

WA23C

NIGHT

BY CHARLOTTE G. MOULTON

UNITED PRESS STAFF CORRESPONDENT

WASHINGTON, JUNE 10.--(UP)--THE SUPREME COURT, WHICH WAS HARD ON COMMUNISTS DURING ITS 161ST TERM JUST ENDED, FACES EVEN MORE COMMUNIST CASES WHEN IT RECONVENES ON OCT. 1.

IN AFFIRMING THE CONVICTION OF THE 11 COMMUNIST LEADERS AND UPHOLDING THE CONSTITUTIONALITY OF THE SMITH ACT LAST WEEK, THE COURT CLIMAXED A YEAR WHEN MANY OF THE 1216 CASES DISPOSED OF HAD COMMUNIST OVERTONES.

NEXT TERM IT MUST DEAL WITH THE ESPIONAGE CONVICTION OF GOVERNMENT GIRL JUDITH COPLON; THE PERJURY CONVICTION OF WEST COAST LABOR LEADER HARRY BRIDGES; NEW YORK STATE'S FEINBERG LAW, DESIGNED TO PURGE THE PUBLIC SCHOOL SYSTEM OF SUBVERSIVES; AND PROBABLY NUMEROUS ANTI-COMMUNIST STATUTES OF OTHER STATE AND LOCAL GOVERNMENTS.

DURING THE RECENT TERM, THE COURT UPHELD THE CONSTITUTIONALITY OF LOYALTY REQUIREMENTS IMPOSED BY LOS ANGELES ON CITY EMPLOYEES AND BY MARYLAND ON CANDIDATES FOR CITY AND STATE OFFICE. BY A 4 TO 4 VOTE, WHICH DOES NOT SET LEGAL PRECEDENT, THE COURT ALSO AFFIRMED THE RIGHT OF THE FEDERAL GOVERNMENT TO FIRE A WORKER FOR DISLOYALTY WITHOUT ALLOWING HIM TO CONFRONT HIS ACCUSERS.

IN OTHER CASES, HOWEVER, THE COURT FOUND THAT CIVIL RIGHTS OVERSHADOWED THE COMMUNIST MENACE IN IMPORTANCE. IT RULED THAT ORGANIZATIONS APPEARING ON THE ATTORNEY GENERAL'S SUBVERSIVE LIST MAY BRING SUIT TO CHALLENGE THAT LABEL. AND IT FOUND THAT A WITNESS WHO IS ASKED ABOUT HIS COMMUNIST CONNECTIONS HAS A RIGHT TO KEEP SILENT ON GROUNDS OF POSSIBLE SELF-INCRIMINATION.

MORE PA1239P

WA24C

ADD COURT WASHINGTON XX SELF-INCRIMINATION.

ALGER HISS, ONETIME STATE DEPARTMENT OFFICIAL, CONVICTED OF PERJURY IN DENYING HE PASSED GOVERNMENT SECRETS TO EX-COMMUNIST COURIER WHITTAKER CHAMBERS, FAILED TO GET A HEARING BY THE HIGH BENCH.

OF THE 1216 CASES APPEALED FROM LOWER COURTS, THE JUSTICES ACCEPTED 105 FOR DECISION. THEY DISPOSED OF 99 OF THESE BY WRITTEN OPINION, EXACTLY THE SAME NUMBER AS LAST TERM. THERE WERE 19 UNANIMOUS OPINIONS AND 15 WHERE THE COURT SPLIT 5 TO 4.

A STUDY OF THE VOTING LINEUP SHOWED THAT PRESIDENT TRUMAN'S FOUR APPOINTEES -- CHIEF JUSTICE FRED M. VINSON AND JUSTICES HAROLD H. BURTON, TOM C. CLARK AND SHERMAN MINTON -- DISAGREED AMONG THEMSELVES MORE THAN THEY DID LAST TERM, WHEN THEY VOTED IN A FAIRLY SOLID BLOC. CLARK STAYED OUT OF 16 CASES THIS YEAR, PRESUMABLY BECAUSE OF HIS PREVIOUS CONNECTION WITH THEM AS ATTORNEY GENERAL.

JUSTICES FELIX FRANKFURTER AND WILLIAM O. DOUGLAS SPLIT THE PRIZE FOR MOST OPINIONS WITH 29 EACH, COUNTING DISSENTS AND CONCURRENCES. JUSTICE HUGO L. BLACK RETAINED HIS PLACE AS TOP DISSENTER WITH 42, BOTH WRITTEN AND NOTED. JUSTICE DOUGLAS CAME NEXT WITH 34.

BLACK AND DOUGLAS ARE THE TWO REMAINING MEMBERS OF THE OLD FOUR-MAN "LIBERAL BLOC," BROKEN UP BY THE DEATH IN 1949 OF JUSTICES WILEY B. RUTLEDGE AND FRANK MURPHY. NEVERTHELESS, THE TWO WROTE MORE MAJORITY OPINIONS THAN ANY OTHER JUSTICES -- 12 EACH. VINSON FOLLOWED WITH 11; AND CLARK AND JUSTICES ROBERT H. JACKSON AND STANLEY F. REED EACH WROTE 10. BURTON AND MINTON HAD 9 EACH AND FRANKFURTER EIGHT. THERE WERE EIGHT OTHER UNSIGNED OPINIONS.

PA1244P

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WA289 PD=FAX WASHINGTON DC 18 1250P-

THE HON ALFRED VINSON-

CHIEF JUSTICE SUPREME COURT-

1953 JUN 18 PM 1 00

THIS IS TO VOICE STRONGEST PROTEST AGAINST FACT THAT REPRESENTATIVE OF FRENCH NEWS AGENCY ONE OF FIVE WORLD WIRE SERVICES ACCREDITED TO WHITE HOUSE CONGRESS AND STATE DEPARTMENT WAS DENIED TODAY BY PUBLIC RELATIONS OFFICER IN CHARGE ACCESS TO SUPREME COURT PUBLIC SESSION DEALING WITH ROSENBERGS CASE CMA IN RUDEST MANNER AND WITHOUT ANY SATISFACTORY EXPLANATION STOP THIS REPRESENTATIVE WITNESSED FACT THAT SOME NEWSPAPERMEN WITHOUT ANY SPECIAL CREDENTIALS

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

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289

1953 JUN 18 PM 1 00

WERE ALLOWED INTO COURT AFTER THIS PRIVILEGE HAD BEEN REFUSED TO HIM STOP WE WISH TO PUT ON RECORD THAT THIS IS FIRST TIME ELEMENTARY FACILITIES FOR COVERAGE OF NEWS OF WORLD WIDE INTEREST ARE DENIED TO OUR ACCREDITED CORRESPONDENTS IN WASHINGTON STOP RESPECTFULLY=

FERNAND MOULIER GENERAL NEWS MANAGER AGENCE FRANCE
PRESSE SUITE 914 NATIONAL PRESS BUILDING WASHINGTON

THE COMPANY WILL APPRECIATE SUGGESTIONS FROM ITS PATRONS CONCERNING ITS SERVICE

'That's What Joe Blow Said'

An Intimate Message From Washington

Registered in U. S. Patent Office

WASHINGTON

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

Dear Mr. Chief Justice:

A few days ago I was assigned to attend and report the special term of the Supreme Court which considered the final appeals in the Rosenberg case. You are aware, of course, of the intense public interest and concern in this case. Most thoughtful Americans, knowing that it had become an episode in the cold war, wanted, above all, to see justice prevail. They wanted no propaganda charges hurled across the Iron Curtain that couldn't be explicitly answered with facts. My job was to report what was said in those unusual sessions of the court. I suppose I represented several hundred thousand persons who could not be there. On the day that you heard arguments from the government and from counsel of the Rosenbergs I feel I failed these people, but I do not think I am much to blame. I could not hear.

Nor was I alone. Most reporters present could not hear. You must be aware where we are placed, on the east side of the court in three bays between the double marble columns that surround the courtroom. Here were 30 of us, representing several million Americans whom you were serving as the Chief Justice of the United States. It is sure that not 25 of us heard even half of what was said in court that day. We got most of our information from the half-dozen press association reporters granted desks just below your bench. They are placed so they can hear.

I have no doubt that the press association reporters accurately reflected what was said in the court. But I do not want to be placed in the position of telling my editor that "I guess that's what the Chief Justice said—anyway, that's what Joe Blow said he said. I couldn't hear him." Nor do I want my paper to tell its readers, "We think this report is accurate but we can't be sure—our man couldn't hear, but the other fellow in the special seats down front could."

The day before the hearing was held, that day, that evening, and the next day, people across the country were asking what it was all about? What was the point of law raised which caused Justice Douglas to grant a stay? What was said in the court

by the government and defense counsel? I could not tell my office on the crucial day because I could not hear and, by the time I had been able to file in my haphazard notes from one of the press associations up front, it was three p.m. and too late.

The case I am making can give no comfort to Red propagandists. For the Rosenberg or any other hearings there has been no censorship; no "controlled reporting." Indeed by providing excellent facilities for the press association reporters—who represent the most readers—the court has insured independent and accurate reports for millions of readers. But other millions should not have to depend on the press association men. My point has nothing to do with the issues in the Rosenberg case; the need for better facilities for all the press arises whenever a big case evokes special interest.

Should the court allow itself to be denied full communication with the people it represents as truly as any agency of government? It is said that the court "would not think" of installing a public address system, because this would disturb the judicial process. This seems difficult to believe, since microphones can be almost entirely concealed and can be held, in volume, to conversational level while permitting all to hear. Or, perhaps reporters could be given headphones as is successfully done at the United Nations.

The Supreme Court is, many hold, the finest public building in Washington, one of the two or three finest in the country. Here the judicial system of the United States, of which Americans for a century and a half have been rightfully proud, has its physical base. The Supreme Court is, in fact, something of a temple. But the court seats not over 400 persons, nearly half of whom are lawyers. If 200 ordinary citizens get in to hear a big case, such as the Rosenbergs', they are fortunate. That situation is understandable, for the court in session is not a spectacle. But it is not understandable why the court does not make it possible for all representatives of the people—the press and radio reporters—to hear.

The facilities for reporting in the Supreme Court, sir, are the worst in Washington. What can be done to improve matters?

Sincerely yours,

ROLAND SAWYER

December 27, 1946

Mr. Rex Goad,
Chairman,
Executive Committee of Correspondents,
The Capitol,
Washington, D.C.

Dear Mr. Goad:

I have your letter of December 11,
relative to the request of the Radio Cor-
respondents' Association to bring to the
attention of the Judicial Conference
of Senior Circuit Judges the problem of
legitimate news coverage in the courts.

I shall be glad to meet with
your Executive Committee on this matter.

Sincerely yours,

(Signed) Fred M. Vinson

FMV:McH

EXECUTIVE COMMITTEE OF CORRESPONDENTS

REX GOAD, TRANSRADIO PRESS SERVICE,
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ERIC SEVAREID, COLUMBIA BROADCASTING
SYSTEM, VICE CHAIRMAN
ALBERT WARNER, MUTUAL BROADCASTING
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COMPANY, TREASURER
RICHARD HARKNESS, NATIONAL BROADCASTING
COMPANY, MEMBER EX OFFICIO
FRANCIS W. TULLY, JR., WASHINGTON
REPORTERS, INC., MEMBER AT LARGE

Congress of the United States

RADIO CORRESPONDENTS' GALLERIES

Washington, D. C.

December 11, 1946

My dear Chief Justice:

The Radio Correspondents' Association respectfully asks the privilege of bringing to your attention, in your capacity as Presiding Officer of the Judicial Conference of Senior Circuit Judges, a problem of legitimate news coverage which arises in the federal courts and involves radio vitally in its increasingly important role as a disseminator of public information.

The Radio Correspondents' Association includes all those persons certified as bona fide news correspondents for radio in Washington, but the problem is national and has equal application to radio news correspondents in all the judicial circuits.

To make perfectly clear what the problem is, and what we feel we can with propriety ask, with full consideration to the dignity and sanctity of the courts, may we present the matter through experiences encountered in the case of hearings at the United States District Court for the District of Columbia in the case involving the United Mine Workers? It seems clearly a case involving the interests of the whole people and their right to full, accurate and prompt information. We wish, at the outset, however, to make it clear that these experiences are cited to point to the general problem and not in a spirit of complaint against the presiding judge in that case who was courteous and cooperative to the full extent of his awareness of all our problems. It is on precisely this point that we feel clarification can be helpful, not only to the radio correspondents but to the federal judges, as well. The presiding officers of the courts have far more experience with and knowledge of the instrumentalities of the newspaper than they have of the radio news media.

