

[Table 7-4]

**SUPREME COURT NOMINATIONS, 1789-present**

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u> <sup>1</sup>	<u>Confirmation or Other Action</u> <sup>2</sup>
<b>WASHINGTON</b>				
*John Jay	NY		10/31/1789	9/26/1789
John Rutledge	SC		9/24/1789	9/26/1789
William Cushing	MA		9/24/1789	9/26/1789
[Robert H. Harrison	MD		9/24/1789	9/26/1789 <b>D]</b>
James Wilson	PA		9/24/1789	9/26/1789
John Blair	VA		9/24/1789	9/26/1789
James Iredell	NC	Harrison	2/8/1790	2/10/1790
Thomas Johnson	MD	Rutledge	11/1/1791	11/7/1791
[William Paterson	NJ	Johnson	2/27/1793	2/28/1793 <b>W]</b>
William Paterson		Johnson	3/4/1793	3/4/1793
[*John Rutledge		Jay	12/10/1795	12/15/1795 <b>R, 10-14]</b>
[*William Cushing		Jay	1/26/1796	1/27/1796 <b>D]</b>
Samuel Chase	MD	Blair	1/26/1796	1/27/1796
*Oliver Ellsworth	CT	Jay	3/3/1796	3/4/1796 <b>21-1</b>
<b>ADAMS</b>				
Bushrod Washington	VA	Wilson	12/19/1798	12/20/1798
Alfred Moore	NC	Iredell	12/4/1799	12/10/1799
[*John Jay		Ellsworth	12/18/1800	12/19/1800 <b>D]</b>
*John Marshall	VA	Ellsworth	1/20/1801	1/27/1801
<b>JEFFERSON</b>				
William Johnson	SC	Moore	3/22/1804	3/24/1804
H. Brockholst Livingston	NY	Paterson	12/13/1806	12/17/1806

<sup>1</sup>The date on the president's nomination letter to the Senate. Some nominees may have been serving before this date under recess appointments. The list does not include those who never served whose nominations were publicly announced by the president but never formally submitted to the Senate.

<sup>2</sup>Where no vote is listed, confirmation was by voice vote or otherwise unrecorded.

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
Thomas Todd <b>MADISON</b>	KY	New seat	2/28/1807	3/2/1807	
[Levi Lincoln [Alexander Wolcott [John Quincy Adams Joseph Story Gabriel Duvall	MA CT MA MA MD	Cushing Cushing Cushing Cushing Chase	1/2/1811 2/4/1811 2/21/1811 11/15/1811 11/15/1811	1/3/1811 2/13/1811 2/22/1811 11/18/1811 11/18/1811	<b>D]</b> <b>R, 9-24]</b> <b>D]</b>
<b>MONROE</b>					
Smith Thompson	NY	Livingston	12/5/1823	12/9/1823	
<b>J.Q. ADAMS</b>					
Robert Trimble [John J. Crittenden	KY KY	Todd Trimble	4/11/1826 12/17/1828	5/9/1826 2/12/1829	<b>27-5</b> <b>P]</b>
<b>JACKSON</b>					
John McLean Henry Baldwin James M. Wayne [Roger B. Taney *Roger B. Taney Philip P. Barbour [William Smith John Catron	OH PA GA MD  VA AL TN	Trimble Washington Johnson Duvall Marshall Duvall <i>new seat</i> <i>new seat</i>	3/6/1829 1/4/1830 1/6/1835 1/15/1835 12/28/1835 12/28/1835 3/3/1837 3/3/1837	3/7/1829 1/6/1830 1/9/1835 3/3/1835 3/15/1836 3/15/1836 3/8/1837 3/8/1837	<b>41-2</b> <b>P]</b> <b>29-15</b> <b>30-11</b> <b>23-18, D]</b> <b>28-15</b>
<b>V</b>					
<b>A</b>					
<b>N</b>					
<b>BUREN</b>					
John McKinley Peter V. Daniel	AL VA	<i>new seat</i> Barbour	9/18/1837 2/26/1841	9/25/1837 3/2/1841	<b>25-5</b>

