



THE FAMOUS RELATIVES OF SUPREME COURT JUSTICES

AN UPDATE

Stephen R. McAllister

In my previous *Green Bag* article on this subject,¹ I produced a chart of Justices and their famous relatives, inviting *Green Bag* readers to add to the chart. Since the publication of that article, some *Green Bag* readers have accepted the challenge and submitted additional relationships for consideration. I also continued my own research. The result is that this update adds some Justices and their famous relatives to the original chart.

The addendum chart is below. Following it are anecdotes regarding some of the new discoveries. I hope readers enjoy this update, and I again invite *Green Bag* readers to suggest further additions to this effort.

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¹ Stephen R. McAllister, *The Supreme Court and Superman: The Justices and the Famous People in Their Family Trees*, 21 *Green Bag* 2d 219 (2018).



Charles Evans Hughes, Jr. (right) is sworn in as Solicitor General by Assistant Chief Clerk of the Department of Justice Charles B. Sornborger (left) before Attorney General William D. Mitchell (center) (June 1, 1929).

Justice	Relative	Relative's position(s)
Tom Clark ²	Ramsey Clark (son)	U.S. Attorney General
Charles Evans Hughes ³	Charles Evans Hughes, Jr. (son)	U.S. Solicitor General

² www.justice.gov/ag/bio/clark-william-ramsey.

³ www.justice.gov/osg/bio/charles-evans-hughes-jr.

Famous Relatives of Supreme Court Justices

Justice	Relative	Relative's position(s)
William Howard Taft ⁴	Robert A. Taft (son)	U.S. Senator, Ohio; 3-time presidential candidate
	Charles Phelps Taft II (son)	Mayor of Cincinnati; Ohio Gov. candidate
	Helen Taft Manning (daughter)	Women's suffrage supporter; professor of history; college dean
	Robert A. Taft, Jr. (grandson)	U.S. Senator, Ohio; U.S. Rep., Ohio
	Robert A. Taft, III (great-grandson)	Governor of Ohio
Oliver Wendell Holmes, Jr. ⁵	Oliver Wendell Holmes, Sr. (father)	Noted 19th century poet
Lucius Q.C. Lamar ⁶	John Campbell (cousin)	Justice, U.S. Supreme Court
John Catron ⁷	Thomas Benton Catron (second cousin, once-removed)	U.S. Senator, New Mexico; U.S. Rep., territory of N.M.; Attorney General, territory of N.M.; U.S. Att'y, territory of N.M.

⁴ [history.house.gov/People/Listing/T/TAFT,-Robert,-Jr--\(T000010\)/](http://history.house.gov/People/Listing/T/TAFT,-Robert,-Jr--(T000010)/); www.congress.gov/member/robert-taft/T000010.

⁵ www.notablebiographies.com/He-Ho/Holmes-Oliver-Wendell.html.

⁶ library.cqpress.com/scc/document.php?id=bioenc-427-18168-979344&v=f1195677845bf918.

⁷ Victor Westphall, *Thomas Benton Catron and his era* (U. of Arizona Press 1973), at 5.

Justice	Relative	Relative's position(s)
Salmon P. Chase ⁸	Samuel Chase (great-grandfather)	Not a Supreme Court Justice: this Samuel Chase died in 1800, before Justice Samuel Chase was impeached in 1804-05

A FEW STORIES

The impetus for my initial research and article was a Court portrait that included Joseph Rucker Lamar. That took me to Lucius Q.C. Lamar and the project was born. Lucius Lamar continues to provide fodder for the project. Lucius was not only a distant cousin to Justice Joseph Rucker Lamar, he was also a cousin to a Justice who preceded him on the Court. That Justice-cousin was John Campbell, who served on the Court from 1853 to 1861. Campbell resigned from the Court at the beginning of the Civil War to return to the South. After a little digging, I learned some more interesting information about both Lucius Lamar and John Campbell.

*Fire-eating Secessionist and Slaveholder, University Professor,
and Post-War Statesman?*

Lucius Lamar was an ardent proponent of secession leading up to the war, and he was a slaveholder. During the War, Lamar and many of his brothers, law partners, and friends were Confederate soldiers who fought in numerous battles, and many of them were killed in action. Those factors make recognizing him as a famous Mississippian controversial today. The University of Mississippi in 1977 named a building on the Ole Miss campus after Lamar,⁹ who devoted much of his post-War professional life

⁸ See, e.g., www.wikitree.com/wiki/Chase-843 and www.wikitree.com/wiki/Chase-846. Chief Justice Chase's great-grandfather did have some judicial experience, however, serving as the first justice of the peace for Cornish, N.H., and as one of the first judges for Cheshire County, N.H.

