

The Prosecution of Judge Waite
by
James Allison
June 7, 2011

Author's note: In the summer of 2010 my wife Tomi and I spent three days in the Madison Library of Congress among the papers of Morrison Remick Waite that spanned 1884-1888, perhaps his most important years as Chief Justice of the U.S. Supreme Court. Those archives provided the kernel of our subsequent paper, "The Climate of Corporate Personhood." That paper focused on the widespread myth that the Waite Court's famous decision in *Santa Clara v. Southern Pacific* (1886) established a valid legal precedent for corporate personhood.

Our friend, Marybeth Gardam, suggested that the story might be told more effectively in brief dramatic form. This play is the result, and it is dedicated to her.

Characters (in order of appearance):

Master of Ceremonies

Prosecutor

Chief Justice Morrison Remick Waite, U.S. Supreme Court

Anonymous offstage voice

Master of Ceremonies: I am _____, your master of ceremonies. Welcome to "The Prosecution of Judge Waite."

Maybe you noticed something funny about the election of November, 2010: Right down your street, the biggest flood of corporate money in American history. And with it, big wins for candidates who favor big money and big corporations over the voices of We The People. Hey, that was nothing: Get ready for a tsunami in 2012. So, what broke the dam?

The answer is: the Supreme Court of the United States. More specifically, its 5-4 decision on January 21, 2010, in the case of *Citizens United v. Federal Election Commission*.

Here's what happened: In 2008, an issues-based corporation called "Citizens United" wanted to show its anti-Hillary Clinton film, a video-on-demand offering, just before the 2008 primary.

The Federal Election Commission said in effect "Sorry, we have a law against that. The issue is one of timing. The law forbids your spending corporate treasury funds to broadcast an electioneering ad shortly before any federal election." Citizens United sued, and the case worked its way to the U.S. Supreme Court.

Two years later, on January 21, 2010, five of our nine Supremes ruled that a corporation has a First Amendment right to 'speak' through unlimited amounts of monetary contributions--that the Constitution protects the corporate right to monetary speech just as it protects the right of any natural person to speak freely. The floodgates were open. How did this come about, this corporate claim on the rights of natural persons, the rights of we the people, this claim of corporate personhood? And what can we do about it?

[Fade out.]

[Fade in.]

Prosecutor: What was a corporation exactly, back in the days of our founders? To James Madison, John Marshall and other founders, the answer was simple and clear: A corporation was an artificial creature of the law, with no other rights than its charter said it had, or that it required to complete its purpose: to make a road, a bridge, a building. It had special privileges, such as limited liability, but no constitutional rights. Most state charters expired after 10 or 20 years, and had to be renewed. And the state could, and sometimes did, revoke the charter of a corporation found to not be acting in the public interest.

What about those inalienable rights listed in the Bill of Rights? Those were the rights of natural born persons, period: free speech, religion, assembly, and all the others were personal rights, not corporate rights. And if corporations were going to have special privileges that helped make them rich and powerful, then government would have to regulate them with scrupulous care.

Thus, like moth to a flame, the Supreme Court of the United States was drawn into the task of regulation, and began to build a huge body of constitutional case law on corporations. But all of that case law was suddenly overturned with the 1886 Santa Clara decision.

[**Judge Waite** loudly clears his throat and “Harumphs.”]

[**Prosecutor** pauses, looks at Waite, and continues:] An early example: In 1839, *The Bank of Augusta v. Earle*. What did the Supreme Court rule? It ruled that corporations might be treated as “citizens” in federal court, so as to hold them accountable for wrongs, but could not claim the constitutional rights of living persons. And so it went, case after case, decade after decade. As it should have continued, except that corruption changed the game plan in 1886.

Waite [rises]: I must object! [Note: Here a loud bang with a gavel can be very effective.]

[**Waite** turns to the audience.]

My name is Morrison Remick Waite, Chief Justice of the United States Supreme Court, 1874-1888. I was educated at Yale (Phi Beta Kappa, Skull and Bones) and practiced law in Ohio, much in defense of railroads and big corporations. And why not? Railroads in those days were the shapers of cities, bringer of dreams, modernizers and wealth builders. It’s true that I had no judicial experience before President Grant appointed me Chief Justice . . . and I was not his first choice. In fact, I was his seventh choice. Many were dubious at first, but I proved them wrong. Soon I became known as a quick study, honest and industrious to a fault. I served until my sudden, unexpected death in 1888. And I can tell you that our

ruling in Santa Clara was completely correct and legally unassailable! [**Waite** sits down.]