The various radio outlets in Washington sought to set up microphones in appropriate locations in the District Court building. First, it was difficult to know to what appropriate official they should apply. Second, there was no uniformity of view as to whether or not permission should be granted. One or two of them were permitted to set up microphones by which they were enabled to give brief, spot reports by radio, done by competent and responsible news reporters who left the court room to go to their microphones, exactly as a newspaper reporter leaves the court chamber to go to his telephone or wire. Ultimately permissions

were countermanded and these microphones were banished, even one which had been set up in the press room itself. Microphones, in such cases, could be set up in adjacent buildings, where such might exist, or even in shortwave mobile units in adjacent streets but this would mean that the radio reporter would have to race away to a distant outlet, while the newspaper and wire association reporter would be permitted access to an outlet in the court building itself, and usually in a press room provided for his convenience in performing a recognized public service.

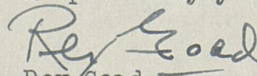
Please note that the radio news activity of which we speak here involves no invasion of the court chamber whatever, and calls for no more consideration by the court than that freely accorded the newspaper reporter. The one delivers his information to the public by voice; the other through the printed word. We believe that a full understanding of this particular news function of the radio would bring quick recognition of its proper and responsible role on a basis of equality. Establishment of such recognition is our hope; the physical problems in individual cases can be worked out satisfactorily where initial understanding exists.

We are aware that the individual judge has and must have widest discretion in adopting rules for a court hearing, rules sensibly dictated by the varying and particular circumstances. We seek only the means of conveying to the courts a general understanding of the nature of the radio news job, its problems, and its eligibility for equality of coverage facilities. We are implicitly confident that the courts will find the men who do this reporting to be experienced, fully cognizant of the proper considerations surrounding a court of justice and entirely ethical as to the integrity of the news. The complaint is sometimes made that news reporters seek to "make a Roman holiday" of certain solemn court proceedings. Obviously this complaint can be applied to "sensationalizing" no matter what the media and it arises from the character of the news coverage, not from any question of the thoroughness of its dissemination.

May we hope that the Judicial Conference of Senior Circuit Judges will give consideration to this problem at its next meeting, in so far as it is a comparatively new and an inescapable element in court administration? As a preliminary matter, might you, Mr. Chief Justice, or such appropriate official as you may designate, receive a delegation from this Committee for a more specific exploration of the problem?

With all thanks for your indulgence,

Respectfully yours,


Rex Goad,
Chairman.

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

File

Parker

May 20, 1947

GBP:

On the matter of the Supreme Court's system for handling decisions, I talked with members of the staff and have thought over the matter from our own viewpoint and that of others in our business.

I found there is widespread criticism of the court's system and consequently agitation for improvement. This criticism and agitation has reached Vinson but no meeting has yet been arranged between newspapermen and Vinson.

In answer to your specific question, there has been no improvement noted in the last year or so. The decisions are released AFTER THEY ARE READ. Thus if a reporter goes to the court at noon to cover a specific case he must wait until that case has been read in the chambers before he is given a copy of the decision.

It seems to me that system is just about as bad as it could be except that a reporter is given printed copies of the decisions.

Here are some suggestions for improvement. I list the minimum recommendations first and the others in order so that the maximum is last.

1. Release all decisions at noon on Mondays without waiting until each is read. It is now standard practice to release all important papers and speeches as soon as the reading thereof starts. This is done with presidential messages and speeches, all radio speeches, Congressional testimony, etc.

2. Announce two or three days in advance the decisions and orders which will be forthcoming on the next decision day. A few paragraphs of background on each of the cases would help newspapers decide which cases they want to cover. The announcement of the decisions to be given would save reporters fruitless trips to the court and hours of waiting there. As it is now, when the court holds important cases there are constant rumors that this and that case will be decided the next Monday. Reporters go there at noon and wait for an hour or two and find the rumors were false. There is a natural resentment among newspapermen built up by that system. If newspapers were assured of the cases to come out on the next decision day it would be a great help.

3. Decisions could be given to newspapers on, say, Friday for release the next Monday noon. Decisions are often lengthy and complicated. It takes time to read them as carefully as they should be read and to write an intelligent story about them. When major decisions are dumped in a reporter's lap as spot news he must, by reason of the intense competition in this business, start writing as quickly as possible and write as fast thereafter as his fingers can hit the typewriter keys. There is no time for study. The afternoon papers get hastily written ~~decisions~~ ^{stories} and the morning papers feel that the cream has been skimmed off and they are prone to play down the news of the court.

The AP's terrible mistake in the gold case shows what can happen to any reporter when he is given a complicated decision and must handle it rapidly. Some improvements have been made since the gold case but I dare say there have also been mistakes made since then too although they have not attracted the same attention as that one.

The White House has learned that time must be given newspapers for complicated and lengthy development of important stories and has allowed a lag in some cases of several days between the time of distribution of messages and the release thereof. For instance the budget message is put out several days in advance.

I can see no reason why the court couldn't put out, on a hold for release basis, almost all of its decisions two or three days before the reading of them. In some cases, such as those which affect the stock market, it might be advisable to hold them until the decision day but even in those cases I think the newspapers could be informed that the decision in question was coming out on that Monday on a spot release basis.

DT

MEMORANDUM REPORT

Copies Circulated
9/28/98-

TO: THE CHIEF JUSTICE AND ASSOCIATE JUSTICES.

FROM: BERT WHITTINGTON, PRESS OFFICE.

file

THIS IS THE FIRST REPORT TO THE COURT FROM THE PRESS OFFICE SINCE MY EMPLOYMENT DURING THE LAST TERM. IT IS IN THE NATURE OF A SUMMARY OF INFORMATION ON THE PROGRESS OF THIS OFFICE'S WORK AND ALSO CONTAINS MY OBSERVATIONS ON OUR PRESS RELATIONS IN GENERAL. WITH THE PERMISSION OF THE COURT, I HOPE TO SUBMIT A REPORT OF THIS TYPE AT THE CLOSE OF EACH TERM.

FROM ALL COMMENTS AND INDICATIONS FROM OUTSIDE, I FEEL SAFE IN SAYING THAT WE HAVE MADE MARKED IMPROVEMENT IN THE WORK OF PROVIDING THE PRESS AND THE PUBLIC WITH THE INFORMATION THEY ARE ENTITLED TO. ALSO, THERE IS NO DOUBT THAT WE ARE MAKING SUBSTANTIAL PROGRESS IN GIVING THE PRESS A CLEARER PICTURE OF LITIGATION AS IT PASSES THROUGH THE COURT'S MACHINERY TO A FINAL DECISION.

ON A BUSY MONDAY, AN AVERAGE OF 40 TO 50 PRESS AND RADIO REPORTERS GATHER IN THE PRESS ROOM FOR OPINIONS WITH 20 OR SO MORE IN THE COURTROOM AND IN THE BOOTHS UNDER THE COURTROOM. ANOTHER 50 OR MORE COME IN DURING THE DAY FOR INFORMATION ON THE COURT'S ACTIONS.

TELEPHONE CALLS, ON AN AVERAGE MONDAY, TOTAL MORE THAN 200. ON TUESDAYS FOLLOWING OPINION DAYS, THEY AVERAGE BETWEEN 50 AND 100. THEY TAPER OFF SOMEWHAT DURING THE REMAINDER OF THE WEEK, DEPENDING UPON THE IMPORTANCE OF CASES BEFORE THE COURT AT THE TIME.

NEWSPAPER COVERAGE, IN REGARD TO SPACE DEVOTED TO COURT STORIES, SHOWED IMPROVEMENT DURING THE TERM. BECAUSE THE COURT IS AN IMPORTANT PUBLIC BODY, I HAVE TRIED NOT ONLY TO SEE THAT REPORTERS OF WIRE SERVICES, NEWSPAPERS, OTHER JOURNALS, AND THE RADIO HAVE THE INFORMATION THEY SEEK, BUT ALSO TO MAKE THEM FEEL THAT THE COURT WELCOMES THEIR INTEREST AND EXPECTS COMPLETE AND ACCURATE COVERAGE OF ITS EVENTS, ESPECIALLY SINCE PRESS AND RADIO ARE THE MAIN MEDIUM THROUGH WHICH THE PUBLIC LEARNS OF THE COURT'S WORK.

IN THE NEW TERM, THIS OFFICE HOPES TO PROVIDE WIDER SERVICE, BOTH TO THE COURT'S MEMBERS AND TO THE PRESS CORPS. ACCORDINGLY,

PAGE 2. REPORT (FROM PRESS OFFICE)

I RESPECTFULLY SUBMIT THE FOLLOWING LIST, WHICH INCLUDES SOME SUGGESTIONS AND OTHER SPECIFIC ACCOMPLISHMENTS:

1. A NEWS TICKER. THIS WOULD ENABLE THE PRESS OFFICE TO SUPPLY THE OFFICE OF EACH JUSTICE WITH THE TWO OR THREE TOP MAJOR NEWS DEVELOPMENTS DAILY. ALSO, THE TYPEWRITTEN TELETAPE COULD BE POSTED AT SOME CENTRAL POINT, PERHAPS NEAR THE CLERK'S OFFICE, FOR THE BENEFIT OF OTHER EMPLOYEES. ON MONDAYS, IT WOULD BE OF GREAT VALUE IN PROVIDING THE PRESS OFFICE WITH A QUICK CHECK ON STORIES ABOUT COURT DECISIONS OR OTHER ACTIONS. EITHER ASSOCIATED PRESS OR UNITED PRESS PROVIDES SUCH A SERVICE AT A COST OF \$75 PER MONTH.

2. NEWSPAPERS FROM REPRESENTATIVE AREAS. THE PRESS OFFICE SHOULD GET FOUR OR FIVE DAILY NEWSPAPERS FROM REPRESENTATIVE SECTIONS OF THE COUNTRY, I.E.---ST. LOUIS, CALIFORNIA, THE SOUTH, NEW YORK, NEW ENGLAND. THESE WOULD BE USED FOR TWO PURPOSES: 1) TO CHECK THE NEWS ABOUT THE COURT AS IT IS HANDLED IN ALL PARTS OF THE NATION. 2) FOR CLIPPING FOR USE IN SCRAPBOOKS ABOUT THE COURT AND ITS MEMBERS.

3. SOUND AIDS FOR THE COURTROOM. THIS IS ONE OF THE COURT'S MOST PRESSING PROBLEMS AS TO ITS PRESENT AND FUTURE RELATIONS WITH THE GENERAL PUBLIC. TODAY, IT'S ALMOST IMPOSSIBLE TO HEAR WELL FROM ANY POINT IN THE COURTROOM. THIS IS NOTICED BY THOUSANDS OF OUT-OF-TOWN VISITORS EACH TERM, PARTICULARLY SINCE MODERN SOUND AIDS HAVE SUCH WIDE-SPREAD USE. DURING COURT SESSIONS, I HEAR THIS COMMENT MORE THAN ANY OTHER FROM LAWYERS, NEWSPAPERMEN AND GENERAL OBSERVERS.

4. NIGHT TELEPHONE FOR PRESS OFFICE. THE SUMMER SURVEY FOR THE DIAL SYSTEM HAS TAKEN CARE OF THIS AND THE PRESS OFFICE, FOR THE FIRST TIME, WILL HAVE A NIGHT LINE FOR CALLS IN OR OUT AFTER 5 P.M.

5. "PRESS INFORMATION" LISTING IN CONGRESSIONAL DIRECTORY. IN THE NEW CONGRESSIONAL DIRECTORY, DUE IN JANUARY, MY NAME WILL BE LISTED UNDER "PRESS INFORMATION." THIS SHOULD SAVE COURT OFFICIALS MANY TELEPHONE CALLS AT NIGHT, WHEN NEWSPAPERMEN USE SUCH LISTINGS TO CHECK QUERIES AND ASK FOR OTHER INFORMATION.

6. WRITING PANELS FOR PRESS LOGES. THESE WERE INSTALLED THIS SUMMER. THEY AMOUNT TO A WRITING SHELF IN EACH OF THE TWO LOGES RESERVED FOR THE PRESS AT THE RIGHT OF THE COURTROOM.

Bert Whittington
PRESS OFFICE.

SEPTEMBER 1, 1948.

CHAMBERS OF THE CHIEF JUSTICE

May 19, 1949

FOR CIRCULATION

	NOTED	
	YES	NO
Mr. Justice Black.....	✓	
Mr. Justice Reed.....	✓	
Mr. Justice Frankfurter.....	#	
Mr. Justice Douglas.....	✓	
Mr. Justice Murphy.....		
Mr. Justice Jackson.....		
Mr. Justice Rutledge.....		
Mr. Justice Burton.....	✓	

This sets a precedent for putting just officers indifferent

I won't balk if anyone else
Please Return to the Chief Justice.

It seems I had supposed we had official to Kings to avoid 1575.

MEMORANDUM

TO: The Chief Justice and Associate Justices.

Time Magazine is preparing to devote their main article of the week the Court closes, or the week thereafter, to what they call "a look" at the Court. The article is to be a major one on the Court and its recent work. They have assigned their two top Washington writers to the job.

Along with the article, they would like to publish new portrait photographs of the individual members of the Court. They have assigned Mr. James Whitmore, an outstanding Life Magazine portrait photographer, to this task.

Mr. Whitmore would like to set up his equipment in a conference room and to take his portraits there. In this way, he proposes to take only from 5 to 10 minutes of each Justice's time.