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
<b>TYLER</b>					
[John C. Spencer	NY	Thompson	1/9/1844	1/31/1844	<b>R, 21-26]</b>
[Reuben H. Walworth	NY	Thompson	3/13/1844	6/17/1844	<b>W]</b>
[Edward King	PA	Baldwin	6/5/1844	6/15/1844	<b>P]</b>
[Edward King		Baldwin	12/4/1844	2/7/1845	<b>W]</b>
Samuel Nelson	NY	Thompson	2/4/1845	2/14/1845	
[John M. Read	PA	Baldwin	2/7/1845	No action]	
<b>POLK</b>					
[George W. Woodward	PA	Baldwin	12/23/1845	1/22/1846	<b>R, 20-29]</b>
Levi Woodbury	NH	Story	12/23/1845	1/31/1846	
Robert C. Grier	PA	Baldwin	8/3/1846	8/4/1846	
<b>FILLMORE</b>					
Benjamin R. Curtis	MA	Woodbury	12/11/1851	12/20/1851	
[Edward A. Bradford	LA	McKinley	8/16/1852	<b>No action]</b>	
[George E. Badger	NC	McKinley	1/3/1853	2/11/1853	<b>P W 2/14/1853]</b>
[William C. Micou	LA	McKinley	2/14/1853	<b>No action]</b>	
<b>PIERCE</b>					
John A. Campbell	AL	McKinley	3/21/1853	3/22/1853	
<b>BUCHANAN</b>					
Nathan Clifford	ME	Curtis	12/9/1857	1/12/1858	<b>26-23</b>
[Jeremiah S. Black	PA	Daniel	2/5/1861	2/21/1861	<b>R, 25-26]</b>
<b>LINCOLN</b>					

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
Noah H. Swayne	OH	McLean	1/21/1862	1/24/1862	<b>38-1</b>
Samuel F. Miller	IA	Daniel	7/16/1862	7/16/1862	
David Davis	IL	Campbell	12/1/1862	12/8/1862	
Stephen J. Field	CA	<i>new seat</i>	3/6/1863	3/10/1863	
*Salmon P. Chase	OH	Taney	12/6/1864	12/6/1864	
<b>JOHNSON</b>					
[Henry Stanbery	OH	Catron	4/16/1866	<b>No action]</b>	
<b>GRANT</b>					
[Ebenezer R. Hoar	MA	<i>new seat</i>	12/14/1869	2/3/1870	<b>R, 24-33]</b>
[Edwin M. Stanton <sup>3</sup>	PA	Grier	12/20/1869	12/20/1869	
William Strong	PA	Grier	2/7/1870	2/18/1870	
Joseph P. Bradley	NJ	<i>new seat</i>	2/7/1870	3/21/1870	<b>46-9</b>
Ward Hunt	NY	Nelson	12/3/1872	12/11/1872	
[*George H. Williams	OR	Chase	12/1/1873	1/8/1874	<b>W]</b>
[*Caleb Cushing	MA	Chase	1/9/1874	1/13/1874	<b>W]</b>
*Morrison R. Waite	OH	Chase	1/19/1874	1/21/1874	<b>63-0</b>
<b>HAYES</b>					
John M. Harlan	KY	Davis	10/16/1877	11/29/1877	
William B. Woods	GA	Strong	12/15/1880	12/21/1880	<b>39-8</b>
[Stanley Matthews	OH	Swayne	1/26/1881	<b>No action]</b>	
<b>GARFIELD</b>					
Stanley Matthews		Swayne	3/14/1881	5/12/1881	<b>24-23</b>
<b>ARTHUR</b>					
Horace Gray	MA	Clifford	12/19/1881	12/20/1881	<b>51-5</b>

<sup>3</sup>Confirmed, but died before he could take office.

