

October 17, 2008

Dear Ron,

Thank you for your letter. Jan had a long and debilitating ordeal. For the past couple of years she had been unable to talk or walk, and it is doubtful that she recognized anyone. So, under those circumstances I think her passing has to be considered a blessing for her. Still, after 52 years it is not easy to say good-bye.

I have found that an event like this causes one to reflect over years of associations and experiences. One of my happy memories connected with Jan is the overnight visit we had with you and Junko on the eve of our departure on our trip up the Rhone with the Monticello group. That was one of our best trips, and our time with you kicked it off in good style.

At present I am not yet underway on another novel. When and whether I will get back to such writing is not clear. Several other projects have been occupying my time. One involves the *Cornell Law Review*. It is soon to publish an article by Paul Carrington and Roger Cramton proposing that Congress create a "certiorari division" in the Supreme Court, consisting of 13 U. S. Circuit Judges. That division would review all certiorari petitions, grant about 120 annually, and deny all others. Those 120 cases would constitute the Supreme Court's mandatory docket. It would require too much space here to explain their reasons for this proposal. Suffice it to say, the *Law Review* has asked me and others to write a response. I have now completed that assignment. When it is published I will send you a copy. On November 6 we all gather in Ithaca for a round-table discussion of the idea.

The University of Alabama Press is considering reprinting the first volume of *Alabama Reports*, as part of a project to reprint two other books that were the first law books treating Alabama law just after statehood. I have accepted an invitation to write an introduction. I have been into this for several weeks. It involves an interesting excursion back into the process of creating a new state government, including the designing of a judicial system, and the launching of a new court of last resort.

My other endeavor involves the creation of a new non-profit foundation whose purpose is to secure private financial support for the historical park at the site of Alabama's first state capital. The place is now deserted. It is more than a ghost town; there is no town at all. My great grandfather and grand father took it over after the Civil War and made it the base for a substantial agricultural empire. All that went down the drain in the Great Depression. But I spent much time there in my childhood, so I have a personal interest in the project, in seeing the place preserved and developed as an historical site, especially with archeological explorations, which hold rich possibilities. This is taking a good deal of my time, but it is fascinating for me.

For some time I have been an Honorary Fellow of the American Academy of Appellate Lawyers and have worked with the organization in a variety of ways. Much to my surprise, I was recently made the first recipient of a new award which it has just established. Last month I went out to its meeting in Portland, Oregon, to receive it. Enclosed is information about the award and the piece published about me in its newsletter. Also enclosed are my remarks in response.

This pretty much brings me up to date on myself. I am wondering what you are mainly up to these days. I gather you are still going strong in the law practice and that you are in good health. I am blessed with excellent health. The medical folks have not been able so far to find anything wrong with me. Do keep in touch.

Sincerely,