Mr. Whitmore will make proofs available to each Justice the day after shooting, so that only approved pictures will be published and he also proposes to provide each Justice with two or three, 11x14 finished copies of portraits.

Mr. Whitmore would like to come to the Court all of next week to take the pictures any time during that period.

Bert Whittington

Bert Whittington,
Press Office.

TIME
INCORPORATED

TIME • LIFE • FORTUNE
ARCHITECTURAL FORUM
THE MARCH OF TIME

EDITORIAL OFFICES
815 - 15TH STREET, N.W.
WASHINGTON 5, D.C.

RECEIVED

JUN 7 2 54 PM '49

CHAMBERS OF THE
CHIEF JUSTICE

File

June 6, 1949

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

My dear Mr. Chief Justice:

I should like to express my personal appreciation of your courtesy and kindness in assisting us with the preparation of material on the Supreme Court, and your helping us to obtain portrait photographs of the Justices. I should like to say also that Bert Whittington, Press Officer of the Court, gave invaluable assistance.

It was certainly good to be able to talk to you again, and I deeply enjoyed our conversation.

Faithfully yours,

Frank McNaughton
Frank McNaughton

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

MEMORANDUM

TO: The Chief Justice.

The attached script seems okeh, except for a few minor things.

I think that all characters throughout should address the Justice portrayed as "Mr. Justice." They have not done so in one or two places.

Also, the scene showing the Justice unwrapping and chewing gum on the bench might be too undignified.

They use a traffic case (running a red light) as the type of case a person has the right to appeal here. This seems a little weak as an example, and I would suggest they choose a case with a stronger constitutional question.

Bert Whittington
Bert Whittington

TELEPHONE CIRCLE 5-5000

CABLE ADDRESS—COLUMFILM



COLUMBIA PICTURES

C O R P O R A T I O N

729-7TH AVE.

NEW YORK 19, N. Y.

June 1st, 1949

Mr. Thomas Waggaman
Marshal, U.S. Supreme Court
Washington, D.C.

Dear Mr. Waggaman:

I want to take this opportunity of thanking you very sincerely for the time given to me in Washington several weeks ago in connection with our motion picture BORN YESTERDAY based on the stage play of the same name.

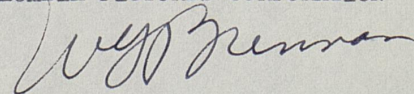
Inasmuch as the shooting schedule on this picture has been delayed, and at the moment I do not think it will go into production until September, I have not again contacted you until now.

I am attaching hereto in duplicate copies of that portion in the shooting script of this picture indicating the action that we desire to portray in and about the Supreme Court Building. I have told our Studio that it is not possible to secure permission to actually take scenes in the Supreme Court Chambers and if this action is retained in the picture it will be necessary for them to duplicate the set at the studio. The name of Justice Harrison as originally discussed with you, has been changed and a name will be used that will not be in conflict with any Justice either living or dead.

Therefore, the scenes which we desire to make will cover the exterior of the Supreme Court, and interior of the cafeteria and the foyer of the Supreme Court. All of this is covered on the attached copies of the shooting script. Inasmuch as it is my understanding that the Court will recess sometime in June until the fall term of October, I would appreciate it if we could get approval to do these scenes before the Justices leave for their summer holiday.

Thanking you kindly for your cooperation, I am

Very truly yours,
COLUMBIA PICTURES CORPORATION



Mgr. Print Dept.

wgb;lm

ADDRESS ALL COMMUNICATIONS TO THE COMPANY

June 1st, 1949

Mr. Thomas Waggaman
Marshal, U.S. Supreme Court
Washington, D.C.

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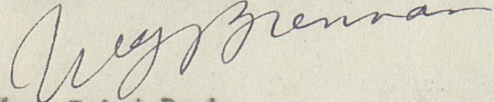
Inasmuch as the shooting schedule on this picture has been delayed, and at the moment I do not think it will go into production until September, I have not again contacted you until now.

I am attaching hereto in duplicate copies of that portion in the shooting script of this picture indicating the action that we desire to portray in and about the Supreme Court Building. I have told our Studio that it is not possible to secure permission to actually take scenes in the Supreme Court Chambers and if this action is retained in the picture it will be necessary for them to duplicate the set at the studio. The name of Justice Harrison as originally discussed with you, has been changed and a name will be used that will not be in conflict with any Justice either living or dead.

Therefore, the scenes which we desire to make will cover the exterior of the Supreme Court, and interior of the cafeteria and the foyer of the Supreme Court. All of this is covered on the attached copies of the shooting script. Inasmuch as it is my understanding that the Court will recess sometime in June until the fall term of October, I would appreciate it if we could get approval to do these scenes before the Justices leave for their summer holiday.

Thanking you kindly for your cooperation, I am

Very truly yours,
COLUMBIA PICTURES CORPORATION


Mgr. Print Dept.

wgb;lm

PAUL

It'll be interesting. We'll have lunch in the Supreme Court Cafeteria, then we'll go upstairs and watch the court in action.

BILLIE

(unenthusiastic)

Oh, a court. I'm a cinch to fall asleep.

PAUL

No, you won't. The Supreme Court is too important.

BILLIE

Why? Who did it ever beat?

PAUL

It's the highest law in the land. Everyone -- no matter who he is -- has the right to appeal to it.

BILLIE

Even me?

PAUL

Even you.

BILLIE

Give me a f'r instance.

PAUL

All right.

(thinks a moment)

Now, this isn't very typical or even very probable but it'll do. You go through a red light. That's what the cop says. You know you didn't. Even so, the judge says five dollars. You think it's an outrage. You appeal it to a higher court. They say, guilty. You can go to a still higher court. The same story. You're still wrong, but you're convinced you're right. Well, you have the right to take the case right up to the Supreme Court.

The cab pulls up before the Supreme Court.

83 CONTINUED:

83

BILLIE

The whole thing is silly. I don't even know how to drive a car.

She looks at the building through the window. Very beautiful and impressive.

BILLIE

Such a classy building for a five dollar fine?

QUICK DISSOLVE:

INT. SUPREME COURT CAFETERIA

84 This is an ESTABLISHING SHOT. It is a simple, very clean place, very crowded at the moment. 84

85 MEDIUM SHOT BILLIE AND PAUL who have just reached an empty table. 85

PAUL

You needn't bother. What do you want? I'll get it for you.

BILLIE

(sitting down)

Hot chicken soup -- hot roast beef sandwich, coffee -- and a package of gum.

Paul nods, leaves. Billie opens her purse, takes out her mirror, inspects herself.

86 MEDIUM SHOT AT FOOD COUNTER 86
There is a line of people with trays selecting their food. One of the men in line is an elderly dignified gentleman. His face is adorned by a small, attractive beard. He has selected his food and is about to leave the line when Paul comes into the scene.

MAN

Why hello, Paul. How are you?

PAUL

Fine, thank you, Justice Harrison. Since when have you taken to eating with us commoners.

JUSTICE HARRISON

I love to. It's boring eating in one's chambers -- and all my colleagues do is talk shop.

PAUL

I know how deadly that can be.

HARRISON

Why don't we have an evening together again, Paul? I think my chess game has improved enough so it won't be too dull for you.

PAUL

Love to. Any time.

HARRISON

I'll call you real soon, Paul.

He nods pleasantly, leaves.

MEDIUM SHOT BILLIE AT TABLE

still primping. Harrison, holding his tray, comes into the scene, looks around for a table. There is no empty one in sight, so he addresses Billie,

HARRISON

I beg your pardon --

BILLIE

(looks up at him
in surprise)

Why, what did you do?

HARRISON

(smiling)

I just mean -- the place is so crowded -- would it inconvenience you if I sat at your table?

BILLIE

It's a free country.

HARRISON

(setting his tray down)

Thank you very much.

He sits down, starts taking the dishes off his tray, while Billie goes on inspecting her lipstick. Then, she devotes a moment or two to her nails. Everything seems in order. She glances casually about; her eyes fall on Harrison's food.

BILLIE
(with a little gasp)
Oh.

HARRISON
(looking up)
What is the matter?

BILLIE
(pointing to his tray)
Poison.

HARRISON
(alarmed)
What's that? What's that you said?

BILLIE
I said to eat a cold lunch like that
-- you might as well eat poison.

HARRISON
(relaxing)
Oh.
(amused by her)
Well -- as you said -- it's a free
country.

BILLIE
My father says everybody should
have a hot lunch.

HARRISON
Really? Is your father a physician?

BILLIE
No. He runs an elevator for a gas
company. Before that he used to
read meters, but when it comes to
lunches, he's president of the
United States!

HARRISON
(pleasantly)
Well, you tell your father that I've
been eating cold lunches for sixty-
five years with no visible harm.

BILLIE
How come your wife lets you eat stuff
like that?

HARRISON
(with mock sorrow)
Alas, I have no wife. I'm a bachelor.

HARRISON (Cont'd.)

Do you think hot lunches would have
made me more attractive to women?

Billie looks at him closely.

BILLIE

(with her usual
honesty)

I don't know if I'm crazy about the
muff -- but I bet a few years back
you were a gay dawg.

HARRISON

(twinkling)

Thank you very much.

Paul comes into the scene, holding two trays. Billie's back
is to him. His mouth drops open when he sees the Justice
sitting with Billie. Billie turns.

BILLIE

Thanks, Paul.

(to Harrison, pointing
to the tray with pride)

See what I mean by a hot lunch?
Smell that steam. Paul, do you
mind going back and getting a
tray just like this for -- for --

HARRISON

(helping her out)

Harrison is my name. Charles Henry
Harrison.

He waits for her to recognize the name. But there is no
reaction from Billie. She has never heard of him. Justice
Harrison looks a little surprised.

PAUL

(playing it straight)

My name is Paul Verrall.

They shake hands gravely.

BILLIE

A hot tray for Mr. Harrison, Paul,
please.

PAUL

(smiling)

On the double.

He hurries away.

HARRISON

(demurring politely)
Now really, you shouldn't go to
all this trouble, Miss --

BILLIE

Dawn. Billie Dawn. And it's no
trouble. Here -- you start in on
the soup. I'll eat the sandwich.

He looks at her for a moment, then like a child he picks up
a spoon, starts to eat. After he has taken just one spoonful:

BILLIE

Good, huh?

HARRISON

(with a twinkle)
Why wasn't I told about hot soup before?

They eat in silence a moment, the Justice stealing a glance
out of the corner of his eye at this amazing girl. Then --

BILLIE

You a tourist like me?

HARRISON

No, I've been in Washington a good
many years. I work here.

BILLIE

Around the building?

He nods.

BILLIE

Ever see the Supreme Court in action?

HARRISON

Oh, yes. Fine bunch of boys.

BILLIE

Pretty fancy stuff, huh? I mean --
deep.

HARRISON

I confess there are times I don't
know what is going on.

BILLIE

It's really not tough. This is how
it works. You go through --

(stops)

First, lemme ask you somethin'? Do
you drive a car?

HARRISON

Oh, yes.

BILLIE

Then you'll get this. A cops says you've gone through a red light. You say to him, you're crazy. The judge says five bucks. Not a tough rap, but it's not the money, it's the principle. You got the right to take it to a higher court. So the judge there is a schmo, too. He knows from nothing, all he wants is five bucks. Well, you got the right --

Paul comes in with the tray.

PAUL

Here we are.

BILLIE

Sit down, Paul. I'm explainin' to Mr. Harrison the Supreme Court. Now -- You got the right to go right up to these nine old babies and say to them --

As Harrison and Paul exchange glances --

DISSOLVE TO:

INT. SUPREME COURT CAFETERIA

88

EMPTY CUP OF COFFEE being placed on table. CAMERA PULLS BACK to a FULL SHOT at table.

88

HARRISON

I can't thank you enough, Miss Dawn, for the hot lunch and your lucid explanation.

At "lucid" Billie looks at Paul. Harrison looks at his watch, gets up.

HARRISON

(continuing)

In fact, it was so interesting I'm afraid I overstayed my lunch hour.

BILLIE

Here -- take this.

She hands him the package of gum.

HARRISON
(a trifle nonplussed)
For me?

BILLIE
Sure. After a meal it's great for
the digestion.

HARRISON
(smiling)
Another one of your father's theories?

BILLIE
No. It says so right on the wrapper.

HARRISON
All right. Thank you again. It
was nice meeting both of you. I'm
sorry I have to run.

He smiles warmly at Billie and goes. Billie looks after him.
Then she turns to Paul.

BILLIE
(sadly)
It's a shame a man his age has to
work.

Paul nods sympathetically.

DISSOLVE TO:

INT. FOYER OF THE COURTROOM PROPER

89 Through the inverted V of the red drapes we get a LONG 89
SHOT of the judges listening to a lawyer whose back is
to the Camera and who is droning on unintelligibly. Into the
scene comes an attendant leading Billie and Paul down the
aisle to their seats. Suddenly Billie stops in her tracks,
stares at the bench as if she can't believe her eyes.

