turn out. A door prize of a new clock radio will be given away.

Incidentally, a correction from last month: The Credit Union matches your funds in life insurance up to \$1000, not \$2000 as was reported.

"TODAY" FEATURES COURT

The Court was featured on Dave Garroway's "TODAY" Television program on January 14, as part of a telecast on the Federal Governmentit included an interview with Mr. Justice Douglas and pictures of the Courtroom and Building... the "tape" of the show was made on January 9 and the Police on duty that night enjoyed coffee with Garroway and other members of his cast.

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Collins Serving (Con't.)

507 N. Main St., Dickson, Tenn.; William B. Reilly (Police Sgt.), 6406 Knollbrook Dr., Hyattsville, who recently has been ill; L. A. Anderlot (Police Lt.), Bell Haven Park, Box 4, 1112-3200 N.W., 79th St., Miami, Florida.

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SUSHA, MEGILL
TO GET GSI PINS

Mrs. Edythe Sussha and Mrs. Ruth Megill, (Cafeteria) will receive 15-year and 10-year service pins respectively at a presentation tea to be given by GSI on January 19. Congratulations!!

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Our Condolences To:

Dennis McLaughlin (Mechanical Force) - whose wife died last week after prolonged illness. Robert Wright (Labor Force) - whose mother died last week in Alabama. Mrs. Helen B. Taylor (Clerk's Office) whose husband, Roy, died suddenly Wednesday night in Arlington.

BERT WHITTINGTON

The Hocket Sheet

Vol. 1, No. 3

February 15, 1960

ADMISSIONS AND FINANCE OFFICE MOVES TO "154"

This week is "moving day" for a section of the Clerk's Office. Rodie Waggaman, Miss Amelia Beck and Ed Faircloth will move to a renovated office down the hall, Room 154, which has been the Solicitor General's office.

This will be known as the Court's Admissions and Finance Office. It will relieve, it is hoped, the congestion and crowdedness of "the Clerk's Corner" on busy Mondays.

A newly-decorated office for the Solicitor General is being prepared on the Ground Floor at Room No. 2. This, the Clerk says, will be fixed up in a traditional manner to befit our long relationship with famous S.G.'s.

Room 105---which has served as Admissions Office since the Building opened---will now become the reception office of the Clerk's operations. Tracy Williams, the Clerk's Secretary, and Mrs. Helen Loughran will occupy this office and screen the hundreds of telephone inquiries to the Clerk's Office. Visitors who have business at the Clerk's Office should be referred to 105 now.

In another change, the Clerk has set up a new Record Reading Room in Room No. 4 where attorneys and others can be directed to read cases and records.

SERVICE PINS READY

Our service pins, which will be awarded to all employees with 10 years or more of Government Service, are now being distributed by the Marshal. We hope that everybody will be displaying their pin by the week-end.

COURTHOUSE NOTES

Changes in telephone numbers: Miss Dina Zucconi (Marshal's Office) from 283 to 280, and the number of the Secretarial pool is 293...hearing before the House Committee on our appropriations for fiscal 1961 was held on February 1. Mr. Justice Black and Mr. Justice Clark, along with the Clerk, Marshal and Dina Zucconi, appeared for the Court. Another hearing, tomorrow, has been scheduled on the problem of obtaining appropriations for the elimination of the starling menace.

Our young police force, as part of its physical fitness program, has organized a good basketball team, so they claim. Anyhow, they feel confident enough to challenge any group in the Building. The Law Clerks, who beat the Law Clerks of the Court of Appeals in touch football last fall, may just find time to take up this challenge...Clarence Boone (former elevator operator), Bob Marshall (former Robing room attendant), and Thomas E. Waggaman (former Marshal) all were visitors to the Building during the last month... Lt. Cross has graduated from the school for Lt.'s and Sgt.'s at the D.C. Police Academy and Sgt. Joe Reil is now attending...we were sorry to learn of the death of Mrs. Ada D. Loughran, mother-in-law of Mrs. Helen Loughran, (Clerk's Office).

The Docket Sheet

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The Docket Sheet

ILLNESSES

Andy Puceta (Carpenter Shop) is in Sibley Hospital and making satisfactory progress after a serious operation. Andy can have visitors and is anxious to have you call.

Henry Hutchison (Mechanical Force) is to enter Doctors Hospital for examination and treatment. He has been off duty in recent days.

George Hutchinson (Crier) back after missing a few days due to a virus.

Margaret Nolan (Telephone Operator) back today after a hospital check-up.

Tracy Williams (Clerk's Office) back on the job after two weeks illness...influenza.

Introducing...

OUR NEW EMPLOYEES

Recently we welcomed to the Supreme Court family Mrs. Helen Joy Dixon and Miss Carol Ann McClure, who are serving in the Secretarial pool under the supervision of Miss Helene Dwyer...Mrs. Dixon, a native of Takoma Park, came here from the Washington offices of Cook Electric Co., and lives in suburban Glenridge, Md....Miss McClure came to the Court from the FBI and lives in the Capitol Hill area. She is a native of Wellington, Illinois.

New Police Force members:

Joseph R. Tomarchio, formerly of the Metropolitan Police force at #14 precinct. He lives in Alexandria and hails from Chester, N.Y.

Howard E. Riley, a D.C. native, came to the Court from the Bureau of Engraving. He formerly served on the Fairmont Heights, Md., Police Force.

OUR BLOOD BANK HELPS EMPLOYEES, THEIR FAMILIES

Our nurse, Mrs. Becky McGuire, reports that the response to the call for emergency blood in the illness of Andy Puceta was most gratifying. Twenty-six donors came forward.

Further, it is pointed out that we have a regular Blood Bank of our own. It requires a quota of a minimum of 20 donors annually to insure a supply of unlimited blood to take care of any illness among our personnel and members of their families. Blood donated goes into the Red Cross Blood Bank from which we, in turn, may draw.

Everybody hopes that we will be able to keep up our quota each year.

Justices Lunch With Boy Scouts

A wonderful luncheon, featuring 50 Boy Scouts, one from each state, was held at the Court on Feb. 10. The luncheon was part of the 50th Anniversary Celebration of the Boy Scout movement. Most of our Justices attended and met the Scouts, who made a colorful picture in their red coats. In turn, the Scouts presented a plaque to Mr. Justice Clark, who tendered the luncheon. The plaque, with a sculptured Boy Scout figure, is engraved, in part: "...in recognition of his contribution in the service to Youth on the occasion of the celebration of the 50th Anniversary of the Boy Scouts of America."

Banning E. Whittington

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The Docket Sheet

Annual Meeting

CREDIT UNION PAYS 4% DIVIDEND; LIPPITT NEW PRESIDENT FOR 1960

Our Credit Union, at its annual meeting, declared a 4% dividend on all shares and a 10% refund of interest on all loans. The dividend is now being posted to deposit books. Make sure you get yours in.

The big news for 1960 is that the Marshal, T. Perry Lippitt, was elected as President and George Hutchinson, the Crier, to the Board of Directors. Both also are serving on the Credit Committee.

The full list of officers for the coming year: President- Perry Lippitt; Vice President- James L. Johnson; Treasurer- William R. Lewis; Secretary- Helen Brennan; and to the Board, besides Hutchinson, William F. Raines and Walter L. Mote.