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
[Roscoe Conkling	NY	Hunt	2/24/1882	3/2/1882	<b>39-12, D]</b>
Samuel Blatchford	NY	Hunt	3/13/1882	3/22/1882	

### **CLEVELAND**

Lucius Q. C. Lamar	MS	Woods	12/6/1887	1/16/1888	<b>32-28</b>
*Melville W. Fuller	IL	Waite	4/30/1888	7/20/1888	<b>41-20</b>

### **HARRISON**

David J. Brewer	KS	Matthews	12/4/1889	12/18/1889	<b>53-11</b>
Henry B. Brown	MI	Miller	12/23/1890	12/29/1890	
George Shiras, Jr.	PA	Bradley	7/19/1892	7/26/1892	
Howell E. Jackson	TN	Lamar	2/2/1893	2/18/1893	

### **CLEVELAND**

[William B. Hornblower	NY	Blatchford	9/19/1893	1/15/1894	<b>R, 24-30]</b>
[Wheeler H. Peckham	NY	Blatchford	1/22/1894	2/16/1894	<b>R, 32-41]</b>
Edward D. White	LA	Blatchford	2/19/1894	2/19/1894	
Rufus W. Peckham	NY	Jackson	12/3/1895	12/9/1895	

### **McKINLEY**

Joseph McKenna	CA	Field	12/16/1897	1/21/1898	
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### **ROOSEVELT**

Oliver W. Holmes	MA	Gray	12/2/1902	12/4/1902	
William R. Day	OH	Shiras	2/19/1903	2/23/1903	
William H. Moody	MA	Brown	12/3/1906	12/12/1906	

### **TAFT**

Horace H. Lurton	TN	Peckham	12/13/1909	12/20/1909	
Charles E. Hughes	NY	Brewer	4/25/1910	5/2/1910	

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
*Edward D. White		Fuller	12/12/1910	12/12/1910	
Willis Van Devanter	WY	White	12/12/1910	12/15/1910	
Joseph R. Lamar	GA	Moody	12/12/1910	12/15/1910	
Mahlon Pitney	NJ	Harlan	2/19/1912	3/13/1912	<b>50-26</b>

### **WILSON**

James C. McReynolds	TN	Lurton	8/19/1914	8/29/1914	<b>44-6</b>
Louis D. Brandeis	MA	Lamar	1/28/1916	6/1/1916	<b>47-22</b>
John H. Clarke	OH	Hughes	7/14/1916	7/24/1916	

### **HARDING**

*William H. Taft	OH	White	6/30/1921	6/30/1921	
George Sutherland	UT	Clarke	9/5/1922	9/5/1922	
Pierce Butler	MN	Day	12/5/1922	12/21/1922	<b>61-8</b>
Edward T. Sanford	TN	Pitney	1/24/1923	1/29/1923	

### **COOLIDGE**

Harlan F. Stone	NY	McKenna	1/5/1925	2/5/1925	<b>71-6</b>
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### **HOOVER**

*Charles E. Hughes		Taft	2/3/1930	2/13/1930	<b>52-26</b>
[John J. Parker	NC	Sanford	3/21/1930	5/7/1930	<b>R, 39-41]</b>
Owen J. Roberts	PA	Sanford	5/9/1930	5/20/1930	
Benjamin N. Cardozo	NY	Holmes	2/15/1932	2/24/1932	

