

# John Rutledge

(1739–1800)

John Rutledge, a leading South Carolina statesman, briefly served as second chief justice of the Supreme Court of the United States. Born in Charleston, he studied law in London and later set up a practice in his native city. A delegate to the first Continental Congress in 1774, Rutledge favored limited self-government without independence from England. Reelected to the second Continental Congress a year later, he began shifting his position toward independence. He was a member of the South Carolina Council of Safety and assisted in drafting the state constitution.

At the start of the Revolutionary War, Rutledge was elected president and later governor of South Carolina. Now fully supporting independence, he also encouraged partisans, such as General Francis Marion, in guerrilla resistance. In 1782 and 1783 Rutledge served as a member of Congress under the Articles of Confederation; in 1784 he was elected to the South Carolina Chancery Court. During the Constitutional Convention, Rutledge supported wealth as a prerequisite for political representation, favored assumption of state debts, and advocated election of the president by Congress.

Rutledge served briefly as one of the first associate justices on the Supreme Court of the United States, but resigned to become chief justice of South Carolina. President George Washington named him chief justice of the United States in 1795 upon the resignation of John Jay. Rutledge presided for four months as a recess appointee. During his brief tenure, Jay's 1794 treaty was published, favoring Britain and discriminating against the Southern states and France. Rutledge's bitter attacks on Jay's Treaty caused the Senate to reject his nomination. He died in Charleston in 1800.

In 1856 Senator Andrew P. Butler of South Carolina introduced a resolution instructing the Joint Committee on the Library to “inquire into the propriety of procuring a bust in marble of the late Chief Justice John Rutledge, to be executed by an American artist of merit and reputation, and to be placed in the room of the Supreme Court of the United States, in a position corresponding with those of the busts of Chief Justices Jay, Ellsworth, and Marshall.”<sup>1</sup> Butler argued that although Rutledge's appointment had not been confirmed by the Senate, Rutledge had, in fact, served as chief justice of the United States. After favorable review by the committee, the Senate the same year passed a bill providing for acquisition of a bust of Rutledge and appropriating \$800, a considerable sum, for the work. To execute the bust of the second chief justice, the Joint Committee on the Library selected the young Virginia sculptor Alexander Galt.

A native of Norfolk, Galt was a self-taught carver of cameos and a portrait painter. He sailed to Italy in 1848 and in Florence received instruction from the American sculptors already active there. He modeled some ideal figures, such as *Bacchante*, now in the Corcoran Gallery of Art in Washington, D.C.; *Sappho*, an ancient poetess; and *Virginia*, an allegorical image, in honor of his birthplace. Returning to America in early 1854, he quickly became popular among the Southern gentility as a portrait painter, but his principal commission, from the Virginia state legislature in February 1854, was a full-length statue of Thomas Jefferson. Soon housed in Jefferson's rotunda at the University of Virginia, where it has remained, it is certainly the best known, if not the best, of Galt's extant works. However, the latter distinction may belong to Galt's bust of John Rutledge.

Depending upon unspecified paintings to model a likeness of the long-deceased Rutledge, Galt succeeded in producing a dignified and sympathetic portrait. The facial expression is reserved but genial, realistic, and accessible, despite the neoclassical blank eyes. The figure is endowed with an appropriate formality by a straightforward disposition of masses: the broad, weighty coat and robe, the sharp clarity of the ruffled shirt, and the doughy density of the swept-back hair (where the original modeling in clay is clearly felt).

The plaster cast of this clay model, along with his cast of Jefferson, accompanied Galt on his second voyage to Italy. Back in Florence, he

*John Rutledge*

**Alexander Galt (1827-1863)**

Marble, 1858

31  $\frac{3}{4}$  x 26  $\frac{1}{8}$  x 15  $\frac{5}{8}$  inches (80.6 x 66.4 x 39.7 cm)

Signed and dated (centered on subject's back): A.GALT. / 1858.

Commissioned by the Joint Committee on the Library, 1857

Accepted by the Joint Committee on the Library, 1858

Cat. no. 21.00016



**The Supreme Court Chamber in the Capitol, ca. 1934, with the bust of Chief Justice Rutledge seen on the far right.**  
(Architect of the Capitol)



translated his models into marble. In April 1858 Galt wrote from Italy that the completed bust had been shipped to Washington.

Galt returned to America in 1860, established a studio in Richmond, Virginia, and continued his career during the Civil War by producing portraits of Southern notables, including the president of the Confederacy, Jefferson Davis. His brief, promising career ended when he contracted smallpox in the camp of Stonewall Jackson where he was preparing studies for a portrait of the general. He died early in 1863. His legacy was further diminished the same year by the destruction of much of his work in a warehouse fire.



Galt's bust of Rutledge, however, remains a testament to the artist's skill. In 1858, more than 60 years after Rutledge's brief term of service, the bust of the second chief justice joined those of others with that title in the U.S. Capitol's Supreme Court Chamber. The Supreme Court of the United States—which moved from the Capitol to a building of its own in 1935—replicated the Rutledge bust for its collection in 1976.