[Note: The majority ruling was actually written by Associate Justice Harlan, but was joined by a unanimous majority.]

Prosecutor: Thank you for your service, Judge Waite. But I must disagree with you. Let me explain.

So we had all that standing case law, saying that corporations did not deserve the constitutional rights of human persons--from the birth of the republic, right up through 1860 and long beyond.

But then something odd happened in the 1880s. And it happened because of two results of the Civil War. What were they?

First, the Civil War made railroads richer than God. Now they could get the very best lawyers, rented by the ton, to help them fight the enemy of expediency: government regulation.

[**Judge Waite** stands up pointing a finger.]

Waite: Perfectly legal!

Prosecutor: Of course.

Second, the Civil War inspired Congress to write the 14th Amendment in defense of the human rights of newly freed slaves.

Waite: [Commenting to those immediately around him:]

A good idea . . . but hard as hell to get approved!

[**Waite** sits down.]

Prosecutor: Ratified in 1868, the 14th Amendment was supposed to protect freed slaves from abuse by southern legislatures. This is what it says in Section 1, which speaks famously about due process and equal protection:

"All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside."

Can anyone doubt that the words of the 14th Amendment were meant to protect the recently freed slaves from southern legislatures? Hard to imagine how today's defenders of original intent, like Justice Scalia, claim 14th Amendment protections for corporations.

Quite apart from the plight of freed slaves, those clever corporate railroad lawyers saw the 14th Amendment as simply a handy weapon in the fight against regulation. If they could just persuade the courts to declare that corporations were persons, then corporations could evade state regulation under Fourteenth Amendment protections, the same protections that any natural person . . . except a woman, of course . . . even a freed slave . . . could claim against state laws.

This new kind of legal assault began right away, in 1869. But the Supreme Court continued to reject the corporate claim to Fourteenth Amendment protections. It did so as late as 1880, when it upheld a state's right to ban lotteries in *Stone v. Mississippi*. Isn't that right, Judge Waite? You became Chief Justice in 1874. So, how did you vote in *Stone v. Mississippi*?

[**Waite** rises.]

Waite: Yes, but that was an entirely different . . .

Prosecutor: Don't bother. I looked it up. You not only concurred, you wrote the majority opinion. Your opinion even quoted Chief Justice Marshall:

". . . the framers of the Constitution did not intend to restrain states in the regulation of their civil institutions, adopted for internal government, and . . . the instrument they have given us is not to be so construed."

You may sit down, Mr. Waite.

Waite [in protest]: See here, now Prosecutor . . .

Prosecutor: Mr. Waite, this is not your Court. This is the court of public opinion, in _____ (Cedar Rapids, Iowa; Chapel Hill, North Carolina; anywhere). You must wait until we ask you to speak.

[**Waite** sits down with a "Harumph."]

Prosecutor: Now comes the great puzzle. Why did the Court suddenly about-face on the momentous question of corporate personhood? Were **you** culpable, Judge Waite, as Chief Justice?

[**Waite rises** to speak bombastically, but cannot form the words. He sits down.]

About one hundred and twenty five years ago, in 1886, in a simple property tax case, the railroad hired guns got their opportunity in *Santa Clara County v. Southern Pacific Railroad*.

This simple tax case, about fences the railroad built along its rails, had nothing to do with corporate personhood. And yet, almost any professor of constitutional law will tell you that **this** case was the precedent for corporate personhood.

Ladies and gentlemen, it was that precedent in 1886 that gave corporations **all** the constitutional protections Congress meant for freed slaves when it wrote the Fourteenth Amendment.

All the constitutional rights that were intended by our founders for us, for We The People. Those of us who are human persons, that is.

It was this 1886 precedent that created the legal foundation for rights that enable today's owners of corporations to break free of regulation, avoid the

monitoring of environmental protection agencies, and acquire the vast economic power that dominates our government, and permeates our culture.

In 1886 corporations usurped the rights of individual human persons. They have used those rights against us time and again. Indeed, it was that precedent that gave us Citizens United in the year 2010.