It was brought out at the annual meeting that the assets of our unit were up 70% in 1959 and new earnings increased a like amount. The door prize was won by a Senate employee although a number of our Court people were on hand.

THREE IN CLERK'S OFFICE AWARDED FEDERAL CERTIFICATES

Three long-time employees of the Clerk's Office have been awarded the certificate of merit of the Federal Court Clerk's Association for completing more than 25 years of service in their profession.

The certificates go to Ed Cullinan, Bill Allison and Rodie Waggaman. As a fine compliment, the award says their service has been "unselfish, honorable and a splendid contribution to the cause of Justice." Let's all congratulate them!

Also, our Clerk, Jim Browning, has been appointed to serve as a member of the National Advisory Committee of the same association.

Cap't. Crook Now A "J.P."

Letters and news of our retirees are coming in...Capt. Phil Crook, retired from our Police Force, has a new job as Justice of the Peace in Angelica, N.Y., his home now. He sends his regards to "all my old friends at the Court"...his address is just Angelica, N.Y.

The addresses of several other retired employees: Mrs. Charles T. Regis (Gertrude Jenkins), 441 E. 20th St., New York 9, N.Y.; Wendell W. Mischler, former secretary to Chief Justice Hughes, Roosevelt Hotel, D.C.; and Howard E. Black (Clerk's Office), Box 136, Route #1, Bryan's Rd., Indian Head, Md.

Bert Whittington

The Docket Sheet

Monthly News Forum for Employees---

SUPREME COURT OF THE UNITED STATES

Vol. 1, No. 4

March 15, 1960

Editor,

Bert Whittington

10 EASY RULES TOWARD PHYSICAL FITNESS

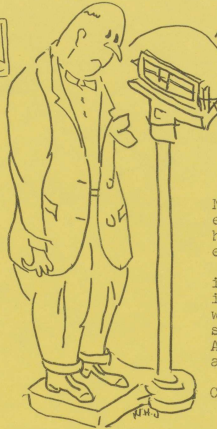
Since the National Health Agencies campaign is on for the next month, this is a good time to talk about physical fitness. Doc Slade and Becky McGuire urge every employee to plan his or her own program for staying physically fit.

Not that we lack interest here in the diet-weight sweepstakes. We do well, for one of our favorite indoor sports these days is watching those scales, as shown by Harold Joice's cartoon on this page.

While physical fitness is a personal thing, and something that should begin after a Doctor's consultation, there are some easy rules that apply to all, according to Dr. Calver, Capitol Hill Physician. He has listed ten easy ones, which he says, if obeyed, will keep a person "on the job and physically fit." Further, he says, you can adjust yourself to any condition of climate, weather, or work if you will but remember these few words:

1. Eat wisely
2. Drink plentifully
3. Eliminate thoroughly
4. Bathe cleanly
5. Exercise rationally
6. Accept inevitables
7. Play enthusiastically

DOC
Slade's



Our Favorite Indoor Sport!

Heck!
Two More
Pounds

NATIONAL HEALTH DRIVE IS NOW IN PROGRESS

8. Relax comfortably
9. Sleep sufficiently
10. Check-up occasionally

On the subject of the National Health Campaign, envelopes for contributions have been distributed to all employees here.

The Health Fund drive is held annually among civilian and military Government workers to raise money to support six National Health Agencies in the Washington area. These are:

National Society for Crippled Children and Adults; United Cerebral Palsy Association; American Cancer Society; American Heart Association; Muscular Dystrophy Associations of America; National Multiple Sclerosis Society.

Employees might like to visit the 2nd Annual Health Fair, conducted as a part of the campaign, which will be held March 23 to 30, daily, 9:00 a.m. to 5:00 p.m., in the Commerce Department's Main Lobby. Exhibits include films, literature and information about prevention and protection methods to combat many of our dreaded diseases; also other aspects on the campaign goal... "Better Health for Everyone."

THE DOCKET SHEET

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Ordered by Justice Story

**FAMOUS CLOCKMAKER MADE
CLERK'S ANTIQUE IN 1837**

The Clerk's Office has been doing a little research on clocks...the results of this probing by Ed Schade show that we have a clock of some fame in our building. This is the antique, gold-encrusted clock, now repaired and hanging in Room 102.

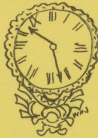
It was made by Simon Willard, a celebrated clockmaker of early days. Willard, born in Grafton, Mass., worked out of Roxbury and Boston. He worked for presidents and colleges and many of his clocks are still famous in this country. He was in charge of the clocks at Harvard University for more than 50 years.

Our big, round clock, with large, black Roman numerals, was one of two ordered from Willard by the U.S. Government in 1837. It was ordered by Justice Joseph Story and installed by Willard in space occupied by the Court in the Senate. The other clock was the famous "Franzoni" clock, with a winged figure of a woman, located now in Statuary Hall at the Capitol.

Willard was 85 when he made the two clocks. The inscription on the pendulum of our clock reads: "Made by Simon Willard in the 85th year of his age—Boston, July 1837."

When the Court moved from the Capitol in 1935, the clock was brought to this building and it hung for many years in the Clerk's File Room under the watchful eye of Leo Jackson. It did not run, however, during most of this period.

While making some renovations, Jim Browning, the Clerk, became interested in the clock. It was repaired and



Holmes' Life on TV Sunday

The American Heritage series on television will dramatize the life of Justice Oliver Wendell Holmes over the NBC-TV network on Sunday, March 20, from 8 to 9 p.m., EST.

moved to Room 102 where Ed Cullinan, Dick Blanchard and Mike Rodak are checking it as a time-keeper. Some adjustments are still needed, they report, as it is running a few minutes off schedule.

ILLNESSES

Henry Hutchison (Mechanical Force) visited the Building last week after a lung operation. Feeling fine, and will be back at work after a period of rest. Andy Puceta (Carpenter Shop) now able to go home for short visits, but still confined to Sibley Hospital, following recent throat operation. Stephen Sokoloski (Police Force) confined to his home in Ashley, Pennsylvania after he had gone there for a visit. Miss Vivian Hayes (Library) back this week after a brief illness.

Take Docket Sheet
Home for Families

All employees are encouraged to take copies of The Docket Sheet home each month in order that our families might keep up with the news and events at the Court.

Some are doing so already, and the response has been gratifying. Extra copies, if needed are available at the Marshal's Office or Press Office.

Also, we will mail copies to any person connected with our "official family" who might benefit from receiving The Docket Sheet. Names and addresses should be given to Billie Walker, Press Office.

