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Memorials of the Justices of the Supreme Court of the United States Volume Six

Edited and with a preface by
H. Kumar Percy Jayasuriya



When a justice of the Supreme Court dies, the Supreme Court Bar and Bench memorializes these losses. Since 1822, upon the death of a justice the Bar of the Supreme Court has appointed an ad hoc resolution committee to draft a resolution memorializing the life of that justice. The resolution summarizes the justice's biography, explains his major contributions to the development of the law, and reflects on the qualities that captured the respect and admiration of those who best knew him. A tribute to the justice at the Supreme Court is the final proceeding in the memorial.

In 1981 Roger Jacobs, then Librarian of the Supreme Court, collected and published 35 memorials of late justices. Continuing the work of Jacobs, this publication includes the proceedings of all of the subsequent memorials and some earlier works which Jacobs excluded; for example, Jacobs did not publish the 1870 memorial of Edwin M. Stanton because, although appointed to the Court, he died before assuming his seat.



The entire memorials for three other justices are publicly available here for the first time: Frank Murphy, Sherman Minton, and Willis Van Devanter. If there ever were formal publications of these memorials, they are now lost, but the justices are included here based upon the partial memorials published in Supreme Court Reporter and the original drafts of speeches deposited with the Supreme Court.

The final group of memorials published here but not in the earlier series are those which Jacobs noted were already printed in the *Supreme Court Reporter*: James Byrnes, Hugo L. Black, Tom C. Clark, William O. Douglas, John Harlan II, Stanley Forman Reed, Earl Warren, and Charles E. Whittaker. These justices are incorporated into this work so that legal historians and Court biographers can easily find them in an increasingly digital world.

As Jacobs mentioned in the Preface to his 1981 work, there are two reasons to preserve these memorials. First, it is fitting to save and make available these histories of the principal members of the Supreme Court of the United States, one of the major institutions of the United States government. Secondly, the memorials offer reflections upon the character of the justices contributed by the people closest to them.

Memorials must paint their subjects in the best possible light, enhancing talents and diminishing blemishes. For the reader to better place these memorials in historical context, Scott Powe of the University of Texas School of Law has contributed the introduction. As the foremost historian of the Warren Court and a former Supreme Court clerk who worked with many of the justices honored in this publication, Powe contributes his scholarly expertise and his personal reflections about the justices eulogized.

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