

**M. Graham Clark Chapter
Sons of the American Revolution
4-20-2019 Meeting Minutes**

Opening: The meeting was called to order at 8:36 a.m. by President Charles Lee. There were 21 members and 15 guests in attendance (See attached list). The Pledge of Allegiance to the United States Flag was led by Devon Reedy, grandson of Compatriot John Coutts. The SAR Pledge was led by Compatriot Jack Chance.

Visitors of note were as follows: Michael Coutts, to be inducted (counted as member above); Michael's wife Leslie Hawley and their son Rowan Coutts; Devon Reedy, grandson of Compatriot and Linda Coutts—he is their daughter's son. Also visitors of note: Liz Davis, speaker; Liz's daughter LizAnn Priesendorf, Maryellen McVicker of the Hannah Cole DAR Chapter and Louise Bolin.

Maryellen McVicker informed the meeting of an upcoming DAR grave marking to take place on Saturday, May 4, 2019. She said anyone who was interested should contact her. Harold Kerr later asked her for information about this and received it and distributed to the chapter via email.

The only April birthday noted was that of Laura DeVenney.

President Lee had a card for Compatriot Alfred Jones which was distributed for signatures and Secretary Kerr will mail it to him. He is presently in assisted living getting therapy so he can return home.

The meeting recessed at 8:42 for breakfast.

Speaker: The meeting was called to order at 9:10 and the speaker, Liz Davis, was introduced by Secretary Kerr. Her topic was "The Making of the Supreme Court and Journey to Nine Justices."

The United States Constitution was created 17 September 1787 and ratified 21 June 1788 and became effective 4 March 1789. Article III, Section 1 addressed the courts system, setting up a Supreme Court and several "inferior" courts." Other details were left to Congress.

The Judiciary Act of 1789, passed by Congress on 24 September 1789 established the number of Supreme Court justices as 6—one Chief Justice and 5 Associate Chief Justices. There would need to be 4 justices for there to be a quorum. Congress also set the times and location of the sessions along with other needed details.

The initial Supreme Court was comprised of: Chief Justice John Jay and Associate Justices John Rutledge, William Cushing, Robert Hanson Harrison, James Wilson and John Blair, Jr. All were nominated and confirmed but Harrison declined, citing family duties and health issues. President Washington sent him a letter asking him to reconsider, which Harrison did and he headed for New York, the temporary national capital. On the way his health worsened and he returned home.

After the first of the year 1790, James Iredell was nominated and confirmed to take Harrison's place. Because he had never taken the bench, Harrison's name is not included on the list of Supreme Court Justices.

John Rutledge resigned on 4 March 1791 without ever hearing a case. The first case heard was *West v. Barnes* argued 2 August 1791. *Van Strophorst v. Maryland* was docketed first but was settled before the case was heard.

Chief Justice John Jay resigned 29 June 1795. John Rutledge was a recess appointment by President Washington as Chief Justice on 30 June 1795. The problem arose when Rutledge made a speech on 16 July, denouncing the Jay Treaty with Great Britain, which the Senate had ratified by a 2/3 majority. The same people who would vote on his nomination. On 28 December 1795 Rutledge's nomination was rejected and he had to step down

On 4 March 1796 Oliver Ellsworth was appointed Chief Justice by Washington. Ellsworth resigned 30 September 1800 and on 31 January 1801 John Marshall was appointed Chief Justice by President John Adams.

The Judiciary Act of 1801 was passed when John Adams was President and Thomas Jefferson was Vice-President. Adams was in favor of this Act and Jefferson was opposed. The fourth Presidential election had just taken place between 31 October and 3 December 1800, depending on which state you live in. Jefferson had been elected President but would not take office until 4 March 1801.

Justices rode circuit as well as sat on the bench. Considering the methods of transportation, this was a great hardship. Justices were asking for a change and President Adams tried to make it happen. He got Congress to pass the Judiciary Act of 1801 to provide more convenient organization of the Courts.

The Judiciary Act of 1801, passed on 3 February 1801, increased the number of judges on the inferior courts and reduced the number of justices on the Supreme Court to five. This never actually happened. It was repealed so soon after enactment because Jefferson became President and got Congress to repeal it. The act got the nickname "Midnight Judges Act" because Adams supposedly signed commissions until after midnight on 3 March for as many new judges as possible before Jefferson would take office.

The Judiciary Act of 1802, passed on 8 March 1802 which was barely a year after Congress repealed the Act of 1801. A second Judiciary Act of 1802 was passed on 29 April 1802 which reinstated many of the aspects of the Act of 1801 and left the number of Justices at 6.

In 1804-1805 there was a Justice on the Supreme Court impeached, but he was not convicted. In other words the House of Representative passed Articles of Impeachment but the Senate did not vote to convict so he stayed on the Supreme Court. The Justice was Samuel Chase. There were eight counts of alleged political bias for the unpardonable sin of speaking publicly against the repeal of the Judiciary Act of 1801. On 12 March 1804 the House voted 73-32 to impeach Chase. The Senate trial took place 9 February 1805 and Chase was acquitted on all counts on 1 March 1805.

The Seventh Circuit of the federal Courts was established on 24 February 1807. This increased the number of Justices to seven: 1 Chief Justice and 6 associate justices. On 3 March 1807 President Jefferson nominated Thomas Todd who was confirmed.

The Eighth and Ninth Circuits were established on 3 March 1837 and this increased the number of Justices to nine: 1 Chief Justice and 8 associate justices. A quorum was denied as any five in attendance. On 8 March 1837 John 22 joined as the first of the two new justices. On 22 April 1837 John McKinley joined as the second new justice. President Martin Van Buren appointed both.