90 PAN SHOT BENCH 90
taking in the justices one by one. At the very end is
Justice Harrison. He is removing the wrapper off a slice of
gum. Then he puts the gum in his mouth, chews slowly as he
listens to the droning lawyer. Then he looks towards Billie,
smiles, gives her a most unjudicial wink.

91

CLOSE SHOT BILLIE AND PAUL
as Billie stares at Harrison open-mouthed.

91

DISSOLVE TO:

INT. BROCK'S LIVING ROOM

92

MEDIUM SHOT BROCK AND BILLIE
in the midst of their nightly gin game.

92

BROCK

(taking a card)

Know who I was with today?

Billie doesn't answer or even seem interested.

BROCK

(goes on anyway)

The biggest big shot in Belgium!
A Switzerlander who owns half of
Switzerland, and a tycoon from
Sweden who called me Harry.

He sits back proudly, waiting for her to be impressed.

BILLIE

(thoroughly unimpressed)

So throw a card, please.

He throws a card which she immediately grabs.

BROCK

Yes, sir, your boy friend is moving
up. Looks like I'm gettin' every-
thing I came down here for. Maybe
we won't have to hang around this
hick town much longer.

The phone rings. Eddie comes in, answers it.

EDDIE

Yeah? Who? ... Justice Charles
Henry Harrison? What?

BROCK

(proudly to Billie)

All them foreign tycoons and now
a Supreme Court Justice wants to
speak to me!

(gets up, starts
for phone)

Gimme that phone.

EDDIE

He don't wanta speak to you. He
wants to speak to Billie.

BROCK

(astounded)
Billie?!

Billie walks triumphantly to the phone.

BILLIE

(into phone)
Hello, Mr. Justice. How are you,
honey?

Brock's eyes pop.

BILLIE

(continuing)
How am I? Superb. New word. Did
you get the hot lunch I sent you?
-- Why, it was no trouble at all --
I'm gonna have a little talk with
your cook. She's in on a rain check
-- Yeah, I'll drop into court again,
but can't you pep up some of those
cases? Don't you ever get a good hot
murder case?

(laughs at some-
thing he says)
Okay, Mr. Justice, you take good
care of yourself. I'll see you soon.
Goodnight, honey.

She hangs up, turns to Brock who is still speechless. Her
tone is one of tolerant contempt.

BILLIE

You and your tycoons.

DISSOLVE TO:

STOCK SHOT NEWSPAPER PRESSES ROLLING

Paul comes into the scene (PROCESS) and picks up one of
the freshly printed papers. He turns to the inside pages,
trying to find a particular story. He finds it; his ex-
pression grows intent as he reads it.

INT. BILLIE'S ROOM

99 Billie is looking disconsolately out of the window. She 99
turns, walks aimlessly around the room. Her expression
is very unhappy. Her eyes fall on a magazine. We see the
cover. It is called "NEW NATION." On the title page there
is a table of contents, featuring "THE YELLOWING DEMOCRATIC
MANIFESTO" By Paul Verrall. Billie turns to the article,
starts to read it.

BILLIE

(reading, in a
broken voice)

'A very good friend of mine recently
suggested to me that a simple, down
to earth explanation of what is
happening to our way of life -- '

The phone rings. Billie steadies herself, then answers it.

BILLIE

Hello -- Oh, hello, Mr. Justice --
How am I?

(with her usual
honesty)

Lousy. How are you? -- That's good.

100 MEDIUM SHOT JUSTICE HARRISON
on phone.

100

JUSTICE HARRISON

Tell you why I called, Billie. Court
isn't in session today. I was won-
dering if you'd have lunch with me --
and perhaps we could spend the after-
noon together? -- Oh, fine -- I'll
pick you up in an hour -- What? --
Why, of course -- naturally, a hot
lunch.

He smiles.

DISSOLVE TO:

EXT. SMALL BROWNSTONE HOUSE - DAY

101 CAMERA MOVES UP TO:

101

102 CLOSE SHOT BRONZE PLAQUE 102
 on which is engraved, "House in Which Abraham Lincoln
 Died."
 (NOTE: Check upon exact wording.)

DISSOLVE TO:

INT. HOUSE SMALL NARROW HALL

103 Justice Harrison is inserting some coins in a sort of 103
 bus conductor's coin machine which a woman seated behind
 a desk is holding. Billie stands by his side. Directly
 behind the desk is the entrance to a room. A sign above
 the door reads:

ROOM IN WHICH ABRAHAM LINCOLN DIED

CAMERA TRUCKS with Harrison and Billie as they walk toward
 the room.

HARRISON

He was shot in Ford's Theatre across
 the street. They carried him here --
 right into this room -- where he died.

INT. ROOM

104 As Billie and Harrison come in. Billie is awe-struck, 104
 but she can't help commenting on its size.

BILLIE

Gosh, how tiny.

They both stand silently looking at the bed. Billie is
 moved. After a moment --

HARRISON

(pointing)

That picture is very interesting,
 Billie --

(as they walk
 toward it)

It was an artist's conception of
 the scene at the death bed. They
 didn't have much photography in
 those days, Billie.

105 CLOSE SHOT DRAWING 105
 Billie's and Harrison's shadows fall across it. There
 is a moment of silence, then we hear Harrison's voice reading
 the inscription under the drawing.

HARRISON'S VOICE (O.S.)

(slowly)

"In this room Abraham Lincoln died on April fifteenth, 1865, having been carried here from Ford's Theatre. Because of his great height, the dying President was laid diagonally across the bed. During the long hours of the night of April fourteenth, cabinet members, Congressmen and other distinguished persons passed silently to and from the room or awaited the end which they knew was near. At 7:22 the next morning, the President passed quietly away. A prayer was offered by Reverend Phineas D. Gurley, pastor of the New York Avenue Presbyterian Church, and Secretary of War Stanton uttered the enduring words -- 'Now He Belongs to the Ages'."

106 MEDIUM SHOT BILLIE AND JUSTICE HARRISON
Billie is very moved.

106

BILLIE

Gee -- what a wonderful thing to say -- "Now he belongs to the ages."
(looks around her,
her tone is awed)
And he said it right in this room.

Harrison looks at her.

HARRISON

It may be hard to believe now, Billie, but do you know that when Lincoln died there was great rejoicing among quite a few people? I don't mean just Southerners. They flocked to Washington -- tried to get rid of everything he had done, as quickly as possible. They grabbed, looted, it was a great get-rich-quick era --

BILLIE

Oh, I know. The Robber Barons.

Harrison looks at her in surprise.

BILLIE

(continuing)
Paul told me about them.

BILLIE (Cont'd)

(at the mention
of Paul her face
saddens)

He said Harry -- that's my intended
-- Paul says he's a robber baron.

HARRISON

Well, they're still with us, Billie.
The fight is still going on. Between
the people who belong to the ages
and the people who want the age to
belong to them.

(pause)

In this fight, Billie, one can't be
neutral. Sometimes, some of us find
ourselves in a spot. Then we have
to ask ourselves, to whom do our
loyalties belong?

(another pause)

I come to this room very often -- a
sort of pilgrimage. I'm an old man --
if I find myself weakening in the
fight -- well, somehow, in this room
I find new strength.

Billie is silent a moment.

BILLIE

(quietly)

Mr. Justice -- Paul asked you to
call me, didn't he?

HARRISON

(avoiding a
direct answer)

Well, we play chess very often.

(pause)

I'm very fond of that boy -- even
though he beats me every time.

Billie just stands there a moment, then turn to look at the
picture on the wall again. Then she turns back to Harrison.

BILLIE

(simply)

Thank you for bringing me here.

A middle-aged couple come into the room, look around with
respectful stares.

WOMAN

My, it's tiny.

106 CONTINUED: (2)

106

Billie and Harrison smile at each other, then lock arms,
and they start out.

DISSOLVE TO:

INT. BROCK'S HOTEL LIVING ROOM

107 Eddie, with Devery at his side, is busy signing papers. 107
The door opens and a very thoughtful Billie comes in.

DEVERY

Hello, Billie.

BILLIE

(absently)

H'lo.

DEVERY

(indicating papers)

Few things here for you.

He goes to the bar. Billie comes to the desk, looks over
the papers. Eddie leaves.

BILLIE

What are these papers?

DEVERY

Same old stuff. Take too long to
explain.

BILLIE

No, it wouldn't. I like having
things explained to me. I found
that out.

DEVERY

A merger. Several companies being
formed into one.

BILLIE

All Harry's?

DEVERY

A few of Harry's and some others.
French, Italian and so on.

BILLIE

(taking off glasses)

A cartel!

MEMORANDUM REPORT

RECEIVED
SEP 1 4 17 PM '49
CHAMBERS OF THE
CHIEF JUSTICE

TO: THE CHIEF JUSTICE AND ASSOCIATE JUSTICES.
FROM: BERT WHITTINGTON, PRESS OFFICE.

THIS IS THE SECOND ANNUAL REPORT FROM THE PRESS OFFICE. IN LOOKING OVER THE 1948-49 TERM, THE COURT'S PRESS RELATIONS APPEARED GENERALLY GOOD. INTERPRETATION OF OPINIONS IN THE PRESS SEEMED SOMEWHAT IMPROVED OVER THE PREVIOUS TERM. INQUIRIES FROM THE PRESS, RADIO, THE PUBLIC AND OTHER SOURCES CONTINUED TO COME INTO THE PRESS OFFICE AT AN AVERAGE OF ABOUT 300 PER WEEK DURING THE TERM.

MAINLY, I WOULD LIKE TO CALL ATTENTION TO THE SCRAPBOOK, COMMENCED LAST TERM, WHICH SHOWS THE NEWSPAPER STORY OF THE COURT'S OPINIONS AND ITS WORK. IT IS BEING COMPILED BY TERMS AND IS AVAILABLE AT ALL TIMES IN THE PRESS OFFICE.

FOR THE COMING TERM, THE UNITED PRESS IS CHANGING ITS REGULAR CORRESPONDENT HERE, MISS RUTH GMEINER BEING REPLACED BY MISS CHARLOTTE MOULTON. MR. PAUL YOST WILL CONTINUE TO COVER FOR THE ASSOCIATED PRESS, AND MR. CHARLES SEIB FOR INTERNATIONAL NEWS SERVICE.

OTHERWISE, I SUBMIT THE FOLLOWING LIST OF MATTERS, EITHER ACCOMPLISHED OR SUGGESTED:

1. LAW DICTIONARY FOR PRESS OFFICE. THIS WOULD BE OF REAL BENEFIT IN HELPING REPORTERS TO UNDERSTAND AND EXPLAIN THE MANY LEGAL PHRASES AND WORDS IN OPINIONS AND BRIEFS.

2. U.S. REPORTS. THESE NOW ARE COMING REGULARLY TO THE PRESS OFFICE AND ARE PROVING A VERY HELPFUL ADDITION.

3. SCHEDULE IN MAIN CORRIDOR. I THINK THE GENERAL PUBLIC WOULD GET A BETTER IDEA OF WHAT IS TAKING PLACE IN THE COURTROOM ON HEARING DAYS IF WE HAD A BOARD, PROBABLY GLASS-ENCLOSED, IN THE MAIN CORRIDOR LISTING THE CASES TO BE HEARD THAT DAY. (JUST THE TITLE AND GENERAL SUBJECT). IF THE COURT IS NOT SITTING, THE BOARD COULD SHOW THE NEXT SITTING DAY.

2. REPORT

4. ADMINISTRATIVE OFFICE. IN CONNECTION WITH MR. CHANDLER'S ANNUAL REPORT ON THE U.S. COURT SYSTEM, I AM ASSISTING IN A REVISION OF THE PROCEDURE FOR NEWS* PAPER RELEASE OF THE REPORT AFTER IT HAS BEEN APPROVED BY THE JUDICIAL CONFERENCE.

PRESS OFFICE.

SEPTEMBER 1, 1949.

TIME
INCORPORATED

815-15TH STREET, N.W.
WASHINGTON 5, D.C.

October 14, 1949

Mr. Bert Whittington,
United States Supreme Court,
Washington, D. C.

Dear Mr. Whittington:

As I told you in our recent conversation, the March of Time is making for its Forum Series a group of three, 10-minute films on the United States Government--the Presidency, the Congress, and the Supreme Court.

There are plenty of pictures to show the Presidency and the Congress, but we are hard put to come up with anything that will help us to tell the story of the Supreme Court.

The March of Time Forum Series is designed for use by schools, churches, and discussion groups of all kinds, and we think that this presentation is particularly important.

We would be very happy if we could get a re-enactment of the members of the Supreme Court filing into the chamber and make a sound recording of the Clerk's cry, opening the session. This could be filmed with no one else in the Court Room other than members of the Court and the staff, precluding the possibility of any embarrassment by having the pictures made with the public in attendance. At the same time, we could make close-ups of the Justices on the bench in individual poses.

We would also like a picture of Chief Justice Vinson in his chambers, as well as the Associate Justices.

There is one other shot that I might suggest, and that is a picture of the Justices in their conference.

