



THE SUPREME COURT AND SUPERMAN

THE JUSTICES AND THE FAMOUS PEOPLE IN
THEIR FAMILY TREES

Stephen R. McAllister[†]

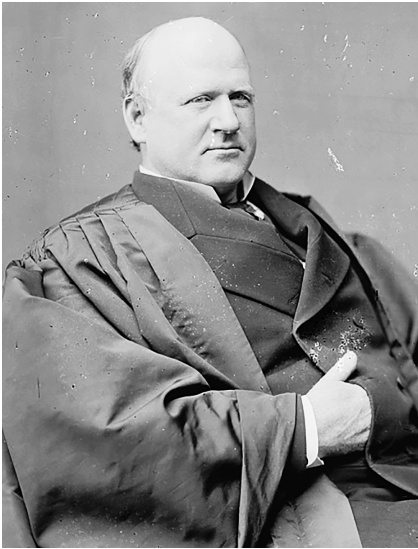
WHILE EXAMINING a photograph of the 1911 U.S. Supreme Court, I spotted Joseph Rucker Lamar, but was initially confused because I thought Justice Lamar served on the Court in the nineteenth century. I quickly discovered that Joseph was the cousin (distant, it turns out) of an earlier Justice, Lucius Quintus Cincinnatus Lamar II.¹ I was aware of two other family relationships between Justices who served on the Court: John Marshall Harlan and his grandson, John Marshall Harlan II, and Stephen Johnson Field and his nephew, David Josiah Brewer,² with the service of only Field and Brewer overlapping.³

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¹ His namesake presumably is Lucius Quinctius Cincinnatus, the Roman farmer-statesman who legend holds was appointed dictator and left his farm in 458 B.C. to defend Rome against an attacking army, quickly defeated the enemy, and then immediately gave up his power and returned to his farm.

² *The Kansas Justice, David Josiah Brewer*, 19 Green Bag 2d 37 (2015).

³ A particularly observant reader of the chart that accompanies this article, or a knowledgeable student of Supreme Court history, might wonder whether some other Justices

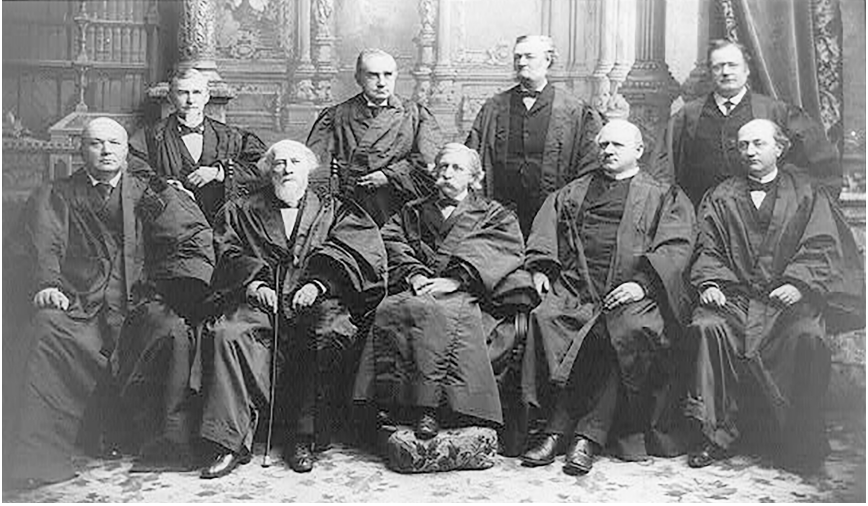


Justice John Marshall Harlan, left (1833-1911) and right (1899-1971).