And you, Chief Justice Waite, you were part of that theft! Wasn't it your Court's decision in Santa Clara v. Southern Pacific that established the precedent for corporate personhood?

[**Waite** rises and jabs a finger at the Prosecutor.]

Waite: Absolutely not! I did nothing wrong! That was **not** our decision at all! Go back to school, Prosecutor, and learn a little more Court history before you slander **me!**"

[A stunned silence ensues.]

Prosecutor: Just a moment, your honor! [**Prosecutor** fumbles through some notes.]

What about that famous quote of yours? It's here, in a note to you . . . from John Chandler Bancroft Davis, your Court Reporter in that case.

[To the audience:] It's probably no accident that Davis was a former railroad president.

[To Waite:] Let me refresh your memory, Chief Justice. It's dated May 25, 1886.

[**Off Stage Voice** reads:] "Dear Chief Justice, I have a memorandum in the California Cases Santa Clara County v Southern Pacific Railroad Company as follows. 'In opening the Court stated that it did not wish to hear argument on the question whether the Fourteenth Amendment applies to such corporations as are parties in these suits. All the judges were of opinion that it does.' Please let me know whether I correctly caught your words and oblige yours truly JCB Davis."

Waite [defensively]: Yes. . . but that was just my passing comment, **not** part of the **opinion!** You need to hear my complete reply to Court Reporter Davis. I happen to have a copy right here.

[**Waite** pulls a paper out of his pocket.]

I told Davis: "I think your memorandum in the California Railroad Tax Cases expresses with sufficient accuracy what was said before the argument began. I leave it to **you** to determine whether anything need be said about it in the report . . . inasmuch as we **avoided** meeting the constitutional question in the decision."

Prosecutor: You mean to say that your opinion in Santa Clara settled no

constitutional question?

Waite: That's exactly what I mean. We ruled in favor of Southern Pacific railroad, but very narrowly . . . on the question of **taxes**.

Justice Harlan wrote the majority opinion. We found that Santa Clara County had made a trivial mistake in figuring the taxes owed by the railroad--it included some fences by mistake--and that was that. We made no ruling on corporate personhood, and we all knew that. Court Reporter Davis knew it too, but he chose to **add** that bit about 14th Amendment protections for corporations into his headnotes on the case.

Prosecutor: Eh, excuse me your honor, could you tell us what headnotes are?

Waite: Headnotes!?! Headnotes are . . . well, the Court Reporter writes up a kind of summary that lawyers find handy if they are too busy . . . or too lazy . . . to read the official opinion. The summary is called a headnote. It carries no legal weight whatsoever. It's the work of the Reporter, not the work of the Court. Everybody ought to know that!

Prosecutor: And long after your time, the Court made it official in 1906, when it ruled exactly that: Headnotes were the work of the Court Reporter, and not the Court (United States v. Detroit Timber and Lumber Co.).

Waite: Just so.

Prosecutor: So you are saying that John Davis' headnotes were misleading?

Waite: They **must** have been! They seem to have misled plenty of law professors since then!

Prosecutor: Why do you think he wrote them the way he did?

Waite: Your guess is as good as mine. I had good reason to trust Davis's judgment. Years before, he had been my boss in an important case in an international court in Geneva, where we won a lot of money from the British for their support of the Confederacy during our Civil War.

Prosecutor: How much?

Waite: About 15 million dollars! That's how I came to national attention.

Maybe I should have watched Davis more carefully, but I was so confoundedly busy with cases . . . and his credentials were impeccable. Son of a governor, brother of a Congressman. Harvard College, lawyer, journalist--he once interviewed Karl Marx! He was a diplomat, state legislator, railroad president . . . and related by marriage to a signer of the Constitution.

Prosecutor: A genuine member of the American establishment.

Waite: Yes . . . ! [More hesitantly, considering:] . . . though now you mention it, I had some complaints about his accuracy.

Prosecutor: For example?

Waite: Well . . . Let me see . . . Seems like I remember a commercial publisher of Supreme Court proceedings was worried about its reputation because of discrepancies between Davis' official records and their records. They stood by their own records.

Prosecutor: Anything else?

Waite: Well, there were several cases missing from the official Court records. The Senate complained about it. I started to look into that one, but shed the mortal coil before I got very far.

Prosecutor: Several?! There were 250 cases missing!!! All right, but there is still another piece of this big puzzle. Why the huge change in Supreme Court sentiment?