THE DOCKET SHEET

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COURTHOUSE NOTES

Justice Douglas has a beautiful, new Indian head-dress in his office, presented to him recently by the Pueblo Indians. They inducted him into the tribe as a Chieftain and also gave him a Pueblo tomahawk to present to the Chief Justice. The Pueblos designated Justice Douglas a Chieftain, without a tribe name. Last summer, when the Blackfoot Indians honored both the Justice and the Chief Justice as honorary Chieftains, they bestowed the name of Chief Eagle on the Chief Justice and Chief Wise Buffalo on Justice Douglas. Justice Whittaker, on April 3rd, will be the honor guest as his home folks in Troy, Kansas celebrate the Centennial Anniversary of the Pony Express. ...Our Pages are holding these offices at the Page School this year: John Nolan, Student Council Representative of the Senior Class; Sam Williams, Vice-President, Senior Class; Stuart Wolfrey, Sergeant-at-Arms, Junior Class; Jim Welday, President, Sophomore Class (1st semester); and Frank Green, Secretary-Treasurer, Sophomore Class. ... Federal Income Tax Return time is at hand, so is auto tag time. Extra tax forms, if you need them, are available from Roddie Waggaman or Miss Amelia Beck. The word is that the Treasury Department is checking carefully this year on income received as dividends and interest, so be sure and report these on your return. ...The Federal Credit Union has published an interesting new pamphlet which shows you how to keep better track of your money. It is called, "Boss Your Spending" and outlines a method for keeping a record of your daily and weekly expenses.

"Operation snowbound" caused Mr. Justice Minton and Mrs. Minton to postpone their planned visit to Washington last week...we hope the weather breaks

soon so they may come from their home in New Albany, Indiana.

It has been suggested, and we are passing the idea along, that a pick-up box for outgoing mail be installed on the Ground Floor. Such a place for posting mail would save Ground Floor employees a trip upstairs or downstairs...Henry P. Chandler, retired Director of the Administrative Office, is serving a one-year appointment in the work of establishing an Administrative Office for the Courts of the State of Illinois. He has presented the Illinois Supreme Court with a five-point program for alleviating the problem of serious court congestion in Cook County, Chicago.... Bob Marshall, retired robing room attendant, visited the Court again last week.

ADDRESS CHANGES

Earl Smith-(Labor Force)-
5519 Illinois Ave., N.W. Dennis
Lyons-(Law Clerk-Justice Brennan)-
3035 New Mexico Ave., N.W. Julia
Taylor-(Char Force)-55 M. St., N.W.

The Killer Disappears

Our killer "owl," who has been snapping heads off starlings, has disappeared the last few days. This bird, for some time, had been sleeping during the day at the Northeast corner of the building and, by night, giving the starlings the business.

Meanwhile, the plan to bird-proof the Courthouse has moved a step nearer reality. The House Appropriations Committee, late last month approved the \$35,000 fund for the electronic system needed to drive away the hordes of starlings and pigeons.

Banning E. Whittington

THE DOCKET SHEET

(Page 4)

B-A-S-K-E-T-B-A-L-L

Police 76, Messengers 62

The Police Force basketball team defeated a team composed of our Messengers and Administrative Office employees, 76 to 62. This, the Police claim, is their seventh straight win over the last 2 years.

The game between the Law Clerks and the Police has been postponed, but is in the offing. The Law Clerks have been practicing and Nick Johnson claims they are ready for the undefeated Police Force five. Steve Sokoloski, the star for the Police, is in Pennsylvania due to illness.

Sokoloski, an All-State High School Star in Pennsylvania, scored 38 points against the Messengers.

Box Score:

POLICE FORCE

	Goals	Fouls	Pts.
Dankos	9	0	18
Boteler	3	0	6
Ketchum	6	0	12
Carroll	0	0	0
Riley	1	0	2
Sokoloski	16	6	38
<u>Total</u>	35	6	76

MESSENGERS-ADM. OFFICE

	Goals	Fouls	Pts.
Glymph	7	0	14
Williams	5	0	10
Smith	6	0	12
T. Mitchell	1	0	2
Butler	3	0	6
McArtis	8	0	16
Datcher	1	0	2
<u>Total</u>	31	0	52

Half Time Score 46-42-Police

Have You Heard?

JUDICIARY EVENTS OF CURRENT INTEREST

It is estimated that about 1,400 people will be in the British Delegation attending the American Bar Association's Annual Convention in Washington on Aug. 29-Sept. 22 this summer. These as well as most ABA conventioners, are expected to visit the Court...The Third Annual Law Day celebration is set for the May 1 period this year and will be observed with ceremonies in many cities. Justice Clark will attend a Law Day Dinner given by the Knox County (Indiana) Bar Association in Vincennes. U.S. District Court Judges and Justices of the Indiana Supreme Court also will be present...The Post Office is using a special cancellation stamp for Law Day which reads:

LAW DAY USA
Freedom Under the Law
May 1

...under our country's exchange agreements with the Soviet Union, a number of U.S. "specialists in the field of law" will visit Russia this year and next. It is indicated, too, that lawyers, traveling as tourists, will have no difficulty in visiting the U.S.S.R. this year.

DEATHS

Hugh W. Barr, 83, who retired as a Deputy Clerk in 1956; died on Wednesday, March 2nd. He had suffered a broken hip in a fall and had been in Washington Hospital Center. "Hughie", as we all knew him, served the Court for 28 years. He was the financial Deputy Clerk and, as such, handled almost 32,000 admissions to our Bar during his career with the Court.

The Docket Sheet

Monthly News Forum for Employees---

SUPREME COURT OF THE UNITED STATES

Editor,

Best Whittington

Vol. 1, No. 5

April 15, 1960

Easter Peak!

BAD WEATHER IN MARCH MEANS
MORE VISITORS TO THE BUILDING
FOR THE UPCOMING WEEKS

Our busiest week-end for the tourist season is coming up Saturday and Sunday - the Annual Easter influx --- and indications are that this year should be one of the biggest Easter periods of all time.

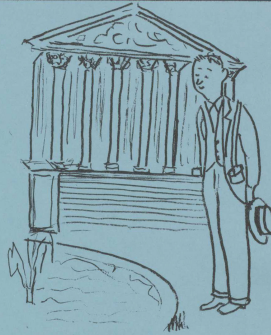
Visitors are late in arriving in Washington this year due to the bad weather in March. Our count shows that only 42,000 visited the building in March, as compared to 90,000 last year.

Most of the scheduled tours for March were postponed and this means that the remainder of this month, all of May, and the early part of June will really see D.C., and our building, thriving with tourists.

This will be a trying period for the Police Force and the Marshal's staff in the handling of so many visitors. Any help they can get from other employees will be appreciated, they say.

Most are school youngsters who someday may be our Nation's leaders. For this reason, every courtesy that can possibly be shown on their visit to the Courthouse is only fair.

The building is ready....dressed up at its best outside, due to Ike Mayhew's manipulations, and the Courtyard fountains and front plaza fountains have been turned on to add to its attractiveness.



MEET OUR NEW EMPLOYEES

Mrs. Edith Parks (new telephone operator)- Mrs. Parks came here from the Library of Congress. She lives in Suitland, and has four children. She is a native of Robbins, Tenn., but has lived in the D.C. area since 1942.

James J. Baker (Police Force) - Pvt. Baker comes to the Court from Lawrenceville, Ill. with his family. He had been in construction work there. He now lives in Prince Georges County.

HELEN GAYLORD'S MOTHER DIES

Mrs. Rachel Gaylord, mother of Miss Helen Gaylord, (Justice Reed's Secretary), died on Tuesday, April 12. She had been in ill health for some time. All employees join in extending their sympathy to Helen and her sister.

This is Your News Forum
Ideas and Contributions are
Welcome-even some writing!