Armed with three Justice-to-Justice family relationships, I began wondering whether there were other familial relationships – either between Justices themselves, or between Justices and other prominent people – that might be interesting to explore. This curiosity led to more fascinating information than I ever expected to find, and the result is this article and the accompanying chart – which features interesting connections for 36 of the 113 Justices – with an invitation to *Green Bag* readers to expand the chart. We have 77 more to go!

with the same last names were related. The two that readily come to mind are Thomas Johnson and William Johnson, and Samuel Chase and Salmon P. Chase. I am not aware of any blood relationship between these pairs of Justices who share a surname. Salmon P. Chase did have a great-grandfather named Samuel Chase, but that Samuel was not the Federalist Justice who got under Thomas Jefferson's skin. That said, Samuel Chase and Salmon P. Chase are bound by a bit of trivia of which Chief Justice William Rehnquist was well aware and which he must have enjoyed: Samuel Chase is the only Justice who has ever been impeached, though he was acquitted by the Senate. And Salmon P. Chase was the first (and – until Chief Justice Rehnquist – the only) Chief Justice to preside over the impeachment trial of a President.

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Above: The U.S. Supreme Court in 1894, featuring Justice Stephen J. Field (third from left) and his nephew, Justice David J. Brewer (far right). Below: EPA Administrator-designate Anne M. Gorsuch meets with President Ronald Ronald Reagan (1981).



It turns out that the Field-Brewer, Lamar-Lamar, and Harlan-Harlan relationships are not the only familial relationships between Justices, and there are (as one likely would expect) many Justices who have been related to the famous and the accomplished. These relationships include some by blood and some created by marriage. I have categorized the recurring relationships in the summary paragraph below. The article then provides a chart that includes all of the Justices with interesting relationships that I have discovered. Several relationships involve fascinating stories that are told in brief form following the chart.

I.

A CHART OF NOTABLE FAMILY RELATIONSHIPS

As I developed the chart, I noticed several categories of relationships that appeared more than once. These include Justices related to: other Justices; Presidents; Cabinet Members (or high Executive Branch Officials); U.S. Senators; U.S. Representatives; State Supreme Court Justices; State Governors; Civil War Generals; and Signers of the Constitution. Other notable relationships that appeared only once include a Signer of the Declaration of Independence, an ambassador, the attorney general of a territory, the founder of the Skull & Bones Society, the first businessman to lay a transatlantic cable, and the first editor of the *Green Bag*. These and other relationships are captured in the following chart, in reverse chronological order:

Justice	Relative	Relative’s position(s)
Neil Gorsuch ⁴	Anne M. Gorsuch (mother)	EPA Administrator
Stephen Breyer ⁵	Charles Breyer (brother)	Judge, N.D. Cal.

⁴ John Frank, *Neil Gorsuch Revives His Mother’s Political Legacy in Colorado*, Denver Post (Mar. 20, 2017), www.denverpost.com/2017/03/19/neil-gorsuch-anne-burford-colorado/.

⁵ Kate Galbraith, *Volkswagen Case Gives Judge, Onetime Aspiring Actor, Role of a Lifetime*, New York Times (Apr. 19, 2016), www.nytimes.com/2016/04/20/business/volkswagen-california-judge-charles-breyer.html?_r=0.

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Justice	Relative	Relative's position(s)
Warren Burger ⁶	Joseph Burger (grandfather)	Medal of Honor (heroic actions taken at age 14 as a Union soldier)
Potter Stewart ⁷	James Garfield Stewart (father)	Mayor, Cincinnati; Justice, Ohio Supreme Court
John Marshall Harlan II ⁸	John Marshall Harlan I (grandfather)	Justice, U.S. Supreme Court
	George Harlan (ancestor)	Governor, Del.
	James Harlan (great-grandfather)	U.S. Representative, Ky.
	James S. Harlan (uncle)	Attorney General, P.R.
Benjamin Cardozo ⁹	Emma Lazarus (first cousin: mothers were sisters)	poet ("The New Colossus")

⁶ Leon Friedman, *Warren E. Burger*, in *IV The Justices of the Supreme Court: Their Lives and Major Opinions* 1467 (Leon Friedman & Fred Israel eds., 1997); *Young Civil War Soldier Made Lasting Impression*, Mankato Free Press (Apr. 24, 2011), www.mankatofreepress.com/news/local_news/young-civil-war-soldier-made-lasting-impression/article_c2197dfa-a221-527a-93fc-b21a2b0ce6e0.html.