⁹ See Stephanie Saul, *Ole Miss Edges Out of Its Confederate Shadow*, *Gingerly*, New York Times (Aug. 9, 2017).

Famous Relatives of Supreme Court Justices



Helen Taft Manning testifies before the Senate Foreign Relations Committee (April 21, 1939).

to advancing higher education in Mississippi and to bettering North-South relations. But that honor has not been without recent controversy.¹⁰

In contrast to that recent controversy, John F. Kennedy's *Profiles in Courage* devotes an interesting chapter to Lucius Lamar and his influential role as a post-war Southerner who worked to achieve reconciliation, often voting contrary to the demands of many of his constituents. Kennedy recounts Lamar's remarks eulogizing Radical Republican Charles Sumner in 1874 as bringing Speaker of the House James G. Blaine and others to tears,

¹⁰ *Id.*

as Lamar lauded Sumner and pleaded for amity and cooperation between North and South. This speech was made while Lamar served in the House, but afterwards he was elected to the Senate, and he subsequently served as Secretary of the Interior before being appointed to the Supreme Court in 1888, where he served until his death in 1893.

Lamar likely is one of those Justices whose non-judicial career is more notable than his time on the Court. I commend the *Profiles in Courage* chapter to those interested in learning more about Lamar's post-War political and moral courage, though we must condemn his secessionist and pro-slavery opinions and actions. Particularly thoughtful and perhaps still of current relevance is a quote by Lamar that closes the *Profiles in Courage* chapter:

The liberty of this country and its great interests will never be secure if its public men become mere menials to do the biddings of their constituents instead of being representatives in the true sense of the word, looking to the lasting prosperity and future interests of the whole country.¹¹

The University of Mississippi has chosen to view this as one of those situations where we condemn the bad and unacceptable aspects of a person's beliefs and behavior, while recognizing the good that also resulted from the person's life and actions.¹²

*From Nearly Court-Martialed to Supreme Court Justice,
and Distinguished Supreme Court Advocate*

Justice John Campbell, cousin to Lucius Lamar, resigned from the Court at the beginning of the Civil War, but he advocated for and sought peace throughout the war. An interesting question is whether Campbell would

¹¹ John F. Kennedy, *Profiles in Courage* 163 (Harper Collins 2003 edition).

¹² See Saul, *supra* n. 9 (quoting the Ole Miss Chancellor as saying, "Our whole framework is predicated on the principle that it's better to educate and contextualize rather than remove or erase."). In 2018, the University of Mississippi installed a "contextualization" plaque about Lucius Lamar outside Lamar Hall, providing an account of his politics and views, his slaveholding status prior to the Civil War, his post-war activities, and the numerous positions he held during his career. The text of the plaque is provided as an addendum to this article, and a rendering of the plaque can be found at context.olemiss.edu/wp-content/uploads/sites/89/2018/02/ContextualizationPlaques.pdf.

Famous Relatives of Supreme Court Justices



Thomas Benton Catron, Senator from New Mexico (1913).

have served as a Justice and subsequently played an influential role in negotiating the end of the war had things gone differently because of his involvement as a cadet in a notorious incident at the U.S. Military Academy at West Point in December 1826?

Campbell was a cadet at West Point in the fall of 1826. At that time, alcohol possession by cadets was prohibited. The faculty-officers had a Christmas gathering that included wine, but alcohol was officially banned from cadet holiday celebrations, a new policy in 1826 that was a break from prior tradition. Frustrated with the new policy, several cadets residing in the North Barracks decided to smuggle gallons of whiskey into the barracks for a Christmas Eve celebration. Things quickly got out of control.

Groups of cadets in two different rooms became intoxicated and, as the night wore on, more joined the ranks of the inebriated. In response, two officers and some cadets attempted to calm the situation in the North Barracks, with little initial success. Over the course of many early morning hours there were assaults on the officers, disobedience to direct commands, a shot was fired at an officer's door, an officer was struck by a thrown log, an officer was threatened with a sword, and cadets broke windows, doors, and a military drum. Some of the cadets mistakenly believed and spread the word that the bombardiers were coming to quell the "riot," a false rumor that spurred further irrational actions as cadets anticipated and prepared for a possible artillery attack on the North Barracks.

Ultimately and fortunately, however, the whiskey ran out. Without further fuel, drunk cadets started sobering up, and many of the offenders reported for reveille at dawn on Christmas morning, though not in top condition. Order was restored by the time breakfast ended on Christmas Day, although not before a knife fight between two drunken cadets was thwarted during breakfast.