I am fully aware of the customs and precedents which have precluded motion pictures of the Supreme Court, but I am prompted to put this matter before you because of the value I think such a picture would have in instructing the people of the United States, and especially the school population, on the Supreme Court and its functions. I might add that exclusivity is not particularly important to us. If the Court wishes, we will be glad to make available the footage we take to any other motion picture company that might request it. This pooling arrangement would serve to reduce to a minimum any inconvenience to the Court.

Thanking for your consideration of this request, I am,

Sincerely,

Allen Dibble

Conference
Saturday
4/29/50

Photographs to be taken - 5/9/50 -
2:00 P.M. -

MEMORANDUM

TO: The Chief Justice and Associate Justices.

FROM: Bert Whittington, Press Office.

Since Mr. Justice Douglas has returned, a great many inquiries have been made on the subject of a new group photograph of the members of the Court. Would it be possible, therefore, for the Court to sit for group pictures before adjournment?

If it is possible, I would like to arrange for the dates, since it would be necessary for the Court to pose for short periods on two different days. On one day, four commercial studio photographers would be given 15 minutes each, with five-minute intermissions, or a total of about $1\frac{1}{4}$ -hrs. On the other day, newsreel and television cameramen would be given 15 minutes, shooting together, and five news syndicate photographers 5 minutes at once, or a total time of about $\frac{1}{2}$ -hr.

Heretofore, each organization has submitted from 6 to 12 proofs for circulation to each member of the Court. Under this procedure, it has taken as long as three months to obtain the Court's composite approval of an official photograph for each organization and to set a release date for publication.

Mr. Waggaman and I feel that the editing of this great number of proofs has been an imposition on the time of the Justices. We believe considerable time and work could be saved if each photographer were limited to submitting two proofs, one to be retouched if the studio felt its best untouched proof would not meet with the Court's approval. In the past, they have had to retouch when the Justices could not agree on any one proof submitted.

If the suggested method were used, the number of proofs each Justice would be asked to examine would be cut from approximately 70 to 18 or 20.

Bert Whittington

Bert Whittington.

Education, also has expressed a warm interest in the project because of what he considers its far-reaching educational potentialities. If you, or Mr. Whittington, care to call Mr. Mc'rath's office on the 'phone, I am informed he will be glad to give you his estimate of the project's importance as an educational venture; Mr. Mc'rath has indicated willingness to write you a letter, if desired.

Arrangements have been made at the White House for the President to participate in certain scenes for the film dealing with the Executive branch.

We are, of course, anxious to present a creditable version of the Supreme Court. Certainly the Court is an inseparable part of the story of the American democracy, and an understanding of its operations is necessary to an understanding of this country. Without the Court, no historical record of the Government could be complete.

We would like to get upon film the focal points of the Court's operations--you and the various Justices at work in their chambers, some scenes of the secretarial and research staffs at their appointed assignments, shots of the documents with which the Court works (to indicate the scope of the Court's sphere), and, of course, an actual session of the Court itself, which I feel is highly important to give authenticity to the picture and to project the student and spectator into the true atmosphere of the situation.

This will not need to interfere seriously with the operations of the Court. We do not want to have anything "staged"; we prefer actual work-a-day scenes of yourself and your colleagues going about your daily routine. The flood lights will, of course, be annoying during the time the cameras are turning. However, the "takes" will not take a great deal of time, actually--much less time than you may think. And I am hoping you and your colleagues will be willing to put up with this inconvenience because of the importance of the project as a historical record. I am certain the result will be an important contribution to the historical records of government in America. It will also bring to millions of young people a new and clearer vision of the meaning of our American system.

At your convenience, I shall be glad to come to your office to discuss the matter further and provide any additional details you or your colleagues may wish to have.

Sincerely yours,

Edwin W. Hullinger
Hullinger Productions.

file

MEMORANDUM

TO: Mr. Chief Justice Vinson.

*Thomson
Whittington,
"just avoid it -
open the flood
gates - and not
divert it in
any way"*
JW
11/3/49

The attached letter is a request by the March-of-Time people to take film pictures for their Forum Series which is distributed to schools and educational groups.

What they ask is completely out of line with the past practices of the Court, as I have so informed them. They request, however, that I place the letter before the Court in the hopes that they will be able to get something.

My only suggestion, at the moment, is that they might be given permission to take pictures at the time the new group photographs are made.

Bert Whittington
Press Office.

Oct. 27, 1949.

Memorandum:-

You will recall that we were informed that Mr. Cooper would drop in to see you sometime during October - Mr. Wittington now informs that Mr. Cooper has advised he will be unable to make a trip to Washington and to call upon you in the near future, and that, because of this, it would be appreciated if you would see Bill Beale, Jr., Chief of the Ap's Washington Bureau.

If you are so inclined, and it would suit your convenience, they would like to have sometime tomorrow morning as Mr. Beale is leaving for New York in the early afternoon.

10:25.

OK 11:30

k.-----

Saw Beale ✓
12:20
10/26

For conference

July 28th, 1950 -

Dear Mr. Cooper:

Reply to your letter of July 5th has been delayed due to my absence from the city.

The subject-matter will be submitted to the Court for its consideration.

Some time when you are in the city, I will be glad if you would drop in for a little chat.

Sincerely,

Mr. Kent Cooper, Executive Director
The Associated Press
50 Rockefeller Plaza,
New York, N. Y.

THE ASSOCIATED PRESS
50 ROCKEFELLER PLAZA
NEW YORK, N. Y.

KENT COOPER
EXECUTIVE DIRECTOR

July 5, 1950

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

Dear Mr. Chief Justice:

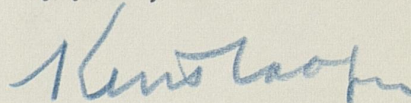
I am a little embarrassed that our Bill Beale forwarded to you the record of the compliment I feelingly paid to your personality in a speech I made at Atlantic City. As a matter of fact, I had declined an invitation of the National Press Photographers Association to pursue the matter with you. This was on the ground that I was afraid it would be taken I was seeking some favor for The Associated Press when this was farthest from my mind.

I do have a very deep interest in the largest possible recognition of the rights of the people in respect to the availability of news and news pictures, no matter what the source that serves them. I therefore repeat that my position in the matter has nothing whatever to do with The Associated Press.

However, since the matter has been broached to you without my knowledge, if you would like to have me confidentially and informally come over and have a chat with you and the Associate Justices on this topic that is very dear to my heart personally, I would be glad to come. I repeat assurances that nothing would ever be reported about it in any way.

With assurances of my admiration and esteem, I am

Sincerely yours,



*For conference
in October*

RECEIVED
JUN 30 11 03 AM '50
CHAMBERS OF THE
CHIEF JUSTICE

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

CHAMBERS OF
JUSTICE HAROLD H. BURTON

June 28, 1950

Dear Chief:

In connection with the letter from W.L. Beale, Jr., Chief of Bureau, The Associated Press, dated June 22, 1950, relating to permission to photograph the Supreme Court in session and enclosing a copy of Kent Cooper's suggestion to the National Press Photographers Association of June 9, 1950, it is of interest to note that, on September 30, 1937, upon the recommendation of the Judicial Section of the American Bar Association, Judicial Canon 35, entitled "Improper Publicizing of Court Proceedings" was added to the Canons of Judicial Ethics formulated by the American Bar Association. It is as follows:

"Proceedings in court should be conducted with fitting dignity and decorum. The taking of photographs in the court room, during sessions of the court or recesses between sessions, and the broadcasting of court proceedings are calculated to detract from the essential dignity of the proceedings, degrade the court and create misconceptions with respect thereto in the mind of the public and should not be permitted." American Bar Association Canons of Professional and Judicial Ethics, p. 56 (1947).

See also, Opinion 212 of the Committee on Professional Ethics and Grievances of the American Bar Association issued March 15, 1941, disapproving the broadcasting of court proceedings. (Id. at pp. 424-425.)

While Judicial Canon 35 was not in the original Canons of Judicial Ethics adopted in 1924, it is of interest to note that both the Canons of Professional Ethics and those of Judicial Ethics were prepared as originally passed by a committee appointed in 1922 of which Chief Justice William H. Taft was the chairman. The preamble to the Canons of Judicial Ethics states, in part: "The Association accordingly adopts the following Canons, the spirit of which it suggests as a proper guide and reminder for judges, and as indicating what the people have a right to expect from them." (Id. at p. 44.)

H.H.B. ✓

The Chief Justice

Copies circulated to members of the Court on

June 28, 1950

THE ASSOCIATED PRESS

330 STAR BUILDING
WASHINGTON 4, D. C.

June 22, 1950

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

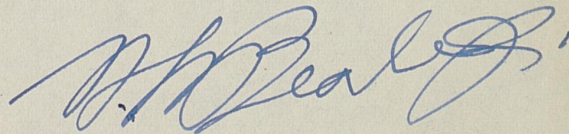
Dear Mr. Chief Justice:

Mr. Kent Cooper, Executive Director of The Associated Press, recently suggested in an address to the National Press Photographers' Association that permission be sought to photograph the Supreme Court in session.

An account of Mr. Cooper's talk may have come to your attention at the time. In the event it did not, I am taking the liberty of enclosing a copy.

May I respectfully urge that Mr. Cooper's proposal, and the reasoning he advanced, receive your consideration. It also would be a privilege to be of any personal service that might forward a favorable decision.

Sincerely yours,



W. L. BEALE, JR.
CHIEF OF BUREAU

Atlantic City, N. J., June 9 - (AP)

Kent Cooper, executive director of the Associated Press, said tonight it is a right of the people to see photographs of "justice at work" in the courts.

Cooper said "unreasonable restraints against taking pictures in court ultimately will be removed."

Most courts in the nation bar photographers, but some judges have permitted taking pictures during trials.

Cooper suggested that photographers seek permission to photograph the Supreme Court of the United States in session "because it would set an example."

In an address to the National Press Photographers Association, Cooper asked "shall it forever be that only the judge and a restricted few see justice at work?"

Of a picture of the Supreme Court, he said:

"I caution you that the picture itself might not be newsy, but the mere silent taking of it in the august room by permission would be widely acclaimed as news.

"Lesser courts might thus be influenced.

"The Chief Justice of the United States is very much of a human being. He is thoroughly understanding and thoroughly modern.

"The court will now be on a prolonged vacation--plenty of time to give a dress rehearsal and gain nine converts."

Cooper said once courts met in secret. As time progressed, he said, writers were given entry, but without pencils or paper.

The courts ruled that note-taking "would constitute a distraction to the jury," Cooper said. In the interest of greater accuracy, the courts eventually provided facilities for reporters, he said.

Cooper said he pointed out the problems faced by writers so that photographers may be spurred in their efforts "to modernize the conception of the courts as to the rights of the people--and it's the rights of the people we

Page 2.

are talking about after all."

The association presented its Joseph A. Sprague Memorial Award for a non-photographer to Cooper. He was cited for his direction and leadership in promoting, through the Associated Press, the recognition and advancement of press photography.

July 27, 1950

Dear Bill:

I have your letter of June 22nd, enclosing a copy of Kent Cooper's address to the National Press Photographers' Association.

I am circulating your letter together with Mr. Cooper's statement. I will present it to a Conference of the Court next fall.

With kind regards,

Sincerely,

(Signed) Fred W. Vinson

Mr. W. L. Beale, Jr.,
Chief of Bureau,
The Associated Press,
330 Star Building,
Washington 4, D. C.

FMV:McH

Mr. Higginbotham will be in at 11:30
Monday, the 29th.-

k

A16012

A160WX (MON ADV)

(500) (ADVANCE FOR AMS OF MONDAY, JUNE 11)

BY PAUL YOST

(ADVANCE) WASHINGTON, JUNE 10-(AP)-THE SUPREME COURT MADE DECISIONS TOUCHING PRACTICALLY EVERY HOME IN THE TERM JUST ENDED.

IN HANDLING A TOTAL OF 1,216 CASES THE HIGH TRIBUNAL GAVE RULINGS WHICH HAD BROAD PUBLIC EFFECTS, AMONG THEM:

COAST-TO-COAST PRICE WARS JAMMED RETAIL STORES WITH MOBS OF BUYERS. PRICE SLASHING FOLLOWED PROMPTLY UPON A DECISION THAT STORES WHICH HAVE NOT SIGNED "FAIR TRADE" AGREEMENTS DO NOT HAVE TO HONOR MINIMUM PRICES SET ON ITEMS MOVING IN INTERSTATE COMMERCE.

DOOR-POUNGING BY BOOK AGENTS AND OTHER PEDDLERS IS NOW ILLEGAL IF CITY COUNCILS BAR SUCH SALES METHODS. (THE SUPREME COURT SAID "UNWANTED KNOCKS ON THE DOOR BY DAY OR NIGHT ARE A NUISANCE, OR WORSE, TO PEACE AND QUIET.")