The Tenth Circuit was established 3 March 1862, including Districts of California and Oregon. During the War Between the States, the Supreme Court was increased to 10 justices, and any six in attendance would make a quorum. On 3 March 1863 Stephen J. Field was appointed by President Lincoln to be the 10th justice.

President Lincoln was assassinated 15 April 1865 and Vice President Andrew Johnson became President. Supreme Court Justice John Catron died six weeks later, on 30 May 1865. This left one opening on the Supreme Court. Congress did not want a southerner (Johnson) putting anyone on the Court so they reduced the number of Justices to 7. This was done in the Reorganization of the Judicial Circuits, 23 July 1866. So now it would be 4 justices to make a quorum once the number of justices went to 7. Three justices would have to leave before Johnson could appoint one.

On 5 July 1867 Justice James M. Wayne died. There was still one justice too many.

Ulysses S Grant became President on 4 March 1869 and Congress voted to return the number of Justices to 9. It would take any 6 in attendance to make a quorum. This Act effectively reversed the status of the Court from have one too many justices to one vacancy. This Act also provided judicial pensions for the first time, permitting justices to retire without the loss of salary.

On 21 January 1870 Robert Cooper Grier retired, leaving a second vacancy on the court. William P. Strong was added to the court on 18 February 1870 and Joseph P. Bradley was added on 21 March 1870. Both were appointed by President Grant.

Summary: Congress changed the number of justices on the Supreme Court seven times between 1789 and 1869. Although many judiciary acts have been passed since then, the number of justices on the Bench has remained at nine.

After the presentation, Compatriot Kerr gave Ms. Davis a Certificate of Appreciation for her continued work to ensure Missouri History be kept alive through her various research and newspaper articles throughout the State of Missouri.

Induction of New Member: President Lee then asked Michael Coutts to come forward to be inducted into the SAR. After induction, Compatriot John Coutts (Michael's father) pinned the rosette on Compatriot Coutts' blazer. Compatriot Coutts made several good comments about joining the SAR and he was welcomed with a round of applause.

Presentation of Supplemental Stars: President Lee then presented Compatriot Robert Bartlett with his supplemental stars. He needs to get 1 more but has one 5 supplemental star and one single supplemental star. Secretary/Awards Chair Kerr will order another star for him.

Reports: President Lee asked for reports:

Secretary Report: Secretary Kerr reported on the minutes from the April 2019 meeting. After asking for input, Compatriot Hillis made motion to approve the minutes; Compatriot DeVenney seconded. The motion was approved unanimously.

Treasurer's Report: Treasurer Gil Stone gave the report. He stated in the May report we should have a good idea with how the upcoming convention has gone for us. Report was filed for audit.

Genealogy Report: Compatriot Coutts reported that we have two new members approved: Robert Scott Miller and Trevor Miller. These are son and grandson of Compatriot Raymond Miller and wife Ruth. Compatriot Kerr stated the Certificates and Record Copies are at the MOSSAR Secretary and we will get them at the convention next weekend so we hopefully can induct them in the May meeting. Compatriot Coutts stated Compatriot Strader has 2 supplementals approved and there are more on the way. Several other applications are in process.

President Lee thanked Compatriot Coutts for the report, the hard work and acknowledged the importance of genealogy in the SAR. Compatriot Hillis stated M. Graham Clark is now the largest chapter in MOSSAR with 106 members. That number does not include the 2 Miller's listed above. There are two other people who may be members and we need to determine their dues situation from 2018. Treasurer Stone will work on this.

Eagle Scout Award: Compatriot Jim Lee stated there is nothing to report at this time.

Americanism/Fogg: Compatriot Kerr reminded the members that if they do anything in the community that shines a positive light on the SAR to let him know and we may be able to report these with these reports. Vice-President David Bartlett asked if there was a way to get a list of items that we can report. Kerr stated he would work on this—and email it out and also Compatriot J.Y. Miller can put this on our website.

50/50: Compatriot Hillis was the winner of the 50/50 drawing, winning \$16.00.

2019 Convention: Convention Chair Kerr reported on the status of the convention. Presently 84 were registered (after the meeting that was raised to 90). We can get to the hotel at 10:30 Friday morning, 4/26/2019 to start setting up and registration starts at noon. Harold has been working with the hotel on the menus/meal choices/special diet needs. Aldo he has been working with them on set-up for the various rooms—what rooms need which tables, etc. Harold asked people to stay after the chapter meeting to put together dome Registration Packets and that was done. President Lee took the boxes of the registration Forms, other materials and posters Harold made with him to bring to the hotel Friday. Harold will make the final meal count report to the hotel by noon, Tuesday April 23, 2019.

NOTE: M Graham Clark as of 4-21-2019 has the most people registered for the convention—26—including members (15), spouses (10, and sister (1). That is almost twice as many as the second placed chapter at 14 total (Ozark Mountain).

Adjournment: There being no further business, the SAR Recessional was led by Compatriot Stone. The meeting adjourned at 10:22 a.m.

Respectfully Submitted,

Harold H. Kerr II
Secretary
M. Graham Clark Chapter
MOSSAR

APRIL. RSVP.

	Harold Ker --1 plus speaker--1 for 2 total
	J. Y. Miller. 2
	Charlie Lee 2
	Mitchell Moore 1
	alan hiles 2
	Edwyn T. Strubinger - 1 Attending
	Laura & I will attend (2) Russ DeVenney
	Gil Stone - 1
	David Bartlett 3
	Bruce Hillis 2.0
	Jim Lee 1
	Hank Hammons one
	John Coutts 5
	Speaker guests. 3
	Speaker plus 1
net	Raymond Miller 2
	2 Jack Chance
	Pickard, 1
	[SPAM] Rusty Reith 1

NO RSVP. Michael Breedlove

NO RSVP - Did Not Eat - Darrell Hogue