This event, which has gone down in history as the Eggnog Riot, or sometimes the Grog Riot, resulted in court-martial proceedings. Estimates were that as many as seventy cadets might have been involved in the "riot," including possibly Jefferson Davis and John Campbell. Superintendent Sylvanus Thayer had to decide which cadets to charge and what the charges would be. A court-martial proceeding initiated in late January 1827 ultimately tried 19 cadets (one regular soldier was court-martialed separately for taking a bribe from cadets to let them use a boat to cross the Hudson

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River and bring back whiskey). All were convicted, and punishments ranged from loss of rank to dismissal from West Point and the Army. Some cadets were granted clemency; some cadets returned to the Academy later and graduated notwithstanding their record. Back to our man, Cadet John Campbell; there were calls and efforts to charge and convict him. In fact, the court-martial panel recommended that he be so charged, but the recommendation was not pursued. His friend Jefferson Davis likewise escaped charges. Thus, Campbell was not subjected to a court-martial proceeding and received no discipline for the incident, allowing his early career to proceed unblemished, although he never graduated from West Point.¹³

The lifelong connection between Davis and Campbell, and their joint brush with military dishonor, may help explain why Campbell reluctantly served Davis as Assistant Secretary of War (while advocating the South seek an end to the war) and was personally selected by Davis to serve as one of the Confederacy's representatives to negotiate peace with President Abraham Lincoln.

Campbell was imprisoned for several months immediately after the war. After he was released, Campbell settled in New Orleans, where he practiced law for many years, establishing a prominent and successful law practice. Among Campbell's post-war legal accomplishments was appearing regularly before his former Court, where he argued numerous cases, including the *Slaughterhouse Cases*¹⁴ and *United States v. Cruikshank*,¹⁵ among many others.

¹³ A thorough account of the entire episode can be found in James B. Agnew, *Eggnog Riot: The Christmas Mutiny at West Point* (Presidio Press 1979). The book also presents a fascinating account of West Point's early years and the outsize role that Col. Sylvanus Thayer, Superintendent at the time of the riots, played in making the USMA the outstanding institution it is today. With my son, Brett, who will be a "Firstie" at West Point by the time this article is published, I have learned that the "Thayer method" of instruction remains in use there to this day. Moreover, as a history major, Brett immediately knew of the Eggnog Riot when I asked him about it, so apparently that legend lives on at West Point, though hopefully neither he nor any other current cadets will attempt to emulate it.

¹⁴ 83 U.S. (16 Wall.) 36 (1873).

¹⁵ 92 U.S. 542 (1876).

One Notable Legal Career Ends and Another Begins

Justice John Catron was an ardent supporter of slavery (voting with the majority in *Dred Scott*), but he opposed secession. Nominated on President Andrew Jackson's last day in office in 1837, Catron was confirmed and served as a Justice until his death in mid-1865. The year after Catron died, his second cousin once-removed, Thomas Benton Catron (whose father had been named John Catron after Justice Catron), arrived in the New Mexico Territory, where he was to be a lawyer, public official, and political force until his death in 1921, after a remarkably long and tumultuous life.

Thomas Benton Catron was born and educated in Missouri. He served in the Confederate Army, and then headed southwest after the war, arriving in the New Mexico Territory in mid-1866. In the New Mexico Territory, Catron had a fascinating and diverse career, serving as U.S. Attorney for the territory and as a member of the Territorial Council (periodically winning, losing, and then regaining his seat). Catron also survived an attempt on his life, and he was acquitted in disbarment proceedings. Late in his career, Catron was a member of the constitutional convention that resulted in New Mexico statehood, and he was elected mayor of Santa Fe.

Catron's crowning achievement, perhaps, was being chosen by the New Mexico Legislature in 1912 to be one of the first two U.S. Senators from that state. Catron was in the final group of U.S. Senators to be selected by a state legislature rather than by popular vote, with the ratification of the Seventeenth Amendment occurring the following year in 1913. Whether or not because of the change in selection method, Catron served only one term as Senator; he was not nominated for popular election when his term ended.¹⁶ Remarkably, Thomas Benton Catron's legacy in New Mexico lives on today through the law firm he founded in 1866, which is now known as Catron, Catron & Glassman, P.A., located in Santa Fe.¹⁷

¹⁶ A full account of Catron's lengthy and fascinating professional career can be found in Victor Westphall, *Thomas Benton Catron and His Era* (U. of Ariz. Press 1973).

¹⁷ www.catronlaw.com/firm-history.

