

JOHN W. VARDAMAN
725 TWELFTH STREET, N.W.
WASHINGTON, D.C. 20005

April 1, 2019

Honorable Justin Wilson, Mayor, and
Members of City Council
City of Alexandria
City Hall
Alexandria, VA 22314

Re: Appeal of BAR Cases Nos. 2018-00410 and 2018-00411

Dear Mayor Wilson and Council Members,

I am writing in support of the appeal that seeks to preserve the historic property at 619 South Lee Street that owes much of its historic value to the fact that it was the residence of Justice Hugo Black during his many years of service on the Supreme Court of the United States.

I served as one of Justice Black's law clerks for the 1965 Term of Court. During that time I and my fellow co-clerk, Drayton Nabors, spent considerable time at 619 South Lee Street. In the summer months we played many tennis matches with Justice and Mrs. Black on the tennis court in the back yard. I have attached two pages from a booklet entitled "Confessions of The Law Clerks" that the Justice's law clerks prepared for the Justice on the occasion of his 80th birthday, February 27, 1966. Both Drayton and I elaborate on our tennis games at 619.

It is significant that both Drayton and I focused on time spent with the Justice on the tennis court – a clear indication of how important that time was to us and how important tennis and that court were to the Justice.

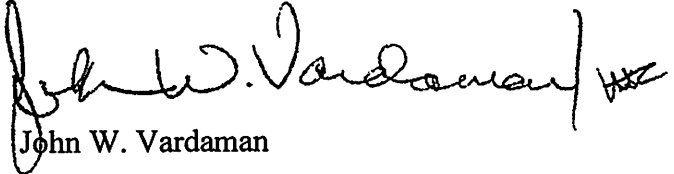
But, for Drayton and me, a tennis game was not just a tennis game with Justice Black. For it was almost always followed by iced tea, perhaps lunch, and a long discussion about the Supreme Court, the Constitution, American history, Justice Black's service in the Senate, his days in Alabama and any other subject we cared to raise.

Once the Term began, although most of our work was done in chambers at the Supreme Court, we continued to visit 619 S. Lee Street

regularly. Justice Black had a large upstairs study. There he had a big desk, plenty of work space for all of us, and an extensive library. If the Court was not in session and hearing arguments, Drayton and I were likely to go to Lee Street to work on opinions or cert petitions with the Justice in his study. We spent significant amounts of time there and that study served as an adjunct to his chambers at the Court.

Construction of a large structure in the yard would totally alter the property as it was laid out and lived in by Justice Black.

Very truly yours,

A handwritten signature in cursive script that reads "John W. Vardaman". The signature is written in dark ink and includes a small flourish at the end. Below the signature, the name "John W. Vardaman" is printed in a standard serif font.

John W. Vardaman

DRAYTON NABERS, JR.

1965 TERM

Not long after I began my work for the Judge last summer, I was introduced to what I can call without reservation the hottest court in the land. It can be found any summer day between 8 a.m. and 6 p.m. at 619 South Lee Street. For the first two or three weeks of my clerkship before Jack Vardaman arrived, I worked with Jim North who was at that time finishing up his work for the Judge. Because the work of the 1965 Term had not yet begun in earnest, the Judge on several occasions asked Jim and me to play tennis with Mrs. Black and himself.

One afternoon (quite possibly the hottest of all that summer) while the four of us were warming up, someone, I've forgotten whom but know it was not the Judge, mis-hit a ball, arching it high into the uppermost reaches of the heavy vines that entangled the high fence on the south side of the court. Because the ball was of an older vintage it was, without much ado, replaced by another ball from the Judge's basket; the warm-up continued and soon the four contestants were hard at battle. The play was quite even. One set followed another, but neither side was willing to end the torture until the other was soundly thrashed. Finally, at the end of five sets, Mrs. Black who was no more pooped than either Jim or I, but infinitely more honest, pleaded that she had "had it" and could go no further. We all, totally exhausted, immediately sank into the court-side chairs. Suddenly "we all" realized that "we all" were only "we three", and that the Judge had completely vanished. To me it was quite logical that someone whose age was thrice mine should seek the cover of a cool house after three hours of tennis in the most blistering of Washington's summer suns. But Mrs. Black, who was more accustomed to the Judge's habits than I, knew that he needed no rest and laughed aside my notions of the Judge's whereabouts. Shortly thereafter Jim and I pushed ourselves from our chairs and began looking for the mysteriously absent Judge to see if we could be of any help. We found him in Atlas-like posture with a ten foot aluminum ladder hoisted on his back. Since I smelt no fires, saw no treed cat, and knew that his peaches were not yet ripe, I was rather baffled. "I'd better get that ball down out of the vines before it slips my mind," he explained. At once I understood more clearly the work that would be expected of me this year.

JOHN W. VARDAMAN, JR.

1965 TERM

A year spent clerking for the Judge is no doubt the best legal training a young lawyer could ever imagine. But the lessons are not restricted to the law as I soon discovered. Shortly after arriving at the Court I was invited to Alexandria to join the Judge and Mrs. Black in a tennis game. I accepted the

invitation, but as I had never before touched a tennis racket I approached this new endeavor with considerable apprehension. I thought it best to hit a few practice shots prior to the game just to get the feel of hitting the ball. The first ball was hit to me rather slowly and I took a gentle swing but I got no feeling of hitting the ball. The elusive ball had evaded my racket entirely. The Judge did not miss the significance of this inauspicious beginning for he immediately announced that we would play with old balls that day lest one of my errant shots send a new ball over the fence into the neighboring yard. I am happy to say that my tennis improved and I later enjoyed many more games during the summer and fall. That day proved to be a good indication of much that was to come later for as the Judge was patient and generous in helping me learn to keep my eye on the ball and my racket in position, so later did he generously and patiently engage in long conversations about his views on the Constitution, his thoughts about the Court, and his ideas on any number of other interesting subjects. The law that one learns from the work of the Court is enormous, but it is at least equalled by the history and philosophy learned by talking with the Judge and by heeding his frequent suggestions to read this book on Magna Charta, that one on the Bill of Rights, Baker's Livy, Tucker's Blackstone, and on and on. Never before have I had a teacher who gave so willingly his time and himself, and never before have I felt so indebted to anyone.

I count myself most fortunate among those whose recollections fill these pages, for my year with the Judge is only half gone, and much work remains, and play, as well, for it will soon be tennis weather again.