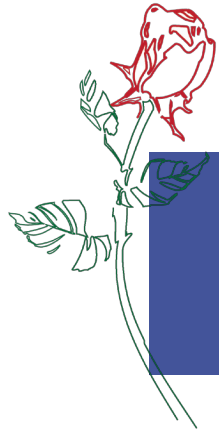


[T]he power for good of that ideal and undying personality, the Supreme Court of the United States.... So noble in conception and yet so simple in execution; so ordinary in its incidents and yet so majestic as the servant of the whole people; so weak and yet so strong, because founded upon the affection of all people and depending for its existence upon their continued support.

—Chief Justice Edward Douglass White,
Proceedings on the death of Mr. Justice Harlan,
222 U.S. xxv-xxvi (1912).



For O. W. Holmes, Jr., and
E. D. White, the blue and the
gray as one—with a red rose
for loved ones.

Special thanks to

Robert J. Brink

Ed Dodd, Sound Effects

Georgia Chadwick, Roses

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Cynthia Bland, Chief of Staff

Kevin Duffy, Digital Imaging

The Magnificent Seventh's Brass Band

Mardi Gras Records

Milton Batiste, Producer

Funded by the

William M. Wood Foundation, Bank of America Trustee.

AN EVENING WITH JUSTICE HOLMES

A dramatic reading from the play

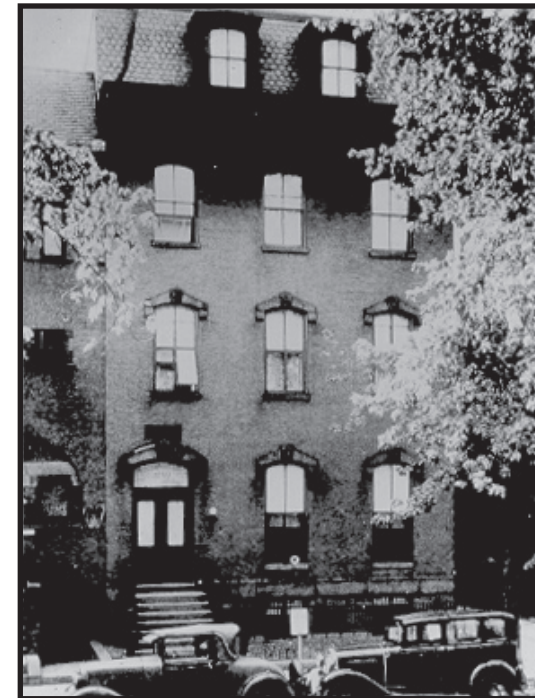
Father Chief Justice

Edward Douglass White and the Constitution

by Paul R. Baier

featuring Supreme Judicial Court Justices

Hon. Robert J. Cordy, Hon. Margot Botsford, Hon. Francis X. Spina and Hon. Ralph D. Gants
with Professor Paul R. Baier



November 9, 2012

6:00 p.m.

SOCIAL LAW LIBRARY

John Adams Courthouse
Boston, Massachusetts

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U. S. Supreme Court Historical Society, **Supreme Court of Louisiana Historical**
Society, **Supreme Judicial Court Historical Society**
and the **Flaschner Judicial Institute**.

PLAY NOTE

Father Chief Justice: E.D. White and the Constitution

Emmet Lavery's play *The Magnificent Yankee* (1946) preserves Justice Holmes of Boston for all the world, and for all time. Arthur Hopkins's production of the play at the Royale Theatre, New York, featuring Louis Calhern's acclaimed performance as O.W.H., Jr., and Mr. Calhern's repeat triumph in the MGM film of the play, certainly add life to the *United States Reports*. Holmes is well remembered. Not so his Confederate confrère on the Court, Louisiana's Edward Douglass White, Associate Justice (1894-1910) and Chief Justice (1910-1921) of the Supreme Court of the United States.

Father Chief Justice—this is how Justice Brandeis addressed White on the Court—is aimed at rescuing Louisiana's beloved son E.D. White from the obscurity of forgotten memory. The play, written and directed by Professor Paul R. Baier of the Louisiana State University Law Center, is the joint endeavor of the Louisiana Bar Foundation and the United States Civil War Center. They hope by their sponsorship to share E.D. White's great Spirit of the Fireside and of the Hearth with Louisiana and the Nation's citizens, young and old.

Father Chief Justice: E.D. White and the Constitution premiered in the Theater of the Jean Lafitte National Historic Park, Thibodaux, Louisiana, Saturday, March 8, 1997—Holmes's birthday.

—**Hon. John A. Dixon, Jr.**
Chief Justice of Louisiana, Retired
 Fourth of July, 1997
 Shreveport, Louisiana



E.D. White



O.W. Holmes, Jr.

Cover Photo:
*The Holmes residence at 1720 Eye St.,
 Washington D.C.*
 — U. S. Supreme Court

Photos of Holmes and White
 — Library of Congress

DRAMATIS PERSONAE

Chief Justice Edward Douglass White Justice Ralph D. Gants
 Justice Oliver Wendell Holmes, Jr. Justice Robert J. Cordy
 Fanny Holmes Justice Margot Botsford
 Justice Louis D. Brandeis Justice Francis X. Spina
 Professor Richard Henry Jesse Professor Paul R. Baier

PROLOGUE

“Joyous Send Off,” Jazz Funeral
 Bryant Baker statue, Royal Street, April, 1926

ACT I. PORTRAIT AND HEARTH

Professor Jesse's office, E.D. White Portrait
 E.D. White Home, Thibodaux

ACT II. SOLDIER BOYS

In the Valley of Antietam, September 17, 1862
 Prisoner at Port Hudson

ACT III. AT HOME

1720 Eye St., Washington, D.C.

ACT IV. “BY THE LIGHT OF REASON”

Pollock and Precedent; Standard Oil Octopus
 Fifteenth Amendment

ACT V. CRICKET ON THE HEARTH

1717 Rhode Island Ave., Beverly Farms Massachusetts,
 Willard Hotel, Washington, D.C.

The main players of *Father Chief Justice* are justices of the Massachusetts Supreme Judicial Court. The narrator is a Professor at the Louisiana State University Law Center and the playwright of *Father Chief Justice*. The Social Law Library and the other co-sponsors thank them for rekindling the memory of Louisiana's great Chief Justice E.D. White and his Boston confrères, Holmes and Brandeis. They have our thanks and applause.