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The Taft Family Could Be Its Own Article

Lastly, we come to the Taft family. In my original article I looked backwards, at Taft family members who were ancestors of Chief Justice (and, earlier in his career, President) William Howard Taft. Even then, I missed some. Of course, I could have and should have looked forward as well, to the descendants of Big Bill. This family's notable accomplishments could merit a freestanding article. Generations of Tafts have held significant government positions; many also have pursued other notable and interesting careers.

Most obviously notable are Chief Justice Taft's own children. His son, Robert A. Taft, Sr., was a well-known U.S. Senator from Ohio who three times unsuccessfully sought the Presidency.¹⁸ Taft's other son, Charles Phelps Taft II, was Mayor of Cincinnati, served on the Cincinnati City Council, and unsuccessfully ran for Governor of Ohio.¹⁹ Taft's daughter, Helen Herron Taft Manning, was a noted supporter of women's rights and women's suffrage early in her career, and later served as both a professor of history and dean at Bryn Mawr College, her undergraduate alma mater.²⁰

The Taft grandchildren carried on the remarkable family accomplishments. Robert A. Taft, Sr.'s son, Robert Jr. served in both the U.S. House of Representatives and, like his father, as a U.S. Senator from Ohio.²¹ His older brother, William H. Taft III, served as Ambassador to Ireland,²² and one of his younger brothers was Horace Dwight Taft, who became a professor of physics and a dean at Yale.²³

Peter Taft, one of the sons of Charles Phelps Taft, clerked for Chief Justice Earl Warren and served as the Assistant Attorney General for the

¹⁸ bioguide.congress.gov/scripts/biodisplay.pl?index=T000009.

¹⁹ See www2.gwu.edu/~erpapers/mep/displaydoc.cfm?docid=erpn-chataf.

²⁰ See www.nytimes.com/1987/02/23/obituaries/helen-taft-manning-ex-dean-of-bryn-mawr.html.

²¹ bioguide.congress.gov/scripts/biodisplay.pl?index=T000010.

²² See www.nytimes.com/1991/02/26/obituaries/w-h-taft-3d-75-ex-envoy-to-ireland-and-son-of-senator.html.

²³ See www.nytimes.com/1983/02/14/obituaries/horace-dwight-taft-physics-professor-at-yale.html.

Land and Natural Resources Division in the Department of Justice under President Ford.²⁴

And, of course, Taft's great-grandson, Robert Taft III, served two terms as the Governor of Ohio, from 1999 to 2007. Lawyer Tafts who are descendants of Chief Justice Taft also include William H. Taft IV, and William H. Taft V, both currently engaged in the practice of law.

CONCLUSION

This endeavor continues to be its own reward. As before, I welcome any ideas and suggestions for additions to this ongoing project. A big thank you to those who already have taken up the challenge.

ADDENDUM

(see footnote 12 above)

LAMAR HALL

In 1977 this building was dedicated in honor of Lucius Quintus Cincinnatus Lamar II (1825-1893).

Born in Putnam County, Georgia, Lamar moved to Mississippi in 1849. He joined the faculty of the University of Mississippi as adjunct professor of mathematics from 1850 to 1852, and again in 1861 as chair of ethics and metaphysics. During this period, he established himself as a lawyer, planter, and slaveowner, owning thirty-one slaves by 1860.

His political career began when he was elected to the Georgia state legislature in 1853 and then to the U.S. House of Representatives from Mississippi in 1856. Resigning from Congress in 1860, Lamar served as delegate from Lafayette County to Mississippi's Secession Convention and was chiefly responsible for writing the state's Ordinance of Secession. He helped raise the Nineteenth Mississippi Infantry Regiment and another state regiment, the Fourteenth, was named the Lamar Rifles in his honor. Following the Civil War, Lamar returned to the faculty of the University of Mississippi, serving as professor of law and governmental science from 1867 to 1870.

²⁴ See www.justice.gov/enrd/peter-taft.

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After Congress restored his political rights in 1873, Lamar represented Mississippi in the House until 1877, and in the Senate from 1877 to 1885. His 1874 eulogy for abolitionist Senator Charles Sumner made him a national figure in postwar sectional politics. Anxious Northerners, fearful of a renewal of sectional conflict, seized upon his assurances of Southern fidelity. Lamar's national prominence obscured the active role he played in dismantling Reconstruction in Mississippi to the detriment of the state's African American citizens.

In 1885, President Grover Cleveland named Lamar Secretary of the Interior, where he was instrumental in the preservation of national park lands, especially Yellowstone National Park. In 1888, he was nominated to the United States Supreme Court where he served until his death in 1893. He remains the only Mississippian to have served on the Supreme Court, and one of two Americans to have served on that Court as well as in a cabinet post, the House, and the Senate.