⁷ Gil Kujovich, *Potter Stewart*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 456-57 (Clare Cushman ed., 2d ed. 1995).

⁸ Nathan Lewin, *John Marshall Harlan*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 441 (Clare Cushman ed., 2d ed. 1995); Alexander Leitch, *Harlan, John Marshall*, in *A Princeton Companion*, etcweb.princeton.edu/CampusWWW/Companion/harlan_john.html.

⁹ David T. Pride, *Benjamin Cardozo*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 371 (Clare Cushman ed., 2d ed. 1995).

Justice	Relative	Relative's position(s)
William Howard Taft ¹⁰	Alphonso Taft (father)	U.S. Attorney General; Secretary of War; Ambassador to Austria Hungary, Russia; founder, Skull and Bones Society
Mahlon Pitney ¹¹	Christopher Reeve (great-grandson)	actor ("Superman")
Joseph Lamar ¹²	Lucius Q.C. Lamar (distant cousin: a common 3rd-great-grandfather, Thomas Lamar II, born in Md. in 1714)	Justice, U.S. Supreme Court
Edward D. White Jr. ¹³	Edward Douglass White Sr. (father)	Governor, La.; U.S. Representative, La.
	Dr. James White (grandfather)	U.S. Representative, Tenn.; first U.S. Superintendent, Indian Affairs

¹⁰ David T. Pride, *William Howard Taft*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 341-42 (Clare Cushman ed., 2d ed. 1995); *Skull and Bones*, Encyclopedia Britannica (Jan. 18, 2017), www.britannica.com/topic/Skull-and-Bones-Yale.

¹¹ William Addams Reitwiesner, *Ancestry of Christopher Reeve*, Library of Congress Archives, (Jan. 15, 2013), webarchive.loc.gov/all/20101119175310/www.wargs.com/other/reeve.html.

¹² Burnett Anderson, *Joseph R. Lamar*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 316 (Clare Cushman ed., 2d ed. 1995).

¹³ James F. Watts, Jr., *Edward Douglass White*, in *III The Justices of the Supreme Court: Their Lives and Major Opinions* 808-09 (Leon Friedman & Fred Israel eds., 1997).

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Justice	Relative	Relative's position(s)
William R. Day ¹⁴	Luther Day (father)	Justice, Ohio Supreme Court
	Zephania Swift (great-grandfather)	Chief Justice, Conn. Supreme Court
	Rufus Spaulding (grandfather)	Justice, Ohio Supreme Court
Rufus Peckham ¹⁵	Rufus Wheeler Peckham (father)	U.S. Representative, N.Y.; Judge, N.Y. Court of Appeals
	Wheeler Hazard Peckham (brother)	failed nominee, U.S. Supreme Court
Howell Jackson ¹⁶	William Hicks Jackson (brother)	General, Confederate army
George Shiras Jr. ¹⁷	George Shiras III (son)	U.S. Representative, Pa.; "Father of wildlife photography"
David J. Brewer ¹⁸	Stephen Johnson Field (uncle)	Justice, U.S. Supreme Court

¹⁴ James F. Watts, Jr., *William R. Day*, in III *The Justices of the Supreme Court: Their Lives and Major Opinions* 884-85 (Leon Friedman & Fred Israel eds., 1997).

¹⁵ Richard Skolnik, *Rufus Peckham*, in III *The Justices of the Supreme Court: Their Lives and Major Opinions* 833-42 (Leon Friedman & Fred Israel eds., 1997).