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
<b>F.D. ROOSEVELT</b>					
Hugo L. Black	AL	Van Devanter	8/12/1937 <sup>4</sup>	8/17/1937	<b>63-16</b>
Stanley F. Reed	KY	Sutherland	1/15/1938	1/25/1938	
Felix Frankfurter	MA	Cardozo	1/5/1939	1/17/1939	
William O. Douglas	CT	Brandeis	3/20/1939	4/4/1939	<b>62-4</b>
Frank Murphy	MI	Butler	1/4/1940	1/16/1940	
*Harlan F. Stone		Hughes	6/12/1941	6/27/1941	
James F. Byrnes	SC	McReynolds	6/12/1941	6/12/1941	
Robert H. Jackson	NY	Stone	6/12/1941	7/7/1941	
Wiley B. Rutledge	IA	Byrnes	1/11/1943	2/8/1943	
<b>TRUMAN</b>					
Harold H. Burton	OH	Roberts	9/19/1945	9/19/1945	
*Fred M. Vinson	KY	Stone	6/6/1946	6/20/1946	
Tom C. Clark	TX	Murphy	8/2/1949	8/18/1949	<b>73-8</b>
Sherman Minton	IN	Rutledge	9/15/1949	10/4/1949	<b>48-16</b>
<b>EISENHOWER</b>					
*Earl Warren	CA	Vinson	1/11/1954	3/1/1954	
John M. Harlan	NY	Jackson	1/10/1955	3/16/1955	<b>71-11</b>
William J. Brennan, Jr.	NJ	Minton	1/14/1957	3/19/1957	
Charles E. Whittaker	MO	Reed	3/2/1957	3/19/1957	
Potter Stewart	OH	Burton	1/17/1959	5/5/1959	<b>70-17</b>
<b>KENNEDY</b>					
Byron R. White	CO	Whittaker	4/3/1962	4/11/1962	
Arthur J. Goldberg	IL	Frankfurter	8/31/1962	9/25/1962	

<sup>4</sup>Date nomination was received by the Senate; nomination letter was undated.

<u>Name</u>	<u>State</u>	<u>To Replace</u>	<u>Date of Nomination</u>	<u>Confirmation or Other Action</u>	
<b>JOHNSON</b>					
Abe Fortas	TN	Goldberg	7/28/1965	8/11/1965	
Thurgood Marshall	NY	Clark	6/13/1967	8/30/1967	<b>69-11</b>
[*Abe Fortas		Warren	6/26/1968	10/4/1968	<b>W]</b>
[Homer Thornberry	TX	Fortas	6/26/1968	no action]	
<b>NIXON</b>					
*Warren E. Burger	MN	Warren	5/23/1969	6/9/1969	<b>74-3</b>
[Clement Haynsworth, Jr.	SC	Fortas	8/28/1969	11/21/1969	<b>R, 45-55]</b>
[G. Harrold Carswell	FL	Fortas	1/19/1970	4/8/1970	<b>R, 45-51]</b>
Harry A. Blackmun	MN	Fortas	4/15/1970	5/12/1970	<b>94-0</b>
Lewis F. Powell, Jr.	VA	Black	10/22/1971	12/6/1971	<b>89-1</b>
William H. Rehnquist	AZ	Harlan	10/22/1971	12/10/1971	<b>68-26</b>
<b>FORD</b>					
John Paul Stevens	IL	Douglas	11/28/1975	12/17/1975	<b>98-0</b>
<b>REAGAN</b>					
Sandra Day O'Connor	AZ	Stewart	8/19/1981	9/21/1981	<b>99-0</b>
*William H. Rehnquist		Burger	6/20/1986	9/17/1986	<b>65-33</b>
Antonin Scalia	VA	Rehnquist	6/24/1986	9/17/1986	<b>98-0</b>
[Robert H. Bork	DC	Powell	7/1/1987	10/23/1987	<b>R, 42-58]</b>
Anthony M. Kennedy	CA	Powell	11/30/1987	2/3/1988	<b>97-0</b>
<b>BUSH</b>					
David H. Souter	NH	Brennan	7/25/1990	10/2/90	<b>90-9</b>
Clarence Thomas	GA	Marshall	7/8/1991	10/15/1991	<b>52-48</b>
<b>CLINTON</b>					
Ruth Bader Ginsburg	NY	White	6/14/93	8/3/93	<b>96-3</b>
Stephen G. Breyer	MA	Blackmun	5/17/94*	7/29/94	<b>87-9</b>



**TOTAL NOMINATIONS - 148**

\*Chief Justice

\*Date nomination received by Senate

[ ]= Nominated but did not serve

**D**= Declined

**W**= Withdrawn

**P**= Postponed

**R**= Rejected

**Source:** U.S., Congress, Senate, *Executive Journal*; *Congressional Quarterly's Guide to the U.S. Supreme Court*, 2d ed., 1990; Senate Historical Office

**Senate Historical Office  
2003**