WITNESSES BEFORE FEDERAL GRAND JURIES MAY REFUSE TO ANSWER QUESTIONS IF THEY HAVE GOOD GROUNDS TO FEAR POSSIBLE SELF-INCRIMINATION. (THE COURT BROADENED THIS CONSTITUTIONAL GUARANTEE, SAYING IT WAS HIGHLY IMPORTANT NOT TO COMPROMISE THIS LIBERTY.)

COLUMBIA BROADCASTING SYSTEM WAS GIVEN THE RIGHT TO GO AHEAD WITH ITS COLOR TV SYSTEM, OVER PROTESTS BY THE COMPETING RADIO CORPORATION OF AMERICA.

THE NO. 1 DECISION OF THE TERM, OF COURSE, WAS THE 6-2 RULING UPHOLDING CONVICTION OF 11 COMMUNIST LEADERS OF THE UNITED STATES. IN OTHER DECISIONS INVOLVING ANTI-SUBVERSIVE EFFORTS THE COURT SAID:

"PUBLIC EMPLOYEES MAY BE COMPELLED TO TAKE LOYALTY OATHS.

STATES MAY COMPEL CANDIDATES FOR STATE AND LOCAL OFFICES TO SWEAR THEY ARE NOT ENGAGED IN ANY WAY IN ANY ATTEMPT TO OVERTHROW GOVERNMENT BY VIOLENCE.

THE FEDERAL GOVERNMENT MAY FIRE CIVIL SERVICE EMPLOYEES IF IT HAS REASONABLE DOUBT AS TO THEIR LOYALTY. BUT, UNDER THE FEDERAL LOYALTY PROGRAM, THE ATTORNEY GENERAL MUST GIVE A HEARING TO EACH ORGANIZATION HE PUTS ON HIS SUBVERSIVE LIST.

IN THE LABOR FIELD, THE TRIBUNAL DECIDED THAT STATES MAY NOT FORBID STRIKES IN VITAL PUBLIC UTILITIES; TOP OFFICERS OF PARENT LABOR FEDERATIONS MUST SIGN NON-COMMUNIST AFFIDAVITS IF THEY WANT HELP OF THE NATIONAL LABOR BOARD; THE TAFT-HARTLEY LABOR ACT'S BAN ON SECONDARY BOYCOTTS PROHIBITS PICKETING INTENDED TO FORCE A GENERAL CONTRACTOR TO DROP A SUB-CONTRACTOR WHO DOES NOT EMPLOY UNION LABOR.

DEALING WITH CIVIL RIGHTS ISSUES, THE COURT RULED STATE LEGISLATORS ARE NOT LIABLE TO ARREST OR SUITS FOR DAMAGES FOR WHAT THEY SAY OR DO IN THE LAW-MAKING PROCESS; IT ALSO BARRED SUITS FOR DAMAGES, UNDER A POST-CIVIL WAR CIVIL RIGHTS LAW, AGAINST PERSONS WHO BREAK UP MEETINGS ALONG TO DISCUSS PUBLIC AFFAIRS.

THE JUSTICES DECLARED THAT ANYONE WHO GETS BRUTAL, THIRD-DEGREE TREATMENT FROM FEDERAL, STATE, OR LOCAL POLICE MAY SUE THE OFFICERS UNDER THE OLD CIVIL RIGHTS ACT. OFFICERS CONVICTED UNDER THE ACT FACE IMPRISONMENT AND FINES.

IN DISPOSING OF THE 1,216 CASES, THE JUSTICES WROTE 99 FORMAL OPINIONS. BY ODD COINCIDENCE, THIS NUMBER WAS THE SAME AS THE TOTAL FOR THE PREVIOUS COURT TERM OF 1949-50.

JUSTICES BLACK AND DOUGLAS LED IN THE 1950-51 TERM IN THE NUMBER OF MAJORITY OPINIONS WRITTEN, WITH 12 EACH. CHIEF JUSTICE VINSON FOLLOWED WITH 11, THEN JUSTICES REED, JACKSON AND CLARK, WITH 10 EACH. JUSTICES BURTON AND MINTON EACH WROTE 9; JUSTICE FRANKFURTER HAD 8. EIGHT OTHER MAJORITY OPINIONS WERE UNSIGNED.

JUSTICE FRANKFURTER WROTE MOST DISSENTING OPINIONS IN THE TERM JUST ENDED. HE HAD 14, JUSTICE DOUGLAS 13 AND JUSTICE BLACK 10. BLACK ALSO CAST 32 DISSENTING VOTES, DOUGLAS 21, JACKSON 14, BURTON AND MINTON 10 EACH, AND FRANKFURTER 9. OTHER JUSTICES WROTE FEWER DISSENTING OPINIONS AND CAST FEWER DISSENTING VOTES.

THE COURT WAS UNANIMOUS IN DECIDING 24 CASES AND SPLIT 5-4 IN 15 OTHER DECISIONS. IN OTHER SPLIT VOTES THE COURT WENT ALONG ABOUT THE SAME AS IN THE 1949-50 TERM.

(END ADVANCE FOR AMS OF MONDAY, JUNE 11)

A16042

A1604X (MON ADV)

(500) (ADVANCE FOR AHS OF MONDAY, JUNE 11)

BY PAUL YOST

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(END ADVANCE FOR AHS OF MONDAY, JUNE 11)

April 18, 1951

Mr. Philip L. Graham,
Publisher,
The Washington Post,
Washington 5, D. C.

Dear Phil:

I have your letter of April 10th in regard to the operations of the Supreme Court relative to handing down opinions.

This problem has been before the Court ever since I came here, and for many years before, according to my elders on the Court. As a matter of fact, I have discussed it with several people since I have been Chief Justice, and will be glad to talk to you about it if you so desire.

I have been terribly busy during the last few months, but I have understood the interest Mr. Roberts has in the matter. However, I believe it would be better for me to discuss it with you, and then you will understand the situation in which I find myself.

With kindest regards,

Sincerely,

(Signed) Fred M. Vinson

FMV:McH

The Washington Post

WASHINGTON 5, D. C.

PHILIP L. GRAHAM
PUBLISHER

April 10, 1951

Dear Mr. Chief Justice:

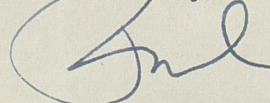
Along with many other newspapers, The Washington Post is deeply concerned about providing its readers the best possible information about decisions of the Supreme Court of the United States. The practical operations of the Court and the newspapers have a tendency to collide on certain opinion days. It has frequently happened in the past that the citizenry is given an inadequate understanding of important cases, merely because newspapers cannot digest and properly interpret the great mass of opinions in the short time available to us.

The same situation has existed with some of the lower Courts, and in recent months they have met the problem by having several opinion days rather than just one. Whether or not the Supreme Court of the United States would ever consider such a change, I am confident that there are other procedures which would substantially improve our coverage - and thus effect the really important consideration of increasing public understanding of the Court.

Mr. Chalmers Roberts of our staff has given much consideration to these problems, as have several of his colleagues from other newspapers. If it would be possible for you to see Mr. Roberts and some of his colleagues some time in your chambers for an informal discussion of the problem, I am certain that it would not be a waste of your time and would undoubtedly facilitate the consideration of measures to increase public understanding of the Court. If this suggestion is satisfactory to you, I am sure that Paul Kelly can get any additional information you might want from Chalmers Roberts.

I thank you in advance for your consideration of this matter.

Sincerely,



Philip L. Graham

Honorable Fred M. Vinson,
Supreme Court of the United States,
Washington 25, D. C.

United Press Associations
INCORPORATED IN NEW YORK
GENERAL OFFICES
NEWS BUILDING NEW YORK CITY

Written From
WASHINGTON BUREAU
NATIONAL PRESS BLDG.
WASHINGTON 4, D. C.

RECEIVED
OCT 23 9 45 AM '51
CHAMBERS OF THE
CHIEF JUSTICE

October 22, 1951

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

Dear Mr. Chief Justice:

You are probably aware that very recently the United Press and Movietone News began the first adequate news-picture service to Television stations. The service is not a departure from the principles of a free press but represents, rather, the conquest of technical problems involved in combining rapid news and picture treatment of the news.

In doing the job we are called upon to background the hour-to-hour events of the day with fairly presented pictures, to the end that the people get an honest account of news as it happens.

We have found that for the task we are far short of the material we need on the Supreme Court of the United States. Because of that, I am asking, by this letter, for an appointment with you to explain our needs. The request does not include any effort or any thought of seeking to picture the court in session - I am well aware of the rules against such procedure.

Sincerely yours,

W. R. Higginbotham
W. R. Higginbotham

1130
Monday

4ms 4/14/51
what about
Monday 29 x 11:30

file
October 27, 1951 -

Dear Mr. Secretary:

This will acknowledge your letter of October 16th concerning the desires of the Department of State with respect to its contemplated motion picture project on the subject: The Supreme Court Protects Our Liberties.

I have to advise that your letter has been considered by the Court. The Court is of the opinion that its unbroken policy declining requests for permission to make a movie or motion picture of the Court should be followed in this instance.

For your information, the Court has heretofore declined a number of similar requests.

Very truly yours,

Hon. Edward W. Barrett,
Asst. Secretary, Department of State
Washington, D.C.

October 17, 1951

	YES	NO
Mr. Justice Black		NO
Mr. Justice Reed		? JR
Mr. Justice Frankfurter		J.T.
Mr. Justice Douglas	LOOD	
Mr. Justice Jackson		? RJ
Mr. Justice Burton		WUTB
Mr. Justice Clark		TCC
Mr. Justice Minton	M	

PLEASE RETURN TO THE CHIEF JUSTICE

For me the conclusive reason
is that if we refuse to do
with to other requests a fair
case will be claimed of discrimination
BT

ADDRESS OFFICIAL COMMUNICATIONS TO
THE SECRETARY OF STATE
WASHINGTON 25, D. C.



DEPARTMENT OF STATE
WASHINGTON

RECEIVED

Oct 16 3 25 PM '51

CHAMBERS OF THE
CHIEF JUSTICE

October 16, 1951

My dear Mr. Chief Justice:

The Department of State wishes to present to German audiences a motion picture on the subject: The Supreme Court Protects Our Liberties. Through this film it is hoped to stimulate interest in and strengthen popular support of Germany's new Constitutional Court. It is intended that the film demonstrate, possibly through dramatization of an actual case history, the part played by the Supreme Court in protecting the rights of our citizens.

The making of such a film will require consultation, both on the treatment of the subject and on production problems, between representatives of the Department and an officer fully conversant with the operations of the Court.

It is the Department's earnest hope that you will consider the merit of such a motion picture and will designate the appropriate Court official on whom our representatives may call.

Sincerely yours,

For the Secretary of State:

Edward W. Barrett
Edward W. Barrett
Assistant Secretary

The Chief Justice,
The Supreme Court.

*I inform Dept
that the Court has just
convened your file with
and feels that such an
policy against movie
the Court should be
The Court has declined
any number of similar
requests +*

RECEIVED
Oct 17 10 32 AM '51
CHAMBERS OF THE
CHIEF JUSTICE

October 16, 1951

My dear Mr. Chief Justice:

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The making of such a film will require consultation, both on the treatment of the subject and on production problems, between representatives of the Department and an officer fully conversant with the operations of the Court.

It is the Department's earnest hope that you will consider the merit of such a motion picture and will designate the appropriate Court official on whom our representatives may call.

Sincerely yours,

For the Secretary of State:

Edward W. Barrett
Assistant Secretary

The Chief Justice,
The Supreme Court.

Supreme Court of the United States

Memorandum

Nov. 9th, 1945-51-

Memorandum:--

Mr. Justice Clark will travel the same route as the Chief Justice with respect to the subject matter.

November 7, 1951

TO:

	Yes	No
Mr. Justice Black.....		X
Mr. Justice Reed.....	X	
Mr. Justice Frankfurter.....		X
Mr. Justice Douglas.....	X	
Mr. Justice Jackson.....		X
Mr. Justice Burton.....		Not yet X
Mr. Justice Clark.....		
Mr. Justice Minton.....	X	

Please return to the Chief Justice

ok Some items - such as views of building exterior & interior are not objectionable - the rest is the camels nose poking under the tent with a herd of camels to follow. R.H.J.

United Press Associations

INCORPORATED IN NEW YORK

GENERAL OFFICES
NEWS BUILDING NEW YORK CITY

Written From

WASHINGTON BUREAU
NATIONAL PRESS BLDG.
WASHINGTON 4, D. C.

RECEIVED

NOV 2 9 35 AM '51

CHAMBERS OF THE
CHIEF JUSTICE

November 1, 1951

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

Dear Mr. Chief Justice:

You were very kind to give Miss Moulton and myself some of your time last Monday to discuss the request of United Press Movietone News for television pictures at the Supreme Court. In keeping with that discussion, I am writing this letter to enable you to submit the matter to the Court itself.

For the information of the Justices, the objective is to record on motion picture film the factual picture and atmosphere of the Supreme Court. This would be designed for immediate and for future use as illustrative material for Television stations in connection with factual reports of news from the Court.