¹⁶ Clare Cushman, *Howell E. Jackson*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 266-67 (Clare Cushman ed., 2d ed. 1995).

¹⁷ Jessie Wender, *Meet Grandfather Flash, Pioneer of Wildlife Photography*, National Geographic (Nov. 20, 2015), proof.nationalgeographic.com/2015/11/20/meet-grandfather-flash-the-pioneer-of-wildlife-photography/.

¹⁸ Arnold M. Paul, *David J. Brewer*, in II *The Justices of the Supreme Court: Their Lives and Major Opinions* 742 (Leon Friedman & Fred Israel eds., 1997).

Justice	Relative	Relative's position(s)
Melville Fuller ¹⁹	Horace Williams Fuller (first cousin: fathers were brothers)	First editor, the <i>Green Bag</i> (first series)
	Nathan Weston (grandfather)	Chief Justice, Supreme Court of Maine
Lucius Q.C. Lamar II ²⁰	Joseph Lamar (distant cousin: a common 3rd- great-grandfather, Thomas Lamar II, born in Md. in 1714)	Justice, U.S. Supreme Court
William Woods ²¹	Charles R. Woods (brother)	General, Union Army
John Marshall Harlan ²²	John Marshall Harlan II (grandson)	Justice, U.S. Supreme Court
	George Harlan (ancestor)	Governor, Del.
	James Harlan (father)	U.S. Representative, Ky.
	James S. Harlan (son)	Attorney General, P.R.

¹⁹ Charles C. Soule, *First Editor of 'The Green Bag'*, 8 *Green Bag* 551, 552 (1901); Irving Schiffman, *Melville W. Fuller*, in II *The Justices of the Supreme Court: Their Lives and Major Opinions* 716 (Leon Friedman & Fred Israel eds., 1997).

²⁰ David T. Pride, *Lucius Q.C. Lamar*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 241 (Clare Cushman ed., 2d ed. 1995).

²¹ Thomas E. Baynes, Jr., *William B. Woods*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 221-22 (Clare Cushman ed., 2d ed. 1995).

²² Nathan Lewin, *John Marshall Harlan*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 441 (Clare Cushman ed., 2d ed. 1995); Alexander Leitch, *Harlan, John Marshall*, in *A Princeton Companion*, etcweb.princeton.edu/CampusWWW/Companion/harlan_john.html.

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Justice	Relative	Relative's position(s)
Morrison Waite ²³	Henry Matson Waite (father)	Chief Justice, Supreme Court of Conn.
Salmon Chase ²⁴	Dudley Chase (uncle)	U.S. Senator, Vt.
Stephen J. Field ²⁵	David J. Brewer (nephew)	Justice, U.S. Supreme Court
	Cyrus West Field (brother)	entrepreneur (first trans-Atlantic telegraph cable)
Philip Barbour ²⁶	James Barbour (brother)	Governor, Va.; U.S. Senator; Secretary of War
Roger Taney ²⁷	Francis Scott Key (brother-in-law: Taney married Key's sister, Anne P.C. Key)	author ("The Star-Spangled Banner")

²³ David T. Pride, *Morrison R. Waite*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 211 (Clare Cushman ed., 2d ed. 1995).

²⁴ John Niven, *Salmon P. Chase: A Biography* 21 (1995).

²⁵ Robert McCloskey, *Stephen J. Field*, in II *The Justices of the Supreme Court: Their Lives and Major Opinions* 530 (Leon Friedman & Fred Israel eds., 1997); I.F. Judson, *Cyrus W. Field: His Life and Work, 1819-1892* (1896).

²⁶ David T. Pride, *Philip P. Barbour*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 122-124 (Clare Cushman ed., 2d ed. 1995).

²⁷ Frank Otto Gatell, *Roger B. Taney*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 339 (Leon Friedman & Fred Israel eds., 1997).