Banning E. Whittington

THE DOCKET SHEET

(Page 2)



"Let reverence for the laws be breathed by every American mother to the lisping babe that prattles on her lap; let it be taught in schools, in seminaries, and in colleges; let it be written in primers, spelling-books, and in almanacs; let it be preached from the pulpit, proclaimed in legislative halls, and enforced in courts of justice. And, in short, let it become the political religion of the nation; and let the old and the young, the rich and the poor, the grave and the gay of all sexes and tongues and colors and conditions, sacrifice unceasingly upon its altars."

-----Abraham Lincoln.

MANY CHURCHES TO JOIN IN LAW DAY OBSERVANCE

The 3rd Annual LAW DAY USA observance takes place on Sunday this year, May 1, and is expected to surpass the two previous anniversaries.

This year the celebration is a special one due to the fact that it falls on Sunday and will be observed in many churches throughout the country. President Eisenhower has issued a proclamation designating the day as Law Day and urging the legal profession to bring the objectives of Law Day to the public's attention. Emphasis this year is being placed on religion and law; also on the law in its relationship to world peace.

One of the major Law Day programs will be in Chicago when the University of Chicago Law School dedicates its new \$4,500,000 Law School Buildings. Governor Nelson Rockefeller and U.N. Secretary General Dag Hammarskjöld will be on the program.

Address Changes

Mrs. Betty Mertens (Cafeteria) -
1024 DeVere Drive, Silver Spring,
NE 4-1021.

Mrs. Bessie M. Singleton (Char
Force) - 610 3rd St., S.E.,
LI 7-1592.

BASKETBALL

Law Clerks Shatter
Win Streak of Police

The Law Clerks shattered the winning streak of the Police Basketball Team last week, pulling the upset of the year with an easy 98 to 76 win. Earlier in the month, the Police had scored a 79-63 victory over the Law Clerks.

So the teams now are at a one-each standoff, and are planning a big rubber game, tentatively scheduled for Saturday, April 23. The games begin at 3:30 p.m. and are played in the gym on the fourth floor and this final one will be worth watching.

Paul Bender (Justice Frankfurter's Office) and Nick Johnson (Justice Black's Office) were the big guns for the Law Clerks in the victory over the Police. Bender scored 31 points and Johnson 22. Larry Temple (Justice Clark's Office) contributed another 18 points.

Steve Sokoloski continued to lead the Police in scoring with 36. (See scores on Page 5).

• COURTHOUSE NOTES •

Ike Mayhew's green grass around the Courthouse this spring....The Easter egg tree in the cafeteria was a work of art and a contribution to Betty Mertens by Mrs. Ray Clowers....The Police Force, this year, is organizing a softball team and will try to schedule games....Justice Harlan's cute grandchildren, both blondes, were Courthouse visitors recently. Their names are Alice Newcomb and John Harlan Newcomb, the children of the Justice's daughter, Mrs. Wellington A. Newcomb. A third grandchild, Amelia stayed at home in New York City....Police Pvt. Vernon W. Coble has completed the advanced training course at the D.C. Police Academy....A new book called "America Challenged" is being released. It contains, in book form, the Walter E. Edge lectures given at Princeton University this year by Justice Douglas. It is published by the Princeton University Press....The Marshal and Assistants Ray Harding and Dina Zucconi, along with Ed Faircloth of the Clerk's office, attended a day-long meeting at the Civil Service Commission last Friday on details of the Government Health Insurance Program....Our telephone operators would like to call attention to the fact that they are able to arrange "conference" calls. This means that two or more people can be hooked up on the same call....The showings of the series of films on the Constitution and on the Court from the TV show, "Omnibus", were of great interest to many employees. These were shown in the Police Assembly Room last week....In May, NBC will do a two-part TV production on "The Sacco Vanzetti Story" on its Sunday Showcase program....A note has been received from Harold B. Willey, retired Clerk, expressing his sorrow on the death of our late Deputy Clerk Hugh W. Barr. Harold said, in part, "I have just learned that the 'Senator', as he was so fondly called by his office associates, has passed

away. The name fitted him well for a more stately figure never graced the corridors of the Supreme Court Building. He generally found an excuse to whisk through the offices each day with a cheery 'Good Morning' and 'just checking up' routine. During our thirty years together the Senator always remained everybody's loyal friend. He enjoyed living. It is fitting that he was permitted his full share.".....On March 31, two lady attorneys were admitted to the Court's Bar and drew more than a passing interest. One was Mrs. Mary Potter Sharp, a niece of Justice Stewart from East Lansing, Mich., the other was Miss Sarah H. McLean, of New York City, a great granddaughter of Justice John McLean, who served on the Court from 1830 to 1861.Clinton Burke, retired messenger, whose service with the Court marked almost 50 years, will be pictured in the magazine section of the STAR this Sunday in a feature on visiting nurses. Clint has been ill at his home.

Notes on Illnesses

Miss Genevieve Howell, Secretary to Mr. Wyatt, is now at home (3606 Perry St., Mt. Rainier). She is recovering from an illness which had confined her to Georgetown Hospital.

Robert C. Hall (Police Force) is at his home where he has been confined by an extended illness. A card from fellow employees would be greatly appreciated. Address: 3125 S. 12th St., Arlington.

Henry Hutchison (Mechanical Force) returned to work this week after recovering from a chest operation.

Banning E. Whittington

THE DOCKET SHEET

(Page 4)

CREDIT UNION FREE LIFE INSURANCE; HOW IT WORKS

Our Credit Union carries a life insurance benefit for all depositors that is hard to beat. We have been asked to explain how it works again.

Under this life savings plan, every dollar you deposit in the Credit Union is matched up to \$1000 in free life insurance for you. This means that if you have deposited \$500, upon death, your beneficiary would receive not only \$500, but also another \$500 in life insurance. This inexpensive protection is hard to match in any other savings or insurance program.

There is no additional cost for this insurance and the plan is handled by the CUNA MUTUAL INSURANCE SOCIETY, a Credit Union affiliate.

Every member of the Credit Union - man, woman, or child - under age 70 and able to perform the usual duties of his livelihood (at work, home or school) is eligible for this insurance when he deposits money in the Credit Union.

Deposits made up to age 55 will always be matched dollar for dollar in insurance as long as you leave money in the Credit Union, even if you die at age 99.

Deposits made after age 55 are matched on a graduated scale of less than a one dollar's worth of insurance for each one dollar of savings. If you retire, you still keep your life insurance as long as your money remains in the Credit Union.

If you leave the Credit Union, you have the privilege of converting your policy with CUNA MUTUAL to an ordinary life insurance policy. No medical examination is required.

Claims made on death are paid by CUNA MUTUAL which sends a check to the Credit Union for your insurance.

Other Credit Union News:

Perry Lippitt and George Hutchinson were delegates at the 26th Annual Meeting of the D.C. Credit Union League at the Statler Hotel early this month and

enjoyed the program.

A note to depositors - Every Thursday either the Marshal or George Hutchinson go over to the Credit Union office in the Senate and will be glad to take your savings for deposit with CU.

HOW MANY S.G.'s DO YOU REMEMBER?