As I advised, there is no desire and no suggestion of filming the Court in session, or any makeshift indicating a session. I am well aware of the customs ruling out such procedure - and in full agreement with the reasons behind them.

However, I do believe that within legitimate bounds the following scenes could be made:

The outside of the building and the inner corridors, especially those leading to the courtroom (and those behind the courtroom where the justices have their offices.)

The Honorable Fred Vinson - 2 - November 1, 1951

[The courtroom itself,] including Perry Lippitt,
the court crier, in action.

[The mechanism of press coverage, inside and outside
the courtroom.]

The library and conference room.

[The attorneys' lounge.]

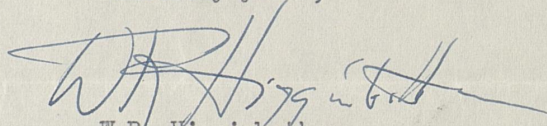
Court personalities, including Marshal Waggaman and
Clerk Charles E. Cropley.

We would like also to film the Justices of the Court,
inside or outside the Supreme Court Building, as they will agree
to such pictures, either in groups or individually. This, I would
assume, would depend upon the personal wishes of each member of
the Court.

I believe you will agree that the above does not
represent any attempt to invade the privacy of the Court's
deliberations and does not infringe upon what all men will agree
is the chief aim of a system of law - the administration of justice.

I would appreciate the Court's decision at the con-
venience of the members.

Sincerely yours,



W.R. Higginbotham
UNITED PRESS MOVIE TONE NEWS

LAW OFFICES
SEEGMILLER AND MURDOCK

1616 EYE STREET, N. W.
WASHINGTON 6, D. C.
NATIONAL 1607

KEITH L. SEEGMILLER
RAY R. MURDOCK

5 February 1952

My dear Mr. Chief Justice:

By way of introduction, I am a brother of Abe Murdock with whom you served in the House of Representatives, and I have had the honor of being presented to you on several occasions.

I am engaged in the private practice of law in Washington, D. C., and among others represent Prockter Productions, Inc., 221 West 57th Street, New York City. Prockter is probably the largest independent producer of television shows, and specializes in what is called the documentary show. A documentary is a television or radio show based upon facts and made as authentic as the limitations of the medium will allow. Two of Prockter's current documentary successes are The Big Story, which is on both radio and television, and Treasury Men in Action, which is a television show based upon closed files of the Treasury Department. In producing the first one, Prockter has the cooperation of all of the great newspapers in America; and in connection with the second one, the cooperation of the Treasury Department, although the Department does not officially endorse this program.

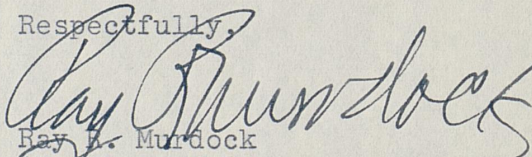
Prockter is very anxious to produce a television series based upon facts as reported in the United States Reports. It would be a show of the very highest caliber, requiring the very finest writers, actors, directors, etc. The plan is to select three outstanding Constitutional lawyers, and have them pass on the script in order to insure technical accuracy and authenticity. It would be highly desirable if the title could indicate that the source of the series was actual cases as reported in the U. S. Reports. However, it would be made very clear that the Court itself was not in any way connected with the series and had not endorsed it. It would also be highly desirable to take moving pictures of the exterior and interior of the U. S. Court building, as well as the Old Supreme Court Chamber in the Capitol, for use in introducing each show.

No story involving any member of the present Court would be used.

It is expected that the program would start as a "sustaining" program, that is, an unsponsored program presented by a television network as a public service. However, as you will understand, it is always the producer's hope that such a program will shortly become a commercially-sponsored program. You could rest assured that, if you did not object to the production of such a series, the utmost care would be used in the selection of prospective sponsors, and only advertisers of the highest prestige would be approached.

If you would have any objection to the production of such a series, my client will immediately abandon the idea. Otherwise, it is planned to commence work immediately on a kinescope, that is, a complete show on film for submission to sponsors. I shall therefore greatly appreciate your courtesy if you will advise me of your feelings in the matter. Needless to say, whatever its tenor, a communication from you would not be used in any way for promotional purposes.

Respectfully,



Ray B. Murdock
Attorney at Law

The Honorable
Fred M. Vinson
Chief Justice of the United States
United States Supreme Court Building
Washington 25, D. C.

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

May 2, 1952

USE OF CAMERAS IN SUPREME COURT BUILDING

News, News-reels, Commercial and Movie Photographers

General practice is to direct News, News-reels, Commercial and Movie Photographers to the Press Office, or in the absence of the Press Officer, to the Marshal's Office, for clearance.

Outside, on the front steps or plaza, news or commercial pictures may be made without restrictions, except that tripods must have rubber feet.

Inside the building, the practice is to permit, with permission as outlined above, pictures of lawyers in the lawyers' lounge; some meetings and luncheons in conference rooms; certain special occasions such as large crowds waiting to get into the Courtroom; and physical effects of the building deemed newsworthy.

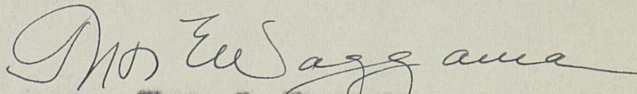
Behind the bronze gates, pictures are not permitted, except when a Justice asks that the photographers be sent to his suite. The numerous requests each term for permission to make "still" news shots, commercial portraits, movie news-reels, tape recording, etc., of individual Members of the Court are referred to the Justices' offices. Occasionally, if the request is for a set of pictures to accompany an article in a magazine, it is then forwarded to the Chief Justice for submission to the full Court.

15

Television, I think, should be granted the same privileges heretofore given news and moving picture photographers.

Professional or Candid Photographers

On days when Court is in session, between 11:00 A.M. and 4:30 P.M., all cameras of persons who contemplate visiting the Courtroom must be checked. Before 11:00 A.M. on these days and at any time when the Court is not in session, visitors may take candid pictures of anything within reason on the public side of the bronze gates. This includes the Courtroom which may be photographed from across a barricade erected at the front door. If the request seems reasonable, permission to photograph the Courtroom, Library, etc., is granted as long as no subjects are in the picture.


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

May 13, 1952

Mr. Bookman of Life Magazine called to see if it would be possible to have one of their artists sit in the courtroom and sketch the scene. Mr. Whittington and Perry Lippitt told them the man would have to go outside of the room to make the sketches, so they are appealing to you for a more favorable decision.

McH

Phone Mr. Bookman - Repub. 6050

Regretted - 5/13/52 -

TELENEWS



PRODUCTIONS, INC.

1905 FAIRVIEW AVE., N. E.
WASHINGTON 2, D. C.

LAwrence 6-5607
Cable: TELNEWPROD

File

May 23, 1952

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

Dear Sir:

In conversation with Mr. B.E. Wittington of the Court's Public Information office it was suggested that we solicit the opinion of your office in the following matter.

As a nationwide pictorial news gathering agency we are most desirous of securing for our library stock film footage of each Supreme Court Justice. The need for such pictures is especially acute because of the recent news developments centering around the Supreme Court.

We would like very much to film the Justices in a posed group shot, attired in robes. Since we are aware of the extremely busy schedules of the Justices at this time, if the above is not possible we suggest that we be allowed to secure pictures handily out-of-doors as each Justice arrives at the Court.

We have been advised that the other Justices of the Court would appreciate the opinion of the Chief Justice regarding picture-taking before giving their individual decisions.

Again I would like to indicate that the lack of adequate films of the Supreme Court Justices leaves a most unhappy void in the pictorial coverage of current news stories.

We would appreciate being advised on the foregoing matter at your earliest convenience.

Very truly yours,

TELENEWS PRODUCTIONS, INC.

John O. May
John O. May
Washington Bureau

JOM/nk

RECEIVED
MAY 24 9 30 AM '52
CHAMBERS OF THE
CHIEF JUSTICE

Telenews SERVES THE NATION • COAST TO COAST

NEW YORK • CLEVELAND • CINCINNATI • BUFFALO • DETROIT • CHICAGO • MILWAUKEE • DENVER • DALLAS • SEATTLE • OAKLAND • SAN FRANCISCO

10/30/52 - Letter from Mr. Keller, requesting permission to take and sell pictures of the interior of the Supreme Court building, returned to Mr. Whittington with instructions that he should tell the man he can take the pictures but make no mention of the selling request.

MEMORANDUM

To: THE CHIEF JUSTICE.

McH

This request seems out of line with any photographs taken in the past and used for similar commercial purposes.

As far as Mr. Lippitt and I can determine, pictures made for sale on color post cards, which are in about the same class as Mr. Keller proposes, have been of only the exterior of the building. Also, the examples he lists seem to be more in the class of historic homes and museums than public buildings.

His request, if granted, probably would bring others from persons in the color photography field.

Bert Whittington

Oct. 23, 1952.

Under rules, it seems to me he can photograph but steer away from giving authority to sell pictures or slides.

Agence France-Presse

SUITE 914 NATIONAL PRESS BUILDING

WASHINGTON 4, D. C.

NATIONAL 8570

June 23, 1953

The Right Honorable Fred M. Vinson
Chief Justice of the United States
The Supreme Court of the United States
Washington 13, D. C.

Your Honor,

I beg to thank you very much for your letter
dated June 22.

I wish to express my appreciation for the
courtesy extended to us in answering very satisfactorily
our communication.

I beg to remain, your Honor, respectfully yours,

Fernand Moulrier

Fernand Moulrier
General News Manager
Agence France-Presse

NOTED
JUN 23 1953
F.M.V.

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

MEMORANDUM

TO: Mr. Chief Justice Vinson.

FROM: Bert Whittington.

In re the telegram sent you by the French newspaperman, the incident came about when he refused to wait a few minutes until I could go upstairs and check to see if there was any room left in the press section.

He came in a few minutes before noon on Thursday and demanded to be seated with full privileges of a "wire service." By that time, all 27 seats in the press section were taken and I had issued tickets for about 40 more reporters who were standing. There were about half a dozen other reporters in the press room then whom I had asked to wait until I could determine whether there was any room left. These were taken care of and were able to get in for the hearing.

The French reporter said that could not wait as he felt that this would be a blow to his "professional pride." He then left.

The only passes I issued while he was in the room was one to a reporter who had called earlier and said he was coming right away, and one to a reporter who regularly covers the Court on Mondays. On crowded days I try to give reporters who regularly come to the Court some priority consideration, as they do at the Capitol and elsewhere.

On the second day, the head of the Washington bureau of French Presse, Mr. Wolff, came in early and was seated in the Press Section. I explained the incident of the day before and he said that he understood. The incident was the only one that the Court police, or myself, encountered in a week of dealing with a large number of members of the press and photographic corps.

Bert Whittington

June 22, 1953.

June 22, 1953

Mr. Fernand Moulier,
General News Manager,
Agence France Presse,
Suite 914 - National Press Building,
Washington, D. C.

Dear Mr. Moulier:

I have your telegram of June 18th, and wish to assure you that I regret very much any inconvenience which the representative of your agency may have been caused at the Special Term of Court held on June 18th.

Seating in the Courtroom is under the direction of the Marshal. It is my understanding that a limited number of seats are made available to the press at all sessions of the Court. Mr. Whittington, our press relations officer, informs me that it was just impossible to take care of all the requests he received from reporters on this particular day. Several of the newspaper people who cover the Court regularly had called in advance to make sure there would be a place for them, and that probably explains why some were seated after your man arrived.

As I say, I sincerely regret any unnecessary inconvenience which your representative suffered, and I hope it will not happen again.

Sincerely,
(Signed) Fred M. Vinson

July 2, 1953

Mr. Stuart Novins,
Director of Public Affairs,
CBS Radio,
485 Madison Avenue,
New York 22, New York.

Dear Mr. Novins:

I have your letter of June 23rd relative to your desire to do a special full-hour program on the anatomy of the Court, and appreciate your interest.

We have discussed several times suggestions of this nature, and to date the Court has declined to participate in such programs.

Thank you for writing me.

With kind regards,

Sincerely,

(Signed) Fred M. Vinson

CBS RADIO

A Division of Columbia Broadcasting System, Inc.

485 MADISON AVENUE, NEW YORK 22, NEW YORK · PLAZA 1-2345

STUART NOVINS

Director
of Public Affairs

June 23, 1953

*Back letter
I thank for interest
We have discussed
several times suggestions
of this nature and to
date the Court has
declined to
participate in
such programs.*

My dear Sir:

When the United States Supreme Court convenes in the fall, it will be taking up again its vital function as the third branch of the Federal government. We, at CBS Radio, have long felt that there is a real need for American citizens to understand the role of the Court, its background, its methods, its significance as a judicial guarantee of Constitutional rights.

Our desire is to do a special full-hour program, using the techniques of tape-reporting, which would offer to the public a clear statement of the anatomy of the Court. We would want to include statements by the Justices on various facets of the Court's procedures and history. Also, we would make additional recordings with the clerk of the Court, members of the Bar of the Supreme Court and other persons connected with it. Our hope is to do the broadcast in October.

