

11-6-1986

First Report of the Special Projects Subcommittee

Roger J. Miner '56

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

TO: LWP
CC: JLO
RE: First Report of the Special Projects Subcommittee

MEMORANDUM OF RJM

The Special Projects Subcommittee met in my chambers in New York City on October 28, 1986. All members were present, except Bob Fiske and Barbara Black, both of whom sent representatives to the meeting. After discussing a number of proposals, the Subcommittee decided to approve the following projects for submission to the Steering Committee:

1. Co-sponsorship (with the Federal Bar Council Foundation) of three performances of Judge Owen's new opera, "Abigail Adams." Our share of the revenue from the event, expected to be a significant amount, will be most useful in funding other projects of the Bicentennial Committee. A project proposal summary, along with a rough draft of the proposed invitation, is attached.

2. Placement of a bronze marker honoring the authors of the Federalist Papers. The marker will be located at the Morgan Bank, opposite Federal Hall on Wall Street, and will be installed with suitable ceremony. We are in the process of requesting permission from Morgan. A project proposal is attached, and we suggest that the necessary funding come from the "Abigail Adams" revenues.

3. Colonial music concerts. We propose to have three concerts by three different musical groups in the lobby of the

Courthouse. Our goal is to have music that was popular around 1787 played on instruments of that period. Although the Special Projects Subcommittee recommends this proposal, Judge Haight still is in the process of obtaining more details. Attached is a project proposal containing information presently available.

4. Panel presentation: The Federal Courts: Have They Functioned as the Framers Intended? A summary for this project also is attached. Although the original proposal was to have this presentation at the Circuit Conference, the Subcommittee felt that it should be given elsewhere as well. Some members suggested tape recordings to allow wider dissemination of this project. This is the proposal I am discussing with Justin Feldman of the Association of the Bar as a possible project for co-sponsorship.

5. Publication of the Lectures on the Histories of the District Courts of the Circuit. It was the sense of the Committee that all these lectures should be bound in one volume to be disseminated to colleges, law schools, law clerks and others as a Bicentennial project. No cost estimates are presently available, but it is thought that the project can be held within reasonable bounds.

Other proposals taken up at the meeting included involvement in the improvement of the Federal Hall Exhibition and participation in a Ratification Parade. However, the Subcommittee has no specific recommendations at this time, other than the five listed

above. We await the direction of the Steering Committee regarding these proposals.

I have located an original play, never before presented. The title is "Father Anonymous," and it is written by Professor Robert Blecker of New York Law School. The play portrays the world of Sam Adams through the eyes of his wife at the time of the Boston Massacre and eighteen years later when the Constitution was up for ratification in Massachusetts. The play reflects the sentiments of the Federalists and Anti-Federalists and may be interesting for us. I have asked Mike Seymour to read the play and give me his comments. Obviously, the mounting of a play is a big production. However, we may be able to interest some little theater or college group in presenting this play. It is a very interesting idea, which I shall pursue and report on at a later time.



November 6, 1986

Encs.

bcc - Judge Haight

Draft Invitation

The Second Circuit Bicentennial Committee
and the

Foundation of the Federal Bar Council

request the pleasure

of your company

at a

Premiere Performance

The New York Lyric Opera Company Production of
"ABIGAIL ADAMS"

a Chamber-Opera in Two Acts

by

Award-Winning Composer

RICHARD OWEN

United States District Judge, SDNY

Wednesday, January 14, 1987

~~Thursday, January 15, 1987~~

Friday, January 16, 1987

Saturday, January 17, 1987

Lincoln Center Library and Museum of the Performing Arts
111 Amsterdam Avenue, Bruno Walter Auditorium

RSVP

~~All Tickets~~

\$35 Contribution

Performances Start

at 8 PM

Proceeds will be applied to ^{public} educational ^{activities concerning} programs on the
Bicentennial of the U.S. Constitution and publication
expenses for the History of the Second Circuit. Ticket
contributions are tax deductible.

Benefit Committee

[Non-judicial members of Bicentennial
Committee, Foundation FBC Board of Trustees
and other recruits]

Honored Guests

[Members of judiciary who accept advance
invitations for 2-for-1 tickets.]

"ABIGAIL ADAMS" Ticket Reservation Form

Please ~~send me~~ ^{reserve} _____ tickets for the 8 PM performance of Richard Owen's new chamber opera "ABIGAIL ADAMS" on

Wednesday, January 14, 1987

~~Thursday~~ ^{Saturday}, January 17, 1987

Friday, January 16, 1987

I enclose tax-deductible contribution of \$ _____ (at \$35 per ticket) payable to "Foundation FBC."