The new office of the Solicitor General - Room 2 - is beginning to shape up. It is in blue. A plaque carries the names of all Solicitors General. It brings back memories, so we are carrying the list this month:

Benjamin H. Bristow-(1870-1872)
Samuel F. Phillips-(1872-1885)
John Goode-(1885-1886)
George A. Jenks-(1886-1889)
Orlow W. Chapman-(1889-1890)
William H. Taft-(1890-1892)
Charles H. Aldrich-(1892-1893)
Lawrence Maxwell-(1893-1895)
Holmes Conrad-(1895-1897)
John K. Richards-(1897-1903)
Henry M. Hoyt-(1903-1909)
Lloyd W. Bowers-(1909-1910)
Frederick W. Lehmann-(1910-1912)
William M. Bullitt-(1912-1913)
John William Davis-(1913-1918)
Alexander C. King-(1918-1920)
Wm. L. Frierson-(1920-1921)
James M. Beck-(1921-1925)
Wm. D. Mitchell-(1925-1929)
Chas. Evans Hughes-(1929-1930)
Thomas D. Thacher-(1930-1933)
James Crawford Biggs-(1933-35)
Stanley Reed-(1935-1938)
Robert H. Jackson-(1938-1940)
Francis Biddle-(1940-1941)
Charles Fahy-(1941-1945)
J.H. McGrath-(1945-1946)
Philip B. Perlman-(1947-1952)
W.J. Cummings, Jr. - (1952-1953)
Simon E. Sobeloff-(1954-1956)
J. Lee Rankin-(1956---)

The Docket Sheet

THE DOCKET SHEET

(Page 5)

HAPPENINGS IN THE JUDICIARY AND LEGAL WORLD

Recent Commerce Clearing House figures reveal 10 more lawyers in the present Congress than in the 85th. The House has 241 and the Senate 62. In the Nation, according to statistics compiled by Martindale-Hubbell, Inc., there were 242,970 practicing lawyers in 1959.

The Bar Association for the City of New York recently awarded its medal for "exceptional contributions to the honor and standing of the Bar in this community" to Whitney North Seymour. He is only the third since 1951 so honored. The others were: the late Robert P. Patterson, the late C.C. Barlington, and Harrison Tweed.

The National Institute of Mental Health has awarded the American Bar Foundation a grant of \$88,910 for a study of the plight of mental patients in five metropolitan areas throughout the U.S., but the D.C. area is not one of them.

William T. Gossett, Vice-President and General Counsel of the Ford Motor Company, was elected Chairman of the Fellows of the American Bar Foundation this spring. Cuthbert S. Baldwin, New Orleans, was made Vice-Chairman, and Walter P. Armstrong, Jr., of Memphis, Secretary. The Fellows has a national membership of about 650 leading lawyers and was organized in 1956 to foster legal education in research....The American Bar Association's Washington Office has moved to the Bender Building, 1120 Connecticut Ave., N.W., across from the Mayflower Hotel.

BASKETBALL SCORES: (First Game)

POLICE FORCE

	Goals	Fouls	Pts.
Dankos	11	0	22
Boteler	4	2	10
Sokoloski	12	3	27
Ketchum	6	2	14
Riley	3	0	6
Chavis	0	0	0
TOTALS	36	7	79

LAW CLERKS

Bender	12	2	26
Israel	3	0	6
McNulty	0	0	0
Libin	5	0	10
Johnson	7	1	15
Temple	3	0	6
Rosett	0	0	0
Wray	0	0	0
TOTALS	30	3	63

(Second Game)

LAW CLERKS

	Goals	Fouls	Pts.
Libin	7	0	14
Israel	6	1	13
Johnson	10	2	22
Bender	15	1	31
McCartan	0	0	0
Temple	9	0	18
McNulty	0	0	0
Wray	0	0	0
TOTALS	47	4	98

POLICE FORCE

Dankos	3	7	13
Boteler	11	2	24
Sokoloski	16	4	36
Ferguson	1	0	2
Carroll	0	0	0
Chavis	0	1	1
TOTALS	31	14	76

The Docket Sheet

Monthly News Forum for Employees---

SUPREME COURT OF THE UNITED STATES

Vol. 1, No. 6

May 16, 1960

Editor,

Best Whittington

BROCHURES GO OUT TO EMPLOYEES HERE EXPLAINING NEW GOVERNMENT HEALTH PLANS

The new health insurance program under the auspices of the federal government has been formulated and brochures are being distributed to employees here this week.

The brochures explain the three basic plans being offered in the D.C. area under the new law---Federal Employees Health Benefits Act---which goes into effect July 1.

Employees will have two weeks to study the material and to decide upon the plan they want to select, if any. Registration for the health insurance begins June 1.

Our enrolling officers are Perry Lippitt, the Marshal, and Raymond Harding, Assistant Marshal. Ed Faircloth will serve as enrolling officer for the Clerk's Office.

All employees must register, either choosing a plan or stating that they do not wish to participate. Questions will be answered by the enrolling officers, but they cannot give advice on the plan best suited to any employee's needs.

The Marshal requests the Char Force and Day Labor shift employees to meet with him on Wednesday, May 18, at 8 a.m. in the East Conference Room for the purpose of discussing the new health benefits program.

The Government pays part of the costs under the new health insurance set-up. Your premiums will be deducted from your pay on a bi-weekly basis.

Each of the three plans being offered has different benefits at different price scales, and each plan has a high and low option.

Overall, it appears, your cost for health insurance will be a little less, but the benefits much greater.

3 PAGES TO GRADUATE

Three of our Pages will graduate from the Capitol Page School next month and go on to college.

John Nolan, Head Page, Sam Williams and Oswald Glymph (Library) are our Pages who will be among the class of 23 Capitol Pages graduating this year. John has been accepted by Maryland University and will study Animal Husbandry at College Park. Sam will enter the Engineering school at Howard University. Oswald will go to Georgetown University as a Biology major.

Page School graduation exercises will be held Monday, June 13, in the New House Office Building (Ways and Means Committee Room) with Senator Barry Goldwater of Arizona as the speaker.

The next day, June 14, the Page grads will be honored by Vice President Nixon who will present them with a Diploma signed by the President.



(Page 2) THE DOCKET SHEET

1960 The 1960 campaign for pay-
roll savings through the pur-
BOND chase of U.S. Savings Bonds
is being marked this month.
CAMPAIGN Leaflets explaining the
campaign will be given to all
NOW employees and this is a good
ON opportunity to either sign up
for this easy payroll method
of saving or to increase the
amount of bonds that you are now buying.

To sign up, or for more information
on the bond program, see either Dina
Zuconni or Eloise Storz, who are our
volunteers in the U.S. Savings Bond
Campaign.

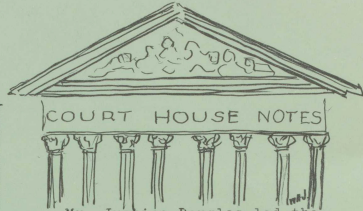
"Selling Shares in America," as the
leaflet says, not only is a patriotic,
but a painless and safe way to save
money. As you know, interest earned on
E Bonds has been increased one-half per-
cent. Bonds now held to maturity pay
3-3/4% and the maturity period has been
shortened to seven years and nine
months.

