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ATTORNEY ROLLS OF THE SUPREME COURTS OF THE UNITED STATES

Introduction

In the four rolls of this microfilm publication, M-217, are reproduced the rolls of attorneys and counselors admitted to practice before the Supreme Court of the United States from February 5, 1790. These records, which are in the custody of the Court, contain the signatures of the attorneys and counselors in chronological order by date of their admission to the bar of the Court. An alphabetical name index to the lawyers admitted to practice from 1790-1887 is reproduced on the first roll of the publication.

Background

The Supreme Court of the United States, provided for in article III, section 1, of the Constitution, was established by authority of the Judiciary Act of September 24, 1789 (1 Stat. 73). The Court's jurisdiction extends to all cases in law and equity arising under the Constitution, the laws of the United States, and treaties made under their authority; to all cases affecting ambassadors, other public ministers, and consuls; to all cases of admiralty and maritime law; to controversies in which the United States is a party; and to controversies between two or more States, between a State and citizens of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State or its citizens and foreign states, citizens, or subjects. In all cases affecting ambassadors, ministers, and consuls, and those in which a State is a party, the Supreme Court has original jurisdiction. Its appellate jurisdiction is defined in various statutes; but as the circuit courts of appeals are competent to give final decisions in the majority of cases, the Supreme Court usually hears only those cases that involve the construction or the constitutionality of legislative enactments or other issues of general importance.

Records Description

The two earliest rolls of attorneys and counselors reproduced in this microcopy are on parchment; the others are in bound volumes. One of the parchment rolls contains the signatures of counselors admitted to practice from February 5, 1790, to February 20, 1807, and the other, signatures of attorneys admitted from February 8, 1790, to February 11, 1805. Some of the signatures and the dates of admission on the parchment rolls are not legible. Each roll has been reproduced four times, with varying exposures, to give the reader every possible opportunity to decipher the writing. If it is not possible to decipher the complete name or the date on the rolls, the user may consult the minutes of the Court (reproduced as M-215), in which are recorded the names of attorneys and counselors admitted to practice.

The oath taken by each attorney or counselor was a first inscribed at the beginning of each roll. It was a simple oath, and varied little: "I...do solemnly swear (or affirm as the case may be) that I will demean myself as an attorney and counselor of this Court, uprightly and according to law, and that I will support the Constitution of the United States." At the end of the roll for the December Term, 1864, is shown an amended oath that precluded any attorneys who may have aided the Southern cause; on the roll for the December Term, 1866, however, the oath appears in its earlier and simpler form.

After February 16, 1826, the State and sometimes the city of the lawyer's residence are given, and beginning on November 11, 1869, the name of his sponsor (faintly discernible on a few earlier rolls) appears in legible form. A few of the entries are annotated as "Disbarred (with the date)," "Hold," "Cancelled," and "Void."

Among the many thousands of signatures appearing on the attorney rolls are those of great constitutional lawyers and other eminent jurists, including Charles Lee, Luther Martin, Henry Clay, Martin Van Buren, Louis McLane, James Buchanan, Robert Y. Hayne, John J. Crittenden, John Bell, James K. Polk, Hamilton Fish, Robert B. Taney, Rufus Choate, Montgomery Blair, James A. Garfield, Charles J. Bonaparte, Alton B. Parker, and Roscoe Pound.

A card index to the names of signers is currently maintained by the Supreme Court of the United States.

Related Records

Other records also in the custody of the Supreme Court have been reproduced as a part of the microfilm publication program of the National Archives. These include the minutes of the Court, from February 1, 1790 (M-215); the dockets, from August 4, 1791 (M-216); the case files, from 1790 (M-214); and the records of prize cases heard on appeal from Colonial courts by committees of the Continental Congress, 1776-80, and by the Court of Appeals in Cases of Capture, 1780-86 (M-162).

Several groups of records that relate to Federal Courts are in the National Archives. In Record Group 21, Records of the District Courts of the United States, are dockets, minutes, case files, and other records of some district courts and former circuit courts of the United States. Record Group 60, General Records of the Department of Justice, contain correspondence, memoranda, reports, and other records relating to cases in which the United States was a party or had an interest. Record Group 118, Records of United States Attorneys and Marshals, contains records of United States attorneys and marshals that relate to Federal legal proceedings.

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<u>Roll</u>	<u>Description</u>
1	An index volume listing alphabetically the names of attorneys and counselors admitted to practice, 1790-1887 Signatures of counselors, February 5, 1790-February 20, 1807 (on parchment roll); of attorneys, February 8, 1790-February 11, 1805 (on parchment roll); of attorneys and counselors, February 8, 1790-May 31, 1898 (4 volumes)
2	Signatures of attorneys and counselors, October 10, 1898-April 12, 1923 (2 volumes)
3	Signatures of attorneys and counselors, April 13, 1923-June 2, 1941 (4 volumes)
4	Signatures of attorneys and counselors, October 13 1941-June 4, 1951 (2 volumes)