Mail tickets to:

Name (PRINT) _____

Mailing Address _____

Zip _____

Day Telephone: () _____

Please note: *Tickets will be held at the door, (Seating in order of arrival.)*

SECOND CIRCUIT BICENTENNIAL COMMITTEE

Summary of Project Proposal

Date: Oct. 14, 1986

Name of Subcommittee: Special Projects Subcommittee

Title of Proposed Project: Benefit performances of "ABIGAIL ADAMS"

Short Title of Proposed Project, if any:

Constitutional Theme:

Summary Description of Project:

(more detailed information should be submitted
by attachments to this face sheet)

Three performances of Hon. Richard Owen's new chamber opera,
"ABIGAIL ADAMS", to provide part of funding for Bicentennial
Committee projects

Date(s): Jan. 14, ¹⁷- 16, ₁ 1987

Time(s): 8 PM

Place(s): Walter Damrosch Hall, Lincoln Center, Library for
the Performing Arts

Required Funding (state amount):

Sale of 600 tickets at \$35 (jointly with Federal Bar Council)

Itemization of Proposed Expenditures:

Estimated production costs of \$6,000 to come out of proceeds

Recommended Sources of Funding, if any:

Name of Contact/Liaison Person:

Address: W. N. Seymour, Jr. 100 Park Ave. Rm. 2606, NY 10017
Telephone number: (212) 599-0068

Name of Publicity Person:

Address:
Telephone number:

Action Undertaken by Steering Committee:

SECOND CIRCUIT BICENTENNIAL COMMITTEE

Summary of Project Proposal

Date: October 14, 1986

Name of Subcommittee: Special Projects Subcommittee

Title of Proposed Project: Federalist Papers Commemorative Plaque

Short Title of Proposed Project, if any:

Constitutional Theme: Ratification

Summary Description of Project:

(more detailed information should be submitted
by attachments to this face sheet)

Bronze plaque to honor Hamilton, Jay and Madison as authors
of the Federalist Papers under the pen name, "Publius,"

Date(s): October, 1987 (anniversary of first publication)
Alternative date: Spring, 1988 - anniversary of
first appearance in book form.

Time(s):

Place(s): Wall Street, east of Broad St. (Site of Hamilton's law
office)

Required Funding (state amount): \$750 - \$1,000. (est.)

Itemization of Proposed Expenditures:

Design, Casting and Mounting of Bronze Plaque

Recommended Sources of Funding, if any:

ABIGAIL ADAMS benefit

Name of Contact/Liaison Person:

Address: W. N. Seymour, Jr., 100 Park Avenue, Rm. 2606, NY 10017
Telephone number: (212) 599-0068

Name of Publicity Person:

Address:

Telephone number:

Action Undertaken by Steering Committee:

SECOND CIRCUIT BICENTENNIAL COMMITTEE

Summary of Project Proposal

Date: October 24, 1986

Name of Subcommittee: Special Projects Subcommittee

Title of Proposed Project: Panel Discussion at 1987 Second Circuit Conference: "The Federal Courts: Have They Functioned As The Framers Intended?"

Short Title of Proposed Project, if any: Second Circuit Panel

Constitutional Theme: Federal Courts

Summary Description of Project:

(more detailed information should be submitted by attachments to this face sheet)

see attached sheet

Date(s): September, 1987 (Second Circuit Judicial Conference)

Time(s): to be fixed

Place(s): Hershey, PA

Required Funding (state amount): \$500-1,000

Itemization of Proposed Expenditures: Undetermined transportation and hotel costs

Recommended Sources of Funding, if any: Subcommittee on Funding

Name of Contact/Liaison Person: Hon. Roger J. Miner

Address: Circuit Judge, U.S. Court of Appeals, P.O. Box 858,

Telephone number: Albany, New York 12201

(518) 472-2480 FTS: 562-2480

Name of Publicity Person: Hon. Charles S. Haight, Jr.

Address: District Judge, SDNY, U.S. Courthouse, Rm. 2904,

Telephone number: New York, New York 10007

(212) 791-9012 FTS: 662-9012

Action Undertaken by Steering Committee:

Addendum

Since the Bicentennial of the Constitution will be celebrated at the 1987 Second Circuit Judicial Conference, I propose that the Special Projects Subcommittee sponsor a panel presentation at the Conference to address the following subject: The Federal Courts: Have They Functioned As The Framers Intended?

The starting point for the discussion would be Nos. 78-83 of the Federalist Papers, all dealing with the Federal Judiciary. These essays, written by Alexander Hamilton, provide important insights into the system of courts envisioned by the Framers. Of particular interest is Hamilton's perception of limited function, weakness and sparsity ("four or five or half a dozen districts"). It appears that the Federalists also had some definite ideas about the duty of the judiciary "to be an intermediate body between the people and the legislature in order, among other things, to keep the latter within the limits assigned to their authority." After almost two centuries of experience, an examination of the federal court system, informed by the perceptions and ideas of those who wrote the Constitution, should be of great interest to those attending the Second Circuit Conference.

The panel might consist of a moderator and four speakers who would each be allowed fifteen minutes for their presentations. A discussion among the panelists, and questions from the floor, could follow. I am willing to serve as moderator and have discussed the subject with some distinguished figures whom we might call upon to serve as panelists. The only expense involved might be transportation and hotel costs for some panelists.