Now is the time to speak to either
Dina or Eloise.

OLD COURT CHAMBER TO BE RESTORED

A project is underway for the
restoration of the old Supreme Court
Chamber in the Capitol and Capitol
Architect J. George Stewart has been
consulting old-time employees here for
some inside information.

The plan, at present, is to restore
the Chamber as it appeared when the
Supreme Court vacated it in 1935.
Right now the search is on in the Cap-
itol for some of the old furniture
that was used when the Court sat in the
old Senate Chamber. Stewart estimates
that it will cost about \$50,000 to re-
store the room as a shrine. Many
Senators are upset because the old
Chamber has been used recently as a
reception room for Capitol parties.



Mr. Justice Douglas led the
hikers on the 6th Annual Reunion of
the C & O Canal hike a week ago and
covered more than 22 miles. Several
law clerks were along and reported
afterwards that they were slightly
stiff and sore. Nick Johnson (Justice
Black's Office) legged the entire 22
miles of the trip, but Steve Duke
(Justice Douglas' Law Clerk) and Art
Rosett (Justices Burton and Reed)
dropped out after 17 miles...Justice
Minton visited the Court during the
last month and looked fine. He
attended the opening baseball game at
Griffith Stadium and was accompanied
by his good friend, Frank Hathcock...
Congratulations to Jesse Roof
(Mechanical Dept.) - "Just married"

....Andy Pucetti has been a visitor
to the Courthouse several times this
month but has been in and out of the
hospital after a series of throat
operations....Jim Browning is making
two speeches on the old records of
the Court. Last Thursday he address-
ed the 124th Annual Dinner Meeting of
the Detroit Bar Association and to-
day is the main speaker for the
Annual Dinner of the Judicial
Conference of the Eighth Circuit
Court of Appeals....Justice Brennan
and Mrs. Brennan made the trip to
Miami by train early this month where
he addressed the Florida Bar Assoc-
iation....Judge William B. Groat, Jr.
of the New York Supreme Court will
say hello to his many friends here
this Thursday when he brings what is
called his "annual class to Washing-
ton." This means that he will have
33 attorneys from Jamaica, N.Y. here
for admission and he will be their
sponsor....Reg Dilli, retired
Deputy Clerk, ill recently, is much
improved and paid a visit to the
Courthouse last week from his home in
Waynesboro, Pa.

Banning E. Whittington

(Page 3) THE DOCKET SHEET

A Regular Feature

LIBRARY LISTS ITS NEW
BOOKS ABOUT THE COURT

Below is a list of a few of the new books in our Library. These are of interest here because they deal with the Court or its members. Provided by Miss Newman, the listing will be carried as a regular feature of The Docket Sheet.

NINE WHO CHOSE AMERICA

A book of special interest recently accessioned in the Library is "Nine Who Chose America," illustrated with photographs, and compiled by the editors of Life International (N.Y. Dutton, 1959). This contains a biographical sketch of Mr. Justice Frankfurter entitled "A Tireless Quest for Justice" by his old friend Archibald MacLeish, former Librarian of Congress.

* * * * *

A. LINCOLN: PRAIRIE LAWYER

Also of interest is the volume entitled "A. Lincoln: Prairie Lawyer" by New York lawyer John J. Duff (N.Y. Rinehart, 1960). In the chapter "In Congress and Before the Supreme Court," Mr. Duff comments on the Lincoln Manuscript in the display case in the foyer adjoining the Bar Library. The manuscript is the outline notes, written in his own hand, of Lincoln's oral argument before this Court in Lewis v. Lewis, 7 Howard 776 (1849). On June 29, 1948, the late John Flannery, Esq., presented the manuscript "to the then Chief Justice Fred M. Vinson....to be placed in 'some safe and suitable repository' as a part of its archives."

* * * * *

THE FIRST AND THE FIFTH

Another new book called "The First and the Fifth" by O. John

L.A. BAR BANS LAWYERS AS ACTORS

In what is believed to be the first action of its kind, the Los Angeles Bar Association has adopted a resolution banning lawyers as actors.

The rule holds that it is "professionally and ethically improper" for a lawyer to appear in a role as an attorney or judge in any simulated trial portrayal on radio, television or motion pictures.

"The Bar would look better in the public's eye if the roles of judges and lawyers were played by professional actors," the resolution said.

Noting that at least nine TV programs seen in the Los Angeles area utilize real lawyers, the Association based its rule on two grounds: that lawyers as actors tend to violate their oath to maintain respect due courts and judicial offices; and such participation is contrary to the long-standing policy of the Bar against self-advertisement.

--- 0 ---

ARMED FORCES DAY

This week will mark throughout the country and at many places overseas, the observance of Annual Armed Forces Day. Civil Service is participating by emphasizing the role of civilian employees who give vital support to our uniformed forces.

Nearly one-half of all our Federal employees work for the Defense Department in a broad variety of jobs. Only about 7% are stationed in the Washington, D.C. area.

Rogge (N.Y. Nelson, 1960) contains, of course, a discussion of the First and the Fifth Amendments, "with some excursions into others." Dedicated by the author "To the United States Supreme Court" it includes an extensive bibliography and notes for each chapter.

The Docket Sheet

(Page 4) THE DOCKET SHEET

ADMISSIONS NEAR RECORD

Admissions to the Bar of this Court are running higher at this time than for the last few terms. The figures: 2,638 to date this term compared to 1,501 at the same time last term. Total admissions in the '58 term ran only 2,351; the '57 term 2,392; and the '56 term 2,803.

Judiciary Events!

LEGAL AID PROGRAMS GAIN

A "clearing house" of information on current job vacancies for young attorneys in Federal Departments and Agencies has been set up by the Junior Bar Conference (Attorneys under age 36) of the American Bar Association. This service is to provide Civil Service grade level, job description, location and starting salary data. It is available upon written request to the JBC office at the American Bar Center in Chicago. It is estimated that 1,800 young lawyers will be needed to fill positions in Government Agencies in the next fiscal year. In all, the Federal Government employs about 12,000 lawyers.

New organized legal aid facilities have been launched in Ft. Wayne, Ind. and Takoma, Wash. and plans are being formulated for a similar program in Wichita, Kans. There were only nine U.S. cities of over 100,000 population without established legal aid programs at the beginning of this year. The National Council on legal aid clinics meets here this week-end under Chairman Orison S. Marden of New York.

President Eisenhower has accepted an invitation to address an Assembly of the American Bar Association's 83rd annual convention here in August.

Secretary of State Herter will speak to another assembly gathering.

The number of British Barristers, Solicitors, and wives and families who will attend the convention now stands at 1,459. Most will be guests in the homes of District of Columbia lawyers. The visiting Britishers, as well as other guests from Australia, Scotland and Canada, along with some members of the convention will be guests at a reception which President and Mrs. Eisenhower will hold on the White House lawn on Monday evening, August 29. Attendance will be limited to 2000.

The American Law Institute will meet in Washington this week, May 18 to 21. The opening address will be made by the Chief Justice.

Hopes are high that the Celler Bill, calling for the creation of 45 new federal judgeships, will be passed by the Congress this year.