Obviously, our desire is to give the layman a better understanding of the importance of the Court, and to do it in the spirit of the dignity and stature of the Court. We do not suggest anything that would touch upon current decisions or deliberations, or anything that would not be in keeping with the Court's established practices and policies.

We feel that CBS Radio, which reaches many millions of Americans, can contribute materially to a better public appreciation of the part played by the Supreme Court in the development of our nation.

Naturally, we would not consider such a project without your approval. I hope you will feel, as we do, that such a broadcast would be a genuine public service and in the public interest. I hope you will weigh the possibilities, not only of the broadcast itself, but of the use in schools and colleges, which would be made of it.

If you would like further information regarding our tentative plans for such a documentary program, I would be very happy to come to Washington at your convenience, to answer any questions.

Sincerely yours,

Stuart Novins

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

July 2, 1953

Mr. Warren G. Reed,
General Counsel,
The Employers' Group,
110 Milk Street,
Boston 7, Massachusetts.

Dear Mr. Reed:

This is to acknowledge receipt of your letter of June 23rd relative to the advertising carried on by your insurance companies in TIME on the theme, "This Is America."

I never approve copy of any kind relating to the Court, and feel that I must adhere to that policy. However, I cannot refrain from referring to the right of a person to exercise freedom of expression in referring to the Court, good or ill.

With kind regards,

Sincerely,

(Signed) Fred M. Vinson

The EMPLOYERS' GROUP

EXECUTIVE OFFICES

110 MILK STREET, BOSTON 7, MASSACHUSETTS



The EMPLOYERS' Liability Assurance Corporation Ltd.
The EMPLOYERS' Fire Insurance Company
AMERICAN EMPLOYERS' Insurance Company

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

June 23, 1953

Dear Chief Justice Vinson:

For some months our insurance companies have been advertising in TIME magazine upon the theme This is America. So that the character of these advertisements may be unmistakably clear, I am enclosing a copy of the advertisement depicting voting which appeared in the September 29th and October 20th issue of TIME magazine, the advertisement depicting a senator which appeared in TIME magazine February 23, 1953, the advertisement depicting a presidential press conference which appeared in TIME magazine April 27, 1953, and an advertisement depicting a senator which will appear in TIME magazine for August 31, 1953.

I should perhaps emphasize that neither the picture of the president, the senator, nor any other of the pictures purport to depict any particular individual. It is the institution or office that we seek to bring before the public.

It has been our desire to remind the reading public, in a restrained and undramatic manner, of the immeasurable value of some of our most cherished institutions.

My reason for venturing to write you now is that we have planned for the issue of TIME magazine to appear October 26, 1953 another advertisement of this series which will deal with the Supreme Court of the United States. I enclose a photograph of a drawing which we should like to use and also the wording of the advertisement. (The drawing is in color) You may be sure that the artist has no intention of creating a likeness of any member of the Court, nor indeed does any one of the figures resemble any of the Justices. The script we have endeavored to couch with dignified and respectful language.

THE EMPLOYERS' GROUP MAN IS THE MAN WITH THE PLAN

As a member of the bar and particularly of the bar of your Court, I certainly would not wish to authorize any advertising which would be displeasing to you. And so, without of course asking for your official endorsement, I venture to submit this proposed advertisement about the Court to you with the respectful request that you let us know as soon as you conveniently can whether there is any objection to it.

Inasmuch as the advertising agency has asked for authority to start work on the advertisement in August, I should appreciate a reply by August 1st if that is convenient.

Yours most respectfully,

Warren G. Reed

Warren G. Reed
General Counsel

Enclosures

RECEIVED
AUG 27 10 31 AM '33
OFFICE
OF THE
CLERK
OF THE
COURT



THIS IS AMERICA

... this is your right!

IT is by far the greatest right that man, woman or child can ever hope to inherit.

It is the right to elect, in company with your free fellow men, those who will represent you in government, and to sit in final judgment on the manner in which they administer the affairs of your country.

This is your right, your privilege and your sacred duty as a citizen, be you a person of much or little

education, of small or large possessions. In this free democracy of ours it is always the people who have the *last* word.

This is America.

May we always preserve and protect, by every means at our command, our precious right to vote — the right which insures our continuing freedom.

Vote as you will . . . but vote!

The EMPLOYERS' GROUP Insurance Companies



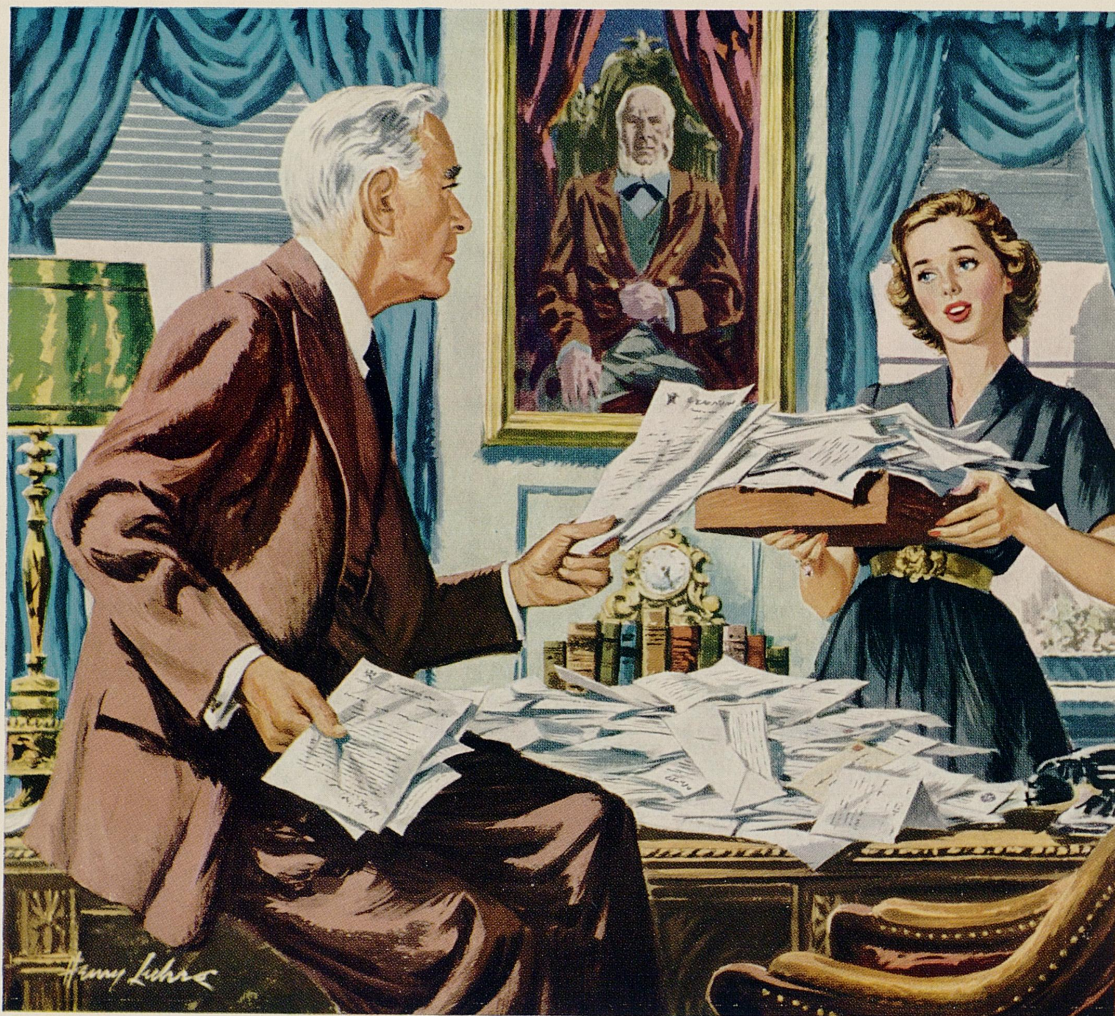
AMERICAN EMPLOYERS' INSURANCE CO.
THE EMPLOYERS' LIABILITY ASSURANCE CORP., LTD.
THE EMPLOYERS' FIRE INSURANCE CO.

110 MILK ST.
BOSTON 7, MASS.

For all types of Fire and Casualty Insurance or Fidelity and Surety Bonds, see your local Employers' Group Agent, The Man With The Plan

REPRODUCTION OF FULL PAGE ADVERTISEMENT IN SEPT. 29 AND OCT. 20 ISSUE OF TIME MAGAZINE.

Full-color enlargements (19" x 25") for posting gladly sent on request.



THIS IS AMERICA

... the Senator hears from home!

IN this country, every man or woman may have a say in a government "by the people, for the people."

Letters pour into your senator's office whenever an important issue is in debate. Letters of praise . . . of advice . . . of condemnation. Letters beautifully penned on expensive bond, and crudely scrawled on rough butchers paper. And, always, countless telegrams and telephone calls!

They are the voice of the people.

Any time *you* feel so moved, you can let your elected-representatives know what you think. They cannot afford to ignore any expression of opinion that will guide them in voting according to the wishes of the majority of the people who elected them.

Never forget, in this country you've got something to say about how things are run. That is your great privilege in this day and age, in this democracy. . . . This is America.

The EMPLOYERS' GROUP Insurance Companies



AMERICAN EMPLOYERS' INSURANCE CO.
THE EMPLOYERS' LIABILITY ASSURANCE CORP., LTD.
THE EMPLOYERS' FIRE INSURANCE CO.

110 MILK ST.
BOSTON 7, MASS.

For Fire, Casualty and Marine Insurance or Fidelity and Surety Bonds, see your local Employers' Group Agent, The Man With The Plan

This advertisement appears in:
Time — February 23, 1953



★ *This is America* ★

The President meets the press!

Every week, the President meets these men and women . . . face to face. Their questions probe to the very heart of government policy. The President's answers, through a free press, inform the people. This helps safeguard one of the cornerstones of our liberty: a fully informed citizenry.

Through this uniquely American institution, the

Chief Executive reports to the nation. Through this public exposure, this personal acceptance of responsibility, he emphasizes to the world that *no man* is too great to answer to his fellow citizens.

For this is democracy as it always was and always will be . . . patient . . . strong . . . and not afraid of criticism. This is freedom. *This is America!*

The EMPLOYERS' GROUP Insurance Companies



AMERICAN EMPLOYERS' INSURANCE CO.
THE EMPLOYERS' LIABILITY ASSURANCE CORP., LTD.
THE EMPLOYERS' FIRE INSURANCE CO.

110 MILK ST.
BOSTON 7, MASS.

For Fire, Casualty and Marine Insurance or Fidelity and Surety Bonds, see your local Employers' Group Agent, The Man With The Plan

This adv. appeared in Time - April 27, 1953

TIME
August 31 ,1953
This Is America

Fourth of a Series

YOU ALWAYS KNOW WHERE HE STANDS

The doors of the House and Senate are open to all. You're free to sit in almost anytime...to listen to the debate, to see and hear measures passed or defeated...and to note who votes for or against.

When your freely elected representative or senator casts his vote on an issue, he does so for all the world to hear...audibly, publicly, and for the record.

There is no such thing as a secret ballot in our legislative process. It is impossible for members of our law making bodies to conceal their position...or to repudiate their promises without discovery. The moment of public revelation comes when every senator or representative votes "yea" or "nay". He must commit himself so there can be no mistaking where he stands.

This is the democratic way...the American way...the best way by far.

The Employers' Group Insurance Companies

American Employers' Insurance Co.
The Employers' Liability Assurance Corp. Ltd.
The Employers' Fire Insurance Co.

110 Milk St.
Boston 7, Mass.

For Fire, Casualty and Marine Insurance or Fidelity and Surety Bonds, see your Local Employers' Group Agent, The Man With The Plan.



7th Wicks

This is America

SHORTLY BEFORE TWELVE NOON

Robed and ready, nine of the nation's most distinguished men wait to part the velvet curtain and take their respective chairs on the raised platform.

They are the Supreme Court of the United States. They are about to sit in solemn deliberation on one of the many momentous and difficult issues that continually come to them for final judgment. They may be meeting to listen to complicated arguments on tax law, or perhaps to make sure that the rights of some individual are fully safeguarded. Whatever the issue before them, we know they will weigh it carefully, maturely, impartially.

These nine men, trained in orderly and instructed reasoning, represent the legal wisdom of this great country. They represent government by law, in the broadest sense. Established by our Constitution, they are dedicated to the principle of Equal Justice Under Law.

More, perhaps, that we realize, their judgments affect all of us. We may be thankful for these great Americans, and their high purpose.

One of a series.



323 No Saira Vista St.
Monterey Park, Calif.
July 19, 1953.

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

Dear sir;

As one of the readers of a certain newspaper I noticed this column by reporter Roland Sawyer. The situation described seems to be badly in need of correction.

As one interested in good news reporting as a bulwark of our free society naturally I'm backing the reporters position.

I do hope something will be done before another important case is tried in the Supreme Court.

yours truly,
Jordan Priester