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Justice	Relative	Relative's position(s)
Henry Baldwin ²⁸	Abraham Baldwin (half-brother)	signer, U.S. Constitution; U.S. Representative and Senator, Ga.; founder, Univ. of Ga.
	Christopher Reeve (4th-great grandson)	actor ("Superman")
John McLean ²⁹	Finis McLean (brother)	U.S. Representative, Ky.
Smith Thompson ³⁰	Henry Brockholst Livingston (cousin of Thompson's 1st wife)	Justice, U.S. Supreme Court
Henry Brockholst Livingston ³¹	William Livingston (father)	Governor, N.J.; signer, U.S. Constitution
	John Jay (brother-in-law: Jay married Sarah, Henry's sister)	Chief Justice, U.S. Supreme Court

²⁸ Frank Otto Gatell, *Henry Baldwin*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 314 (Leon Friedman & Fred Israel eds., 1997); Gary Boyd Roberts, #77 *Royal Descents, Notable Kin, and Printed Sources: An Assortment of Famous Actors*, New England Historical Genealogical Society (Dec. 17, 2004), www.americanancestors.org/browse/articles?searchby=topic&subquery=royal%20descents,%20notable%20kin,%20and%20printed%20sources&id=650.

²⁹ *McLean*, Finnis Ewing, Biographical Directory of the United States Congress, bioguide.congress.gov/scripts/biodisplay.pl?index=M000546.

³⁰ Gerald T. Dunne, *Smith Thompson*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 275 (Leon Friedman & Fred Israel eds., 1997).

³¹ Gerald T. Dunne, *Brockholst Livingston*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 222 (Leon Friedman & Fred Israel eds., 1997); Nancy Beck Young, *Anna Tuthill Symmes Harrison*, in *American First Ladies: Their Lives and Their Legacy* 57-64 (Lewis L. Gould ed., 2d ed. 2001).

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Justice	Relative	Relative's position(s)
Henry Brockholst Livingston (cont'd)	William Henry Harrison (nephew-in-law: Harrison married Anna Symmes, daughter of Susannah Livingston, Henry's sister)	U.S. President
William Johnson ³²	Thomas Bennet Jr. (brother-in-law: Johnson married Bennet's sister)	Governor, S.C.
John Marshall ³³	William Randolph (great-great-grandfather)	Va. politician; great-grandfather of Thomas Jefferson and the great-great-great grandfather of Robert E. Lee
	Thomas Jefferson (distant cousin: Marshall's maternal grandmother, Mary Isham Randolph, and Jefferson's mother, Jane Isham, were first cousins)	U.S. President

³² David T. Pride, *William Johnson*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 67 (Clare Cushman ed., 2d ed. 1995).

³³ Herbert A. Johnson, *John Marshall*, in *The Supreme Court Justices: Illustrated Biographies, 1789-1995* at 61 (Clare Cushman ed., 2d ed. 1995); Albert J. Beveridge, 1 *The Life of John Marshall* 9-10 (1916).

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Justice	Relative	Relative's position(s)
Bushrod Washington ³⁴	George Washington (uncle)	U.S. President
Oliver Ellsworth ³⁵	William Wolcott Ellsworth (son)	Governor and U.S. Representative, Conn.; Justice, Conn. Supreme Court
	Henry Leavitt Ellsworth (son)	First Commissioner, U.S. Patent Office
John Rutledge ³⁶	Edward Rutledge (brother)	Governor, S.C.; signer, Declaration of Independence
	John Rutledge, Jr. (son)	U.S. Representative, S.C.
Thomas Johnson ³⁷	John Quincy Adams (nephew-in-law: Adams married Louisa Johnson, daughter of Thomas's brother Joshua)	U.S. President
	Joshua Johnson (son)	plaintiff in <i>Johnson v. M'Intosh</i>

³⁴ Albert P. Blaustein & Roy Mersky, *Bushrod Washington*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 151-54 (Leon Friedman & Fred Israel eds., 1997).