Waite: Beg pardon?

Prosecutor: Well, in 1880 you're telling us officially, in a written Court decision, that the Constitution did **not** mean to restrain states in the regulation of corporations.

But just six years later you're all telling us unofficially, in the Santa Clara headnote, that corporations have 14th Amendment personhood protections! What really happened?

And before you answer, let me tell you that some modern scholars think it was Roscoe Conkling who turned you around.

Waite [exasperatedly]: They're still talking about Roscoe Conkling?

Prosecutor: Why not? Lawyer, Congressman, Senator, two-time Supreme Court nominee, Republican Party leader, corner in a scandalous marital triangle--what's not to talk about? You remember the case he argued in 1882?

Waite: San Mateo County v. Southern Pacific Railroad Company!

Prosecutor: Right. The case was a lot like Santa Clara. Remarkably, Conkling was a surviving member of the congressional committee that had **drafted** the 14th Amendment. Fancy that! A living authority on congressional intent! You remember his histrionics?

Waite: Ha! How could I forget? During his argument he flourished that journal of his--he called it a Journal of the Drafting Committee--and claimed that the committee had wavered back and forth in its wording, draft after draft, between "person" and "citizen"--finally choosing "person" as the word more potentially inclusive of corporations.

A fine story, but it went for naught, because the Court made no decision! [Waite looks at the audience:] You see, the case was rendered moot when the railroad went ahead and paid some of the taxes San Mateo claimed.

Prosecutor: Tell us honestly, your Honor, was it Conkling's version of history that turned your Court around?

Waite: [Long pause.] I'd rather not say.

Prosecutor: Do you know that Conkling's story was a complete fraud?

Waite: . . . No, but I'm not surprised. Conkling was a bit of a rascal. And a rich rascal at that. Powerful. There was talk of his turning down the Supreme Court nominations because he could make more money staying in New York!

Prosecutor: Of course you wouldn't know. The 'Conkling Journal' disappeared for a long time, but turned up in the 1930s, when a Stanford law librarian examined it and found none of that switching back and forth between "person" and "citizen." All drafts had used "person." Congress had never meant to protect corporations under the 14th Amendment. Not once!

Do you know how much Southern Pacific paid Conkling for his performance?

Waite: A lot.

Prosecutor: \$10,000. The average annual wage was about \$500. And worth every single penny to Southern Pacific, if the impact showed up four years later in the Santa Clara headnote. Judge Waite?

Waite: I resent your implication!

Prosecutor: No doubt about it, the railroads knew how to spend their huge Civil War profits to best advantage. They rented the very best lawyers with the very best connections, like Conkling; and they curried favor with the most important judges, such as you.

Waite: No comment.

Prosecutor: Judge Waite, a man like you acquires many important papers in the course of his career. Many of yours are stored in the Library of Congress. I examined yours, dated 1884 through 1888--the year you died.

Waite: Did you indeed?!

Prosecutor: Sir, I did. One thing I learned was how common it was for railroads to provide favors to you and other judges, even as you adjudicated railroad cases. For example, it was customary for railroads, early each year, to send you and other judges a free pass for that year.

You were especially favored: When you took a long trip you often had a private Pullman car at your disposal. And of course you left the travel details to your son, a railroad executive himself.

Waite: What of it? These kinds of considerations are very common. Even in your own time, I should say. I've heard such talk recently about Justices Thomas and Scalia accepting favors from some Oklahoma tycoons . . . the Koch Brothers. No one likes it, but it's a fact of life.

Prosecutor: When word got around, some citizens took it amiss. They complained about conflict of interest. Be that as it may, Congress put an end to the practice when it passed the Interstate Commerce Act in 1887. It was an era of reform, an end to corruption on the bench . . . supposedly.

Waite: We got little notes from the railroads asking us to return our 1887 passes.

Prosecutor: Yes, I saw one among your papers. But let's go back one year, to 1886 . . . before your passes were revoked.

In January, 1886 you received at least three annual passes.

That same month, your court heard arguments in Santa Clara County v. Southern Pacific Railroad Company. The decision came on May 10, 1886. On May 25 Court Reporter Davis wrote his note to you about 14th Amendment protection for corporations.

Waite: Yes. That timing sounds right.