The bill has been approved by the House Judiciary Subcommittee but the full committee has not reported on it as yet.

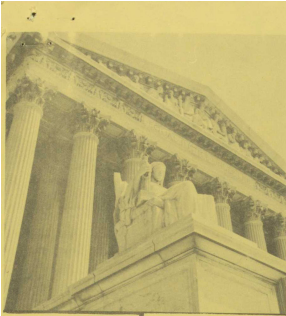
The annual luncheon of the National Conference of Judicial Councils will be held in the West Conference Room on Thursday, May 19, at 1 p.m.

ILLNESSES

Ike Mayhev (Landscape) now at home-(5213 P.St., Coral Hills, Md.) recuperating from an emergency appendix operation on May 2.

Urban E. Dice (Mechanical Force) has been in Sibley Hospital as a result of injuries suffered in an auto accident on May 6.

Mrs. Annie Bethea (Char Force), wife of Oscar Bethea (Justice Clark's Office), on the mend at home, 4368 F. St., S.E., after an operation.



Our
ever-watchful
Lady,
"Contemplat-
ion of
Justice."
Photo-
Bob Higbie

NEW SWITCHBOARD
HOURS

Telephone service from
our main switchboard has
been extended. We now have
three full-time operators
again. New hours for the
board:
Opening at 8:30 a.m.
Closing at 6 p.m.

Vol. 1, No. 7 June, 1960 Editor,
Bert Whittington

COURT MEETS AUG. 30th

The Court will hold a special session on Tuesday, August 30, during the American Bar Association Convention in Washington, it has been made official.

The session, scheduled for the a.m., will be for the purpose of allowing attorneys attending the Convention the opportunity to be admitted to the Court's Bar. This is the only business that will be taken up.

It is expected that more than 12,000 persons will come here for the ABA event which is scheduled for Aug. 29 through Sept. 22. This is the ABA's 83rd annual Convention and is expected to be the greatest international gathering of the legal profession ever held in this country. From England, Wales, Scotland, Canada, and Australia, delegations totalling about 1,500 are expected. ABA members, their families, and guests are expected to count another 10,000.

Many special events are being arranged in connection with the Convention. These include: An open-air convocation, probably on the Monument Grounds; a special naturalization proceeding at the Mayflower Hotel; four daily editions of U.S. LAW WEEK covering day-to-day happenings; a Potomac cruise by Virginia lawyers; and special tours of the FBI and other Government Buildings.

END-OF-TERM BLUES

The term-work must be done up
brown,
And agonized "I can't's!"
Change tranquil secretaries to
Determined termagants,

Digging to get out from under,
Struggling to get free,
Courting near-defeat in purple
Terminology.

But at long last -- all's in the
pink;

Our rosy estimation
Of what is best about the term
Is this: Its termination.

By Jean Sartwell,
Library

The Wocket Sheet

Monthly News Forum for Employees---
SUPREME COURT OF THE UNITED STATES

The Docket Sheet

(Page 2) THE DOCKET SHEET

HALF OF EMPLOYEES REGISTERED FOR ——— INSURANCE. Deadline is June 30th

DEADLINE IS JUNE 30;
IMPORTANT TO SIGN UP EARLY

In Library!
NEW BOOKS THIS MONTH

The deadline for registering in the new Government health insurance program is June 30. It is important to do so as early as possible.

Almost one-half of the 190 employees here that are eligible have registered, either subscribing or otherwise.

There has been much discussion of the pros and cons of the plans offered, throughout the government as well as here, but most employees have been able to figure out what is best suited to their needs, it appears.

While June 30 is the deadline for registration, the program will not go into effect until mid-July for employees here.

ILLNESSES DURING THE MONTH

Nancy Brennan, daughter of Justice Brennan, is back to normal activities after recovering from an appendectomy on May 13.

Miss Eloise Storz (Marshal's Office) was ill with pneumonia but is now back to work.

Mrs. Elma A. Seay, mother of Mrs. Black, is recuperating at the Justice's home after 10 days in Alexandria Hospital as the result of a fractured hip.

Miss Virginia Hall (Cafeteria-Dessert Counter Attendant) is confined to her home (221 O St. N.W.) due to illness. She has been off duty for about three weeks.

Mrs. Raydell Bryant (Marshal's Office Receptionist) and Mrs. Hazel Parks (Char Force) have been off duty as a result of automobile accidents. Mrs. Bryant, who suffered back and neck injuries on May 20, has returned to work. Mrs. Parks, struck by a bus on May 18, is still out with back injuries.

"Felix Frankfurter Reminisces", an intimate portrait as recorded in talks with Dr. Harlan B. Phillips (N.Y. Reynal, 1960) contains a transcription of tape recordings of comments on questions put to the Justice by Dr. Phillips when he was a member of Columbia University's Oral History Research Office. In Chapter 27 of this fascinating book the Justice tells of his appointment to the Supreme Court. When President Roosevelt called him at his home in Cambridge, Mass., on the evening of Tuesday, Jan. 4, 1939, he said "...unless you give me an unsurmountable objection I'm going to send your name in for the Court tomorrow at 12 o'clock." The Justice replied: "All I can say is that I wish my Mother were alive."

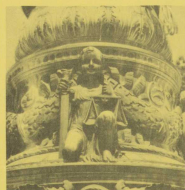
Another new book called "The First Freedom" edited by Robert B. Downs (Chicago A.L.A., 1960) is an anthology of the most notable writings of American and British authors in the field of book censorship and intellectual freedom. It contains a reprint of the Chapter "Censorship and Prior Restraint" from the book "The Right of the People" by Mr. Justice Douglas, published in 1958 by Doubleday.

"Law and Authority in Early Massachusetts": A Study in Tradition and Design by George Lee Haskins (N.Y. Macmillan, 1960) is "intended as an introduction to the history of Massachusetts law," so states the author's Preface. Professor Haskins of the Law Faculty of the University of Pennsylvania is one of the scholars selected by the Permanent Committee for the Oliver Wendell Holmes Devise to write the History of the Supreme Court.

--Miss Newman, Librarian.

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AROUND THE COURTHOUSE



GUESS THIS PICTURE?
(See Page 5)