³⁵ Fredrick Calvin Norton, *The Governors of Connecticut* 183-86 (1905); William Garrot Brown, *The Life of Oliver Ellsworth* 225 (1905).

³⁶ Leon Friedman, *John Rutledge*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 25 (Leon Friedman & Fred Israel eds., 1997).

³⁷ Lynn Hudson Parsons, *Louisa Cetherine Johnson Adams*, in *American First Ladies: Their Lives and Their Legacy* 45-48 (Lewis L. Gould ed., 2d ed. 2001); Eric Kades, *The Dark Side of Efficiency: Johnson v. M'Intosh and the Expropriation of American Indian Lands*, 148 U. Penn. L. Rev. 1065, 1092 (2000).

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Justice	Relative	Relative's position(s)
James Iredell ³⁸	James Iredell, Jr. (son)	Governor and U.S. Senator, N.C.
	Samuel Johnston (brother-in-law: Iredell married Hannah Johnston, Samuel's sister)	Governor, N.C.
John Jay ³⁹	Henry Brockholst Livingston (brother-in-law: Jay married Sarah Van Brugh Livingston, Henry's sister)	Justice, U.S. Supreme Court

II.

A FEW STORIES

Some of the more unusual or otherwise intriguing family connections in our chart call for additional detail and discussion. I've laid out some interesting facts about certain Justice-relatives in the snapshot stories that follow.

A. Courage and Heroism

A child named Joseph Burger came to the United States with his parents when he was six months old. His parents died when he was age six, he was sent to Minnesota to work as a farm hand when he was age nine, and he enlisted in the Union Army in the Civil War at age 13. He was seriously wounded during the war, losing his left arm at age 16. A resourceful fellow, Burger went to law school in Missouri and practiced there, eventually winning a seat in the state legislature. Later, he moved back to Minnesota

³⁸ *Iredell, James*, Biographical Directory of the United States Congress, bioguide.congress.gov/scripts/biodisplay.pl?index=I000028; Fred L. Israel, *James Iredell*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 84 (Leon Friedman & Fred Israel eds., 1997).

³⁹ Gerald T. Dunne, *Brockholst Livingston*, in I *The Justices of the Supreme Court: Their Lives and Major Opinions* 222 (Leon Friedman & Fred Israel eds., 1997).

with his family to practice law, and he was elected to the Minnesota Legislature during a successful legal career in his adopted home state.

Interestingly, when he was a 14-year-old Union soldier, Private Joseph Burger (Company H, 2d Minnesota Infantry) was one of a group of 16 “men” (a liberal use of the word when describing a 14-year-old soldier) who defended a Union wagon train from an attack by 125 Confederate cavalry soldiers at Nolinsville, Tennessee, on February 15, 1863. By letter dated July 30, 1863, the Secretary of War notified Burger that he had been awarded the Medal of Honor for his “Distinguished Gallantry in Action,” concluding that, “After a most heroic defense the attack was repulsed and the train saved.”⁴⁰ Burger did not actually receive his Medal of Honor, however, until 1897. Private Burger’s grandson later chose to pursue a career in the law as well, and ended up serving as Chief Justice of the United States (Warren E. Burger, 1969-1986).

B. Participation in an (In)Famous Supreme Court Case

Many lawyers may remember *Johnson v. M’Intosh*,⁴¹ from law school as the case in which the Court (Chief Justice Marshall writing) established the principle that only the national sovereign can obtain valid title from Indian Tribes. The case involved competing claims to lands obtained from tribes in Illinois and Indiana. Two companies, backed by investors, purchased land directly from the Tribes. Other claimants obtained their land from the federal government which had treaties with many of the Tribes. The details and facts of the case are quite complicated, but there is a connection to a Supreme Court Justice other than the fact that the Supreme Court ultimately decided the case.

