

# The Burger Court Opinion Writing Database

## *Chapman v. Meier*

420 U.S. 1 (1975)

Paul J. Wahlbeck, George Washington University  
James F. Spriggs, II, Washington University in St. Louis  
Forrest Maltzman, George Washington University



Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
THE CHIEF JUSTICE

January 23, 1975

1406  
Re: 73-~~1406~~ - Chapman v. Meier

Dear Harry:

Please join me in your circulation of  
January 16.

Regards,



Mr. Justice Blackmun

Copies to the Conference

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✓  
Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM O. DOUGLAS

January 24, 1975

Dear Harry:

In 73-1406, Chapman v. Meier, please note I join  
your opinion in this case.

William O. Douglas

cc: The Conference

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Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

January 13, 1975

RE: No. 73-1406 Chapman v. Meier, etc.

Dear Harry:

I am happy to join your fine opinion in this case.

Sincerely,



Mr. Justice Blackmun

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WM. J. BRENNAN, JR.

January 24, 1975

Memorandum to: Secretaries

I sent this note to Justice Brennan  
in conference and he sent me word to cir-  
culate it as each Justice wants it as a  
memento.

Mary

MR. JUSTICE:

Don, Justice Douglas' clerk, has sent me word that Justice Douglas will join in the Chapman opinion, No. 73-1406 and that a formal join will come around later today. He says that they may have word later this afternoon on several other cases, but he's not sure.

Mary

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE POTTER STEWART

January 16, 1975

Re: No. 73-1406, Chapman v. Meier

Dear Harry,

I am glad to join your opinion for the Court in  
this case.

Sincerely yours,



Mr. Justice Blackmun

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Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE BYRON R. WHITE

January 23, 1975

Re: No. 73-1406 - Chapman v. Meier

Dear Harry:

Please join me in your circulation of  
January 16, 1975.

Sincerely,



Mr. Justice Blackmun

Copies to Conference



Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

January 14, 1975

Re: No. 73-1406 -- Daniel Chapman and Jacque Stockman v.  
Ben Meier, etc.

Dear Harry:

Please join me in your opinion.

Sincerely,

*T.M.*

T. M.

Mr. Justice Blackmun

cc: The Conference

✓  
HAB  
Please see me  
To: The Chief Justice  
Mr. Justice Douglas  
Mr. Justice Brennan  
Mr. Justice Stewart  
Mr. Justice White  
✓ Mr. Justice Marshall  
Mr. Justice Powell  
Mr. Justice Rehnquist

1st Draft

From: Blackmun, J.

**SUPREME COURT OF THE UNITED STATES**

Circulated: 1/10/75

No. 73-1406

Recirculated: \_\_\_\_\_

Daniel Chapman and  
Jacque Stockman,  
Appellants,  
v.  
Ben Meier, etc. } On Appeal from the United States  
District Court for the District  
of North Dakota.

[January —, 1975]

MR. JUSTICE BLACKMUN delivered the opinion of the Court.

This case presents the issue of the constitutionality of a federal-court-ordered apportionment of the North Dakota Legislature. That State, like many others, has struggled to satisfy constitutional requirements for legislative apportionment delineated in *Baker v. Carr*, 369 U. S. 186 (1962); *Reynolds v. Sims*, 377 U. S. 533 (1964); *WMCA, Inc. v. Lomenzo*, 377 U. S. 633 (1964); *Maryland Committee v. Tawes*, 377 U. S. 656 (1964); *Davis v. Mann*, 377 U. S. 678 (1964); *Roman v. Sincock*, 377 U. S. 695 (1964); *Lucas v. Colorado General Assembly*, 377 U. S. 713 (1964); and other cases. This litigation is the culmination of that struggle, totally ineffectual on the legislative side, during the past decade.

**I**

*The State's Constitution and its Statutes*

North Dakota's original Constitution, adopted at the State's admission into the Union in 1889, is still in effect. It has been amended, of course, from time to time. Since 1918, § 25 thereof has read: "The legislative power of this state shall be vested in a legislature consisting of a

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U. S. DEPARTMENT OF JUSTICE

pp. 20, 24, 25, 26

To: The Chief Justice  
Mr. Justice Douglas  
Mr. Justice Brennan  
Mr. Justice Stewart  
Mr. Justice White  
Mr. Justice Marshall ✓  
Mr. Justice Powell  
Mr. Justice Rehnquist ✓

2nd DRAFT

From: Blackmun, J.

SUPREME COURT OF THE UNITED STATES:

No. 73-1406

Recirculated: 1/15/75

Daniel Chapman and Jacque Stockman, Appellants, v. Ben Meier, etc.	}	On Appeal from the United States District Court for the District of North Dakota.
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[January —, 1975]

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pp. 24, 25

To: The Chief Justice  
Mr. Justice Douglas  
Mr. Justice Brandeis  
Mr. Justice Stewart  
Mr. Justice White  
✓ Mr. Justice Marshall  
Mr. Justice Powell  
Mr. Justice Rehnquist

3rd DRAFT

**SUPREME COURT OF THE UNITED STATES**

No. 73-1406

From: Blackmun, J.

Circulated: \_\_\_\_\_

Recirculated: 1/16/75

Daniel Chapman and  
Jacque Stockman,  
Appellants,  
v.  
Ben Meier, etc.

On Appeal from the United States  
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[January —, 1975]

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Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

January 13, 1975

No. 73-1406 Chapman v. Meier

Dear Harry:

Please join me.

Sincerely,

*Levin*

Mr. Justice Blackmun

lfp/ss

cc: The Conference

✓  
Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

January 14, 1975

Re: No. 73-1406 - Chapman v. Meier

Dear Harry:

Please join me.

Sincerely,  
wm

Mr. Justice Blackmun

Copies to the Conference