A new soft drink dispensing machine has been added to the niche on the ground floor near the cafeteria. This one adds 7-Up and orange to the Pepsi and Cokes already available. Chief Justice Warren has a new namesake, a grandchild named Earl Warren Brien, born May 12 in California to the Chief Justice's daughter, Nina, and her husband, Dr. Stuart Brien. Edith Allen, former secretary to Justice Douglas, paid a visit to the Court on May 17 with her son, Billy, now 13. She looked wonderful. Husband Bill, who is now practicing law in their home town of Woodstock, Va., was admitted to the Court's Bar on the same day. A day later (May 18), there was another admission of interest here when Wilmer Schantz, an ex-page, took the oath. He is a practicing lawyer in D.C. Prime Minister Menzies of Australia was the guest of Justice Harlan at a luncheon here at the Court on June 1. 25 foreign students in this country's foreign exchange program were guests at a reception at the Courthouse this week. The students are among those on their annual visit to Washington before returning to their homes in other countries. Justice Clark plans to attend the Ninth Circuit Judicial Conference at Pebble Beach, Calif., on July 6-7-8 after visiting his new granddaughter, Mary Gronlund (named for Mrs. Clark) in Dallas. Justice Clark also was awarded the Silver Buffalo by the Boy Scouts on June 3 for his work on behalf of the youth of America. Leroy Robertson (Electrical Shop) has been awarded a pin and certificate for donating a gallon of blood to the Red Cross in the Court's blood bank program. The Chief Justice and Justice Whittaker are scheduled to attend the Judicial Conference of the 10th Circuit on July 5 at the Harvest House in Boulder, Colo. Miss Eloise Storz is leaving the Court's employment (Marshal's Office) as of June 30 for a new job with an engineering firm. Bids for the electronic device to chase the birds from the front of the building were opened last week. Final installation is sometime off. Perry Mason of TV fame (Raymond Burr in real life) was a visitor at the Courthouse on June 9 and had lunch with Justice Clark. Pvt. William H. Chavis graduated from D.C. police school last Friday. Two members of the labor force, Paul E. Nolan and Morris W. Garner, are on military leave for Army Reserve Training, lasting about 15 days apiece. Congrats to Mr. and Mrs. Ed Schade (he's of the Clerk Staff) on a new daughter, their fourth. They also have one son.

MISS RANKIN AWARDED SUMMER SCHOLARSHIP TO STUDY AT OXFORD UNIVERSITY

Miss Battle Rankin, secretary in the Administrative Office, leaves June 22 on the Queen Elizabeth for six weeks of study at Exeter College at Oxford University in England. Miss Rankin will go to Oxford on a summer scholarship awarded her by the English Speaking Union. She will study 20th Century English literature and was one of two in D.C. receiving scholarships. A Duke graduate, she came to Washington last August and is a night student at Georgetown University Law School. Days, she serves as secretary to Carl Imlay of the A.O. Headquarters staff. Miss Rankin is a native of Durham, N.C.

The Docket Sheet

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LAW CLERKS WILL BE LEAVING SOON TO ENTER NEW CAREERS; TWO REMAIN FOR SECOND TERM

Our law clerks soon will be leaving to take up careers in various parts of the country. The majority will go with law firms. Others will enter the teaching field.

Two will return for a second term: Jerold H. Israel with Justice Stewart; and Murray H. Bring, who will become Senior Law Clerk in the Chief Justice's Office.

Here's the way the listing goes:

(Chief Justice)

MURRAY H. BRING-staying for second term.

WILLIAM H. DEMPSEY-Shea, Greenman and Gardner, Washington, D.C.

RALPH J. MOORE-Goes to England this summer on a Ford Foundation Fellowship for study; afterwards with Stark and Champlin, Oakland, Calif.

(Justice Black)

NICHOLAS JOHNSON-Associate Professor, University of California Law School at Berkeley.

JOHN K. McNULTY-teach, visiting professor at University of Texas Law School; later with Jones, Day, Cockley and Reavis, Cleveland, O.

(Justice Frankfurter)

PAUL BENDER-teach, University of Pennsylvania Law School.

MORTON M. WINSTON-Cleary, Gottlieb, Steen and Ball, Washington, D.C.

(Justice Douglas)

STEVEN DUKE-Continue studies, Yale University Graduate School, Fellowship.

(Justice Clark)

LARRY E. TEMPLE-Powell, Rauhut, McGinnis, Reavley and Lochridge, Austin, Tex.

THOMAS C. WRAY, JR.-Debevoise, Plimpton and McLean, New York City.

(Justice Harlan)

JAY A. ERENS>Returns to Chicago to practice law.

HOWARD LESNICK-teach, University of Pennsylvania Law School.

(Justice Brennan)

DENNIS LYONS-Arnold, Fortas and Porter, Washington, D.C.

JEFFREY L. NAGIN-Beilenson, Meyer, Rosenfeld and Susman, Beverley Hills, Calif.

(Justice Whittaker)

JEROME B. LIBIN-Mayer, Friedlich, Spiess, Tierney, Brown and Platt, Chicago.

PATRICK F. MCCARTAN-Jones, Day, Cockley and Reavis, Cleveland.

(Justice Stewart)

JOHN L. EVANS-Graydon, Head and Ritchey, Cincinnati.

JEROLD H. ISRAEL-staying for second term.

(Justices Reed and Burton)

ARTHUR I. ROSETT-to serve as an Assistant U.S. Attorney, Southern District of New York, New York City.

MEET OUR NEW EMPLOYEES

Mrs. Doris Worrell (Telephone Operator) comes to the Court from the General Services Administration where she served as a telephone operator. Mrs. Worrell has one daughter and lives in the Alexandria area.

Mrs. Rose Beck (Administrative Office) transferred from GSA building to help Committee on New Rules.

Miss Judith Richards of Defiance, O., a Wellesley College student, who is spending a six-week summer internship in the Administrative Office studying judicial administration.

Banning E. Whittington

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PICTURE ANSWER---

One of four genii on each flagpole base on main plaza. This one represents "Strength of Justice" and holds scales and eagle-headed sword.

PAUL SWEENEY WINS FIRST "JUSTICE CLARK" AWARD

The Federal Bar Association's First Annual "Justice Tom C. Clark" award was presented on May 19 to Paul A. Sweeney, veteran attorney of the Justice Department and recently named to the Federal Power Commission.

The award will go each year to the attorney that is adjudged outstanding in the Federal Government service. It honors Justice Clark as a past president of FBA and as a former attorney general.

The presentation to Mr. Sweeney was made by Attorney General Rogers at the annual luncheon of FBA at the Continental Hotel. Justice Clark was unable to attend due to the fact that he was on the bench that day.

Mr. Sweeney, a career Government attorney, has held many important posts at Justice and has appeared before the Court many times. He lives in Chevy Chase.

LAW-INTERNEES MEET JUSTICE BRENNAN

Justice Brennan, on June 2, met with the 10 graduate students who will participate in the Nation's first law-internship program at the Georgetown University Law Center.

Under the plan, the students will serve as counsel to poor defendants,

THE TRADING POST

NOTE---Employees are invited to Swap, Shop, Sell, Trade or Give-away through this Trading Post Corner. Let's Keep It Busy!

SELL--Whole apartment of furniture, cheap. Includes such items as sofa bed \$20; 17-in. RCA TV \$50; King sized bed \$40. See Nick Johnson (Justice Black's Office).

COMING BAR MEETINGS

The Federal Bar Association will hold its National Convention outside of Washington for the first time on Sept. 15, 16 and 17. This year's meeting will be in Chicago. President Whitney Gilliland and Convention Co-Chairmen Milton Gordon of Chicago and John H. Grosvenor, Jr., of Washington are making big plans to assure success for this first conclave away from the national capital.

In July (4th through the 8th), the International Bar Association will meet at Salzburg, Austria. Those attending will be honored at a reception at the Hofburg in Vienna on July 12 given by Austrian Chancellor Julius Rabb, according to IBA Chairman Loyd Wright of Los Angeles.

DEATHS

Wendell W. Mischler, former secretary to Chief Justice Hughes, died this past month at 96. He had been living at the Roosevelt Hotel in D.C.

thus engaging in actual court practice. The course is the first of its kind in the U.S.

GB