Prosecutor: During that same period, you and your daughter prepared for a trip to Alaska. Your son had been arranging free transportation with various railroads and steamship lines. One of the railroads was Southern Pacific.

[**Waite** looks stricken. He sits down, a little shakily.]

You and your daughter arrived in California in late August. Your host in San Francisco was Mr. Leland Stanford: former governor, U.S. Senator, President of Southern Pacific Railroad. He extended every courtesy: He gave you letters addressed to his railroad employees, directing them to do all they could to make you and your daughter more comfortable in your travels; he even sent muskmelons grown on his ranch.

Stanford arranged an excursion to Monterey for you and several California judges. You wrote a letter home on Sept. 3 that described the excursion; you

referred to a private railroad car and abundant Chinese servants everywhere you went.

Another letter on Sept. 15: More railroad travel in California, this time northeast to Truckee, with luminaries of law, government, and the Mormon Church. Finally a steamship to Alaska, where an entrepreneur tried to interest your daughter in a lucrative business venture.

We figure the cost of first class travel alone was over twice the average annual wage . . . at least a thousand dollars! Plus the cost of those private cars, which often came with kitchen, cook and a servant or two. Plus the excursions to Monterey and Truckee.

Judge Waite, allowing that the times were different then, this practice was virtually like giving you justices your own private jet planes, fully staffed!

Waite: All right! We did travel in comfort. But I never allowed any of that to affect my judicial decisions.

Prosecutor: [Pauses, surveys the audience as if to measure its reaction, and continues:] Perhaps not. It's hard to tell. But it didn't look so good. It looked awfully like conflict of interest at best, and graft at worst. And eventually Congress did put an end to such things with the Interstate Commerce Act.

Waite: So they did.

Prosecutor: Let's talk about a fellow Supreme Court Justice, Stephen Field.

Waite: Must we?

Prosecutor: I know you loathed each other, but I need to tell you some things you don't know about the man.

Waite: I think I know enough. Now **there** was a genuine railroad lackey.

We were all favorable to the railroads; most of us had been railroad lawyers! But Field was a complete lickspittle. He was always after me to let him write every opinion that touched on railroad interests. Everything.

I finally had to take him aside and explain how bad it would look for him to write an opinion that dealt directly with his personal railroad friends. The man had no shame at all when it came to railroads. And everybody knew he was in their pocket.

Prosecutor: Judge Waite, you have no idea. He did his worst in 1889, the year after you died. It was another railroad case, Minneapolis & St. Louis Railway Company v. Beckwith.

The Court actually ruled **against** the railroad, saying you railroad guys owe Mr. Beckwith some money because your locomotive killed three of his hogs, plus punitive damages to the state of Iowa.

The case has nothing to do with corporate personhood. But Field is writing the

majority opinion, and guess what he does?! He throws in a completely gratuitous citation of Santa Clara as a precedent for corporate personhood.

That first citation in a majority opinion made it official. And he did it knowing full well that Santa Clara was no such thing, that personhood was in the headnote, not the opinion.

How can we say that? For one thing, he was there, just as you were there.

For another thing, he complained at the time that the majority opinion in Santa Clara had settled no constitutional issue. His complaint was even published in a Fresno newspaper!

Waite: Humbug! I have to agree with you. I never would have thought a Supreme Court Justice could sink that low, not even Field. Completely reprehensible!

Prosecutor: But Field was not alone. Sitting with Field on the same Court that disposed of Beckwith's hogs were six fellow veterans of the Santa Clara Court: Miller. Bradley. Harlan. Matthews. Gray. Blatchford.

Waite: My God, what a dark day for the Supreme Court of the United States!

Prosecutor: Justice Waite, it almost seems that--had you been there--maybe you could have kept them on the straight and narrow.

Waite: As God as my witness, yes. I do hope so. But what were they after, Field and his colleagues, that drove them to such an extreme? They were not destitute men and had no pressing debts that I know of. It's hard to fully comprehend that level of corruption.

Prosecutor: I think it had to be more than money. Maybe money, ideology, and fear. Field was no intellectual, but he had a friend who was.

His name was John Norton Pomeroy, a professor at Hastings Law College in San Francisco who had helped Field with briefs. Pomeroy said this about the Fourteenth Amendment:

[**Offstage Voice** reads:]

"The Fourteenth Amendment may prove to be the only bulwark and safeguard by which to protect the great railroad systems of the country against the spirit of communism which is everywhere threatening their destruction or confiscation."