One investor in one of the companies died in 1819, and his son and grandson were the primary heirs in his will. Those heirs brought the suit that became known as *Johnson v. M’Intosh*, based on the shares their ancestor, a former Supreme Court Justice, had purchased many years before in one of the interested companies claiming title to the disputed lands. That investor was Thomas Johnson, who served on the Supreme Court briefly from 1792 to 1793.⁴² Thus, a foundational – and to some controversial –

⁴⁰ See history.army.mil/moh/civilwar_af.html#BURGER.

⁴¹ 21 U.S. (8 Wheat.) 543 (1823).

⁴² The plaintiffs in this case were the Justice’s son, Joshua Johnson, and the Justice’s grandson,

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John Marshall decision almost (and could have, had the suit been filed before his death) involved a former Supreme Court Justice as a plaintiff in his former Court. In any event, the suit might never have arisen but for the investment decisions of a Justice.

C. A Justice-to-Almost-Justice Relationship

One Justice succeeded where his brother failed. Wheeler Hazard Peckham was an accomplished New York lawyer of the nineteenth century. Among other exploits, he was a special prosecutor in corruption cases involving New York City Democratic leaders, first unsuccessfully against the Mayor in 1872, and then against Boss Tweed in 1873. He followed those criminal prosecutions with a successful civil suit against Boss Tweed that in 1876 resulted in a \$6 million verdict.

Wheeler Peckham's success, however, also proved to be his obstacle. In 1893, Justice Samuel Blatchford passed away, and President Grover Cleveland nominated Peckham for Blatchford's seat. United States Senator David Hill of New York, a Democrat who was aligned with the forces of Tammany Hall, led the opposition to Peckham. The nomination was defeated by a vote of 32-41. Edward Douglass White, Jr., was then nominated and confirmed.

About a year later, Justice Howell E. Jackson died, and this time President Cleveland nominated Peckham's brother, Rufus Wheeler Peckham, to the Court. The second Peckham nominee with a "Wheeler" name was confirmed (he served on the Court from 1896 to 1909).

D. Contributions to American Culture and the Arts

1. The man who wrote the following (intentionally ignored and now largely forgotten) verse was an accomplished lawyer of his time:

And where is that band who so vauntingly swore,
That the havoc of war and the battle's confusion
A home and a Country should leave us no more?
Their blood has wash'd out their foul footstep's pollution.

Thomas Graham. Justice Thomas Johnson still holds the record for the briefest official tenure on the Court – 163 days. Although he was nominated August 5, 1791, and confirmed by the Senate on September 19, 1791, he apparently did not assume the duties of a Justice until August of 1792.

More familiar is another of his verses that begins, “O say can you see, by the dawn’s early light . . .” The author, of course, is Francis Scott Key, and his verses became the words of our National Anthem. The Keys were prominent Marylanders, one of the “founding” families of that state. In 1806, years before these famous verses were written, Roger Brooke Taney married Anne P.C. Key, the sister of Francis Scott Key. Taney, of course, later became Chief Justice of the United States (Chief Justice, 1836-64).

2. In 1889, an enterprising and creative 30-year-old lawyer (who also loved to hunt) began what ultimately would become his full-time career as a wildlife photographer. He was no slouch as a lawyer, and even served as a U.S. Representative from Pennsylvania. But photography became his passion. He is credited with being the first photographer to use camera traps and flash photography to capture images of wildlife in their natural settings. Over time, his images brought him sufficient fame that he eventually gave up law and devoted himself solely to photography. This lawyer/photographer became known as “Grandfather Flash,” and is deemed by many to be the father of wildlife photography. Many of his famous and striking photographic plates now belong to the National Geographic Society. This accomplished American, George Shiras III, was the son of Supreme Court Justice George Shiras, Jr. (on the Court, 1892-1903).

