

First Monday with Friends (1941)

*John Q. Barrett**

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After Robert H. Jackson's appointment to the Supreme Court was completed with his oath-taking at the White House on July 11, 1941, he had a relatively quiet summer.

Justice Jackson joined a Supreme Court that was more than a month into its summer recess. Immediately after his oath ceremony, his wife Irene and their daughter Mary (age 20) left Washington to visit family in and around their hometown, Jamestown, New York. Justice Jackson soon joined them. He spent the next three weeks in his home region, doing some work, some speaking and lots of relaxing. (His son Bill, age 22, missed all of this because he was working in the mountains and woods of Idaho.)

In August, Justice Jackson returned to Washington. While Irene and Mary remained in Jamestown, he lived solo in their Wardman Park apartment. His work involved spending some time in his new Supreme Court chambers, catching up on correspondence and reviewing petitions and appeals that were pending. As his friend and new colleague Justice William O. Douglas had admitted privately a year earlier, the Court's summer work was, at least in those days, "very light"—Douglas estimated that it took him only two weeks of the Court's four month recess in summer 1940 to review the petitions and appeals.¹ Thus even if Justice Jackson in summer 1941 was not quite so efficient, he had time to spare.

Among other projects, Jackson kept busy that August by supervising the extensive renovations that were being made at Hickory Hill, his and Irene's newly purchased home in McLean, Virginia. The

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¹ William O. Douglas diary entry, Oct. 7, 1940, in WOD Papers, Library of Congress, Manuscript Division, Washington, D.C., Box 1780.

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projects there included recreating two living rooms that a previous owner had combined into one space, remodeling the third floor with new knotty pine paneling in the recreation room and new guest quarters, building a badminton court, and building a stable for three horses.²

Jackson also spent time with friends in Washington. Although most of his fellow justices were away, his friend Justice Hugo Black was not, for instance, and they went together at least once to hear a lunchtime speaker at the National Press Club.

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The renovations at Hickory Hill were completed and the Jacksons moved in during September 1941. To see the house, to celebrate Justice Jackson's appointment to the Supreme Court and to be present when he took the bench for the first time, the Jacksons invited three couples who were among their longtime friends—Marion and Florence Fisher and George and Rose Niebank of Jamestown, and John and Maude Blair of nearby Warren, Pennsylvania—to stay with them on the weekend before the start of the Court's Term. On Saturday, October 4th, the Jacksons hosted a dinner party for their guests. Sunday, a more informal day just for the eight friends, closed with buffet dinner.

On Monday, October 6, 1941, the Fishers, Blairs and Niebanks joined Irene Jackson in the Supreme Court's courtroom for the brief session that began the Court's October Term 1941. They heard Chief Justice Harlan Fiske Stone announce Justice Jackson's appointment and the formal reading of Jackson's commission. During this investiture, Chief Justice Stone, alas, mispronounced Jackson's middle name, Houghwout (which Jackson pronounced "HOW-it"). When someone commented on this to Jackson, he replied that "[t]he Chief Justice merely gave evidence that a Yankee tongue cannot get around a Dutch name."³

Even in the 1940s, a typical private automobile did not hold eight people. I do not know how Irene Jackson, Florence Fisher, Rose Niebank and Maude Blair got from Hickory Hill to the Supreme Court on that "First Monday." I do know that Bob Jackson drove his male guests—some of his

² See *Mrs. Jackson Expected Soon*, WASH. POST, Aug. 9, 1941, at 8.

³ Robert H. Jackson to Robert Sherrod, Oct. 11, 1941 (carbon copy), in Robert H. Jackson Papers, Library of Congress, Manuscript Division, Washington, D.C., Box 119.

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closest colleagues in law and business, and some of his closest friends until the end of his life—to the Court that morning.

A photograph of the four men, seated in Jackson's car with the new Justice behind the wheel, was published widely. The car was a convertible. Robert Jackson drove, on that hot day and habitually, with the top down.



October 6, 1941: Justice Robert H. Jackson driving east on Maryland Avenue, NE, Washington, D.C., alongside the Supreme Court building. His passengers are (L-R) his close friends C. George Niebank, Sr., of Jamestown, NY, John L. Blair of Warren, PA, and Marion H. Fisher of Lakewood, NY. (Thanks to James A. McQuiston for sharing this copy of the photograph, inscribed by Jackson to Blair, which hangs in the Blair Museum in Warren.)