

## ORDERS RE RULES OF PROCEDURE.

### ORDER OF DECEMBER 20, 1937.

It is ordered that Rules of Procedure for the District Courts of the United States be adopted pursuant to Section 2 of the Act of June 19, 1934, Chapter 651 (48 Stat. 1064), and the Chief Justice is authorized and directed to transmit the Rules as adopted to the Attorney General and to request him, as provided in that section, to report these Rules to the Congress at the beginning of the regular session in January next. Mr. Justice Brandeis states that he does not approve of the adoption of the Rules.

### ORDER OF JANUARY 17, 1938.

By its order of June 3, 1935, the Court appointed an Advisory Committee to assist the Court in the preparation of a unified system of general rules of procedure in the District Courts of the United States, in accordance with Section 2 of the Act of June 19, 1934, c. 651 (48 Stat. 1064). The members of the Committee were:

William D. Mitchell, of New York City, Chairman.

Scott M. Loftin, of Jacksonville, Florida, President of the American Bar Association.

George W. Wickersham, of New York City, President of the American Law Institute.

Wilbur H. Cherry, of Minneapolis, Minnesota, Professor of Law at the University of Minnesota.

Charles E. Clark, of New Haven, Connecticut, Dean of the Law School of Yale University.

Armistead M. Dobie, of University, Virginia, Dean of the Law School of the University of Virginia.

Robert G. Dodge, of Boston, Massachusetts.

George Donworth, of Seattle, Washington.

Joseph G. Gamble, of Des Moines, Iowa.

Monte M. Lemann, of New Orleans, Louisiana.

Edmund M. Morgan, of Cambridge, Massachusetts,  
Professor of Law at Harvard University.

Warren Olney, Jr., of San Francisco, California.

Edson R. Sunderland, of Ann Arbor, Michigan, Professor  
of Law at the University of Michigan.

Edgar B. Tolman, of Chicago, Illinois.

Charles E. Clark, of New Haven, Connecticut, was  
appointed Reporter to the Advisory Committee.

Following the death of George W. Wickersham, the  
Court, on February 17, 1936, appointed George Wharton  
Pepper, of Philadelphia, Pennsylvania, in his stead, and  
Mr. Pepper succeeded Mr. Wickersham as Vice Chairman  
of the Committee.

The Committee at once organized and for about two  
years and a half its members devoted themselves to the  
task assigned them. Apart from the work of the reporter  
of the committee, and of those who gave special assist-  
ance in drafting, the members served without compensa-  
tion. They held frequent and protracted meetings and  
prepared tentative drafts which were submitted to Fed-  
eral Judges, to committees of lawyers appointed in  
various Judicial Districts, and to associations of the Bar.  
These drafts had a wide circulation and a large number  
of lawyers and judges availed themselves of the oppor-  
tunity to offer criticisms and suggestions.

The Committee submitted its final draft to this Court  
in November last, and the Court after considering the  
draft and making such changes as were deemed advisable  
transmitted the rules to the Attorney General of the  
United States for submission to Congress as provided in  
the statute. The Court is informed that the Attorney  
General submitted the rules accordingly at the opening  
of the present session of Congress,

The Court expresses its high appreciation of the services of the members of the Advisory Committee who at great personal sacrifice have performed a most important public duty and by their expert knowledge and painstaking collaboration have aided the Court in the formulation of a system of rules designed to promote the simplification of procedure in the Federal Courts and thus to increase the efficiency of the administration of justice.

The Court directs that this expression be spread upon the Journal of the Court and that a copy be sent to each member of the Committee.