

This Day in History... September 18, 1779

Birth of Joseph Story

Joseph Story was born on September 18, 1779, in Marblehead, Massachusetts. He was the youngest person ever named to the Supreme Court and has been credited with reshaping American law.

Story attended Harvard University, where he was part of the student-run literary group, Adelphi. He was a member of the US House of Representatives from 1808 to 1809. After that, he was made a Fellow of the American Academy of Arts and Sciences and a member of the American Antiquarian Society and American Philosophical Society.

On November 15, 1811, President James Madison nominated Story to the Supreme Court. Story was 32 years old at the time, making him the youngest person ever named to the high court. He would take the seat of William Cushing, who had died 14 months earlier. He was confirmed by the Senate three days later and sworn in on February 3, 1812.

Justice Story helped expand the scope of the Supreme Court. He believed it was the job of federal judges to protect against state laws that conflicted with the US Constitution. He reasoned that if state courts had the power to interpret the Constitution, there would be as many versions of the Constitution as there were states. Following this philosophy, Story's opinion in *Martin v. Hunter's Lessee* established the supremacy of the Supreme Court over state courts on questions of federal law.

Story is the youngest person ever named to the US Supreme Court.



In 1842, Story delivered the opinion in *Prigg v. Pennsylvania*. In that case, Story and the court decided that the federal Fugitive Slave Act blocked a Pennsylvania state law that banned removing African Americans from the state and taking them into slavery. Though Story strongly opposed slavery, he stood behind the decision, because he believed it was important to uphold the Constitution.

Story's most famous court opinion was *US v. Amistad* in 1841. When a Spanish ship carrying Africans was captured off the coast of Long Island, Spain demanded the return of their property. Justice Story ruled that since Spain had outlawed the international slave trade, the Africans were not slaves. Rather, they were unlawfully kidnapped and entitled to their freedom.

During Story's time on the Supreme Court, he helped define the practice of judicial review and established the "balance of power" within the federal government intended by the Founding Fathers.

In addition to serving on the Court, Story taught Law at Harvard and wrote reviews, magazine articles, and books. His most highly regarded work was *Commentaries on the Constitution*. In fact, he was one of the most successful American authors of his time, earning \$10,000 a year from his books.

Story died on September 10, 1845. His son, William Wetmore Story, became a popular poet and sculptor, creating the bust of his father at Harvard's law school library. Story County, Iowa is named after Joseph Story.



Story stamp from the 2009 Supreme Court Justices issue



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