Prosecutor: Money, ideology, and fear. Even one can move mountains. Think what you can do with all three . . . plus a little luck.

Waite: Seems like that's a lesson for your time as well! Enough greed and ideology and fear to go around, eh?

Prosecutor: Mr. Chief Justice, do you have any advice for the Roberts Court, for the five Supremes who gave us Citizens United in 2010?

Waite [standing tall:] I do. Stop citing our Santa Clara ruling as a ruling for corporate personhood or any of its constitutional protections. Read the full decision, not just the headnote. My comment about the 14th Amendment was only an obiter dictum, a remark in passing, which they know very well is not the same as an opinion.

One reason we made no constitutional ruling on 14th Amendment protections for railroads is that we could not construct a rationale. We were up against seven or eight decades of case law that drew a clear distinction between natural persons and artificial creations of the government: Constitutional protections were for the former, and not for the latter. Government could regulate corporations any way it pleased, because corporations were the creatures of government. They had no natural rights, unlike people, who enjoyed the natural rights guaranteed by the Constitution. I could never imagine a plausible rationale for overturning those decades of well reasoned case law. Neither could anyone else!

[Turning to address the audience:]

You must understand: The U.S. Supreme Court is not supposed to issue dictates unaccompanied by sound legal argument. But apparently it did in 1889! It did much worse than that: It pretended that our 1886 Court had offered a sound legal rationale for corporate personhood. Despicable. Unforgivable. I'm glad I wasn't around to witness it.

For the Roberts Court to claim any precedent for corporate personhood protections is to sign up with Field and his gang of 1889. How can they claim our respect unless they mend their ways?

Do they think any branch of government can function as it should without the respect of those it governs? Let the members of the judiciary branch say 'Shame on us.'

Let them turn their hands to the reversal of this damnable error, and let them do it **now**. That is my advice to the Roberts Court.

[**Waite** starts to sit down, then rises again:]

Just one more thing . . . to the Roberts Court . . . and every other court!

Next time some mogul invites you to the Bohemian Grove; next time some potentate offers a ride in his private jet for a weekend of duck hunting with his friends at their lodge; think twice. Above all, think: Why me?

[**Waite** gestures with his right hand, as if taking the oath, and sits down.]

Prosecutor: Chief Justice Waite, I thank you. I came here today to hold you to account for this travesty of justice that has corrupted our courts, usurped the rights of the people, drowned out their voice, and now threatens our Republic and its democratic institutions.

But now I find I must thank you. Your honorable example restores some hope that the Court can be worthy of our founders, and one that serves the people.

Do too many of us believe that our history has no connection with problems of today? Do too many Americans have the collective cultural memory of a gnat? Do we imbue our leaders with godlike abilities? Are we too enthralled with our childhood story of democracy?

We must share Jefferson's conviction that a democracy cannot endure without an informed and educated electorate.

I go one step further. We must be informed and educated, yes, but also engaged. Never have we needed so much a participatory democracy. The nation cannot survive without informed citizens acting for the common good. Remember: We may not have the money, but we still have the numbers, hands down!

With thanks and respect, I rest my case.

Author's note: An optional but highly effective accompaniment is a set of PowerPoint illustrations, by Marybeth Gardam, projected on a screen behind the two actors. For further information, contact mbgardam@gmail.com.

References

Hartmann, Thom (2004). *Unequal Protection: The Rise of Corporate Dominance and the Theft of Human Rights*. Emmaus, Pennsylvania: Rodale.

Kens, Paul (1997). *Justice Stephen Field: Shaping Liberty from the Gold Rush to the Gilded Age*. Lawrence, Kansas: University Press of Kansas.

Kens, Paul (2010). *The Supreme Court under Morrison R. Waite 1874-1888*. Columbia, South Carolina: University of South Carolina Press.

Morrison R. Waite Papers, Madison Library of Congress, Washington, D.C.

Nace, Ted (2003). *Gangs of America: The Rise of Corporate Power and the Disabling of Democracy*. San Francisco: Berrett-Koehler.

The Prosecution of Judge Waite by James Allison is licensed under a Creative Commons Attribution-NoDerivs 3.0 Unported License.