3. A poet, famous for a poem that is symbolic of American ideals and a nation of immigrants, was the cousin of a Justice whose fame may transcend hers, certainly among lawyers, though both were well-known and accomplished Jewish-Americans. The poem, known to generations and connected to an American icon, reads in part as follows:

Give me your tired, your poor,
Your huddled masses yearning to breathe free,
The wretched refuse of your teeming shores.
Send these, the homeless, tempest-tost to me,
I lift my lamp beside the golden door!

The poem appears inside the Statue of Liberty, and the poet’s cousin was famed New York Court of Appeals Judge and Supreme Court Justice, Benjamin Nathan Cardozo (on the Court, 1932-38). The poet was Emma Lazarus.⁴³

⁴³ Various references report different relationships between these two – some clearly

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While canoeing at night, George Shiras III (right) operates his flash and camera to photograph wild animals for the July 1906 issue of National Geographic Magazine.

4. Finally, we arrive at the inspiration for the title of this article. For those of us of a certain age, *the Superman* is Christopher Reeve, who made four Superman movies from 1978 to 1987.⁴⁴ A tall, striking figure in real life, Reeve suffered a premature death in 2004 at age 52, almost ten years after he was in a horrible accident and suffered catastrophic injuries while competing in an equestrian competition in 1995. Though Reeve may not

incorrect, such as that Cardozo was the uncle of Lazarus, even though he was more than 20 years younger than her – but in fact their mothers were sisters (of the very large and prominent Nathan family), making Cardozo and Lazarus first cousins.

⁴⁴ Also notable among Reeve's movies is *Somewhere in Time* (1980) with Jane Seymour.

have been from Krypton and had no superpowers that could protect him, he certainly had notable American ancestry. Reeve's family tree includes an ancestor who arrived in America on *The Mayflower*.⁴⁵ For our purposes, Reeve most importantly was descended from no less than two Supreme Court Justices, one each on the maternal and paternal sides of his family. These two Justices were Henry Baldwin (on the Court, 1830-1844), who was Superman's paternal great-great-great-great grandfather, and Mahlon Pitney (on the Court, 1912-22), who was Superman's maternal great-grandfather. Our research has discovered no other famous American who can claim Supreme Court Justices on both sides of the family tree. Perhaps it is fitting that only "Superman" himself can do so: Is it a bird? Is it a plane? No, it is a famous American with multiple Supreme Court Justice ancestors.

CONCLUSION

This has been a rewarding and entertaining endeavor. Though some might be inclined to label the enterprise a lark, or a frivolity, in a serious vein one could respond that knowing the family trees and relationships of Justices to other prominent Americans may in fact assist legal historians and others in locating documents and information that shed important light on Supreme Court cases and the Justices themselves. Knowing a Justice's family tree may lead to sources of information about a Justice, and likely about the Court itself and its cases, information and research sources that might not at first be immediately apparent when a legal scholar or historian is pursuing a particular Justice, or era of the Supreme Court.

For instance, thanks to a colleague in the legal academy,⁴⁶ I recently learned that the Key family of Maryland is not only one of Maryland's first families and famous in that state, but also that there are Key family documents, letters and other records dating back to at least the first half of the eighteenth century. I have not had the opportunity to explore those records, but it is not implausible that they may include correspondence from Chief Justice Taney to his wife, Anne P.C. Key, or to other members of the Key family.

⁴⁵ Which still falls far short of the American ancestry of the Native Americans who were here long before then, of course.

⁴⁶ Josh Kastenberg, currently a member of the University of New Mexico School of Law faculty.

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In any event, I would welcome, indeed I invite, additional entries to the chart in this article. I urge you, the *Green Bag*'s faithful and talented readers to infinity and beyond,⁴⁷ in a quest to find additional connections between Supreme Court Justices and their famous (or infamous) relatives. If you choose to accept this mission, may the force be with you.⁴⁸

GB

⁴⁷ Buzz Lightyear in the *Toy Story* movies.

⁴⁸ You know the sources of these phrases. And sorry for the clichés, but Superman is part of the title, after all.