

John Marshall

and

Other Chief Justices Who Were Master Masons

The Supreme Court was established by Article III of the Constitution. Its size is not prescribed by the Constitution, but is set by statute. At its beginning, in 1789, it consisted of six Justices; in 1807 this was increased to seven; to nine in 1837; ten in 1863; reduced to eight in 1866 and again increased to nine in 1869. Its size has remained at nine since, although there was an attempt to increase the number by President Franklin D. Roosevelt.

Fourteen Chief Justices have served the Supreme Court, of whom seven have been Master Masons and two, past grand masters of Masons.

The Master Masons of the United States form a small minority of the population. The greatest number of Masons at any one date has not quite reached four million in a population of one hundred and sixty million. The percentage of Masons in the total population is thus 2½ percent.

That 50 percent of the Chief Justices should be Master Masons is significant to those who believe that Masons are picked men; men of character, ability, patriotism, education and intelligence. Some will prefer to think that fifty percent of men big and broad enough to become Chief Justices, have found pleasing and important the philosophy and ethics of the Fraternity.

This fact is one in which any Mason may have pride; to add to that pride, here are pictures of these seven, with especial emphasis upon the greatest — John Marshall.

The Seven Chief Justices of the Supreme Court of The United States Who Were Master Masons

John Jay — Commissioned by President Washington, September 26, 1789, to be the first Chief Justice of the Supreme Court of the U.S. His Masonic membership is without documentary proof, but there is much circumstantial evidence that he was a member of the Craft.

John Rutledge — Commissioned by President Washington on July 1, 1795. His Masonic membership is unconfirmed by any lodge records, but tradition and circumstantial evidence indicate it as undoubted.

Oliver Ellsworth — Commissioned by President Washington to be Chief Justice, March 4, 1796. He was a charter member of St. Johns Lodge, Princeton, N.J.

John Marshall — Commissioned by President Adams, January 31, 1801. He was a member of Richmond Lodge No. 10 and Richmond Royal Arch Chapter No. 3. He was grand master of Masons in Virginia, 1793-1795. Buried with Masonic Honors.

William H. Taft — Commissioned by President Harding, June 30, 1921. Made a Mason “at sight,” February 18, 1909. On the same day, he petitioned to affiliate with Kilwinning Lodge No. 356, Cincinnati, Ohio. As President of the United States and as Chief Justice, he participated in numerous Masonic occasions and visited and spoke in numerous lodges.

Frederick M. Vinson — Commissioned by President Truman in 1946. Was a member of Apperson Lodge No. 195, Ky.; also of Louisa Chapter No. 95, R.A.M., Ky.

Earl Warren — Commissioned by President Eisenhower, March 20, 1953. Was a member of Sequoia Lodge No. 349, Oakland, California, and was Grand Master of Masons in California, 1935-36. He was 33° honorary, Ancient & Accepted Scottish Rite, SJ.

The Greatest Chief Justice, by Common Consent, Is John Marshall

John Marshall’s life is what Americans like to consider as a typical American success story; seldom told in other lands where equality of opportunity does not exist.

John Marshall was born in a log cabin in the Virginia frontier, September 24, 1755. His early youth was that of a child of the wilderness, and although he was related to such distinguished families as the Randolphs, the Lees and the Jeffersons, he had little formal schooling, and that obtained after his service as an officer in the Revolutionary War. His service began as Lieutenant and ended as Captain. He “wintered at Valley Forge” where his cheerful endurance of hardship was an inspiration to his men. After the war he attended a few months at the College of William and Mary.

He was admitted to the bar, practiced, was a delegate to the Virginia Assembly, married and settled in Richmond, thereafter his home. He was elected to Congress in 1799 and was secretary of state, 1800-1801.

He was appointed Chief Justice of the Supreme Court before he left the cabinet and it was here that the man came into his own, and brought fame to his name that has ever since been perpetuated under the name “the *great* Chief Justice.”

It was Marshall who made the Supreme Court what it is; his brilliant mind conceived, and his logic and force carried out, those conceptions that make the Supreme Court the arbiter of right and justice, the interpreter of the Constitution, the highest power of what we understand and describe as the American conception of liberty under law. He made the court the symbol of national unity; he enforced the then new (in the world) doctrine of the sanctity of private property against seizure by governmental power. He fought for and finally made incontrovertible the power of the court to review laws and decide upon their constitutionality, thus making the court the barrier against usurpations of illegal power by any Congress.

In person and character he was a combination of Virginia gentleman, profound scholar and informal frontiersman; he was human enough to enjoy games and stories. He had great personal charm, which won him devoted friends; he also made enemies by the forthrightness

and determination with which he fought for and won legal contests, in which his opinions became the unwritten law of the Supreme Court and thus eventually had the binding force of laws of the land.

A purported letter supposed to have been from Marshall to Edward Everett, and supposedly written in 1833, six months before Marshall's death, was published by anti-Masons. This letter disclaims interest in the Fraternity, makes statements in regard to Marshall's membership in Freemasonry directly contradicted by indisputable facts, and is couched in language that bears internal evidence of never having been written by the great jurist.

No authenticity attaches to this forgery. It is mentioned here, not for its importance, for it has little, these hundred and fifty years later, but as showing — as the overwhelming evidence does show — that John Marshall so valued and served his Masonry as to make him a shining mark for those who would stop at nothing to aid the rapidly failing cause of anti-Masonry.

John Marshall died July 6, 1835, his eighty years filled with wisdom, his reputation that of great service to humanity and his country, and, by the immortality of many of his doctrines, to the world. He was interred with Masonic honors in Richmond by Richmond Randolph Lodge No. 19, July 9, 1835.

Historians are not noted for attention to coincidences; the strange fact that the Liberty Bell was cracked while tolling a requiem for John Marshall, does ring in many minds as a sad connection between the bell that pealed for Liberty and cracked while tolling for one of Liberty's greatest exponents and defenders.



JOHN JAY



JOHN RUTLEDGE



OLIVER ELLSWORTH



JOHN MARSHALL



WILLIAM HOWARD TAFT



FRED M. VINSON



EARL WARREN

The Masonic Service Association of North America