

Supreme Court Appointments (1941)

*John Q. Barrett**

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On July 3, 1941, Harlan Fiske Stone became the Chief Justice of the United States.

Three weeks earlier, on June 12th, President Franklin D. Roosevelt had nominated Stone, a former Attorney General of the U.S. and an Associate Justice since his 1925 appointment to the Court (by President Calvin Coolidge and the U.S. Senate), to succeed retiring Chief Justice Charles Evans Hughes.

The Senate confirmed Stone's nomination on Friday, June 27, 1941.

President Roosevelt thereafter signed Chief Justice Stone's judicial commission.

On July 3rd, Justice Stone was vacationing with his wife in Rocky Mountain National Park in Estes, Park, Colorado. At about 1500 local time, in a log cabin in the Park, its Commissioner, Wayne Hackett, administered first the constitutional oath of allegiance and then the judicial oath to new Chief Justice Stone. (For newsreel footage of the event, click here: www.gettyimages.com.au/detail/video/in-log-cabin-harlan-stone-raises-hand-and-receives-oath-news-footage/502793875.)

The appointment of Chief Justice Stone was one piece of President Roosevelt's three Supreme Court appointments during summer 1941. On June 12th, in addition to nominating Stone to succeed Hughes, the President nominated Senator James F. Byrnes (D.-SC) to succeed Justice James C. McReynolds, who had retired four months earlier, and Attorney General Robert H. Jackson to succeed Stone as associate justice.

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The Senate confirmed Senator Byrnes on that same day, and he was commissioned/became Justice Byrnes on June 25th.

On July 3rd, Attorney General Jackson's appointment was still pending—he would not be confirmed by the Senate and commissioned as a Justice until July 11th.

On this eve of two hundred and forty years since the United States declared their and its independence, I hope that this history is occasion to remember and admire excellence in individuals who have served, and in the performance of institutions, in U.S. national government.