

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

WILLIAM A. BOOKS and MICHAEL)
SUETKAMP,) CASE NO. 3:98CV0230AS
Plaintiffs,)
)
vs.)
)
CITY OF ELKHART,)
Defendant)

AFFIDAVIT OF E. J. RUEGEMER

E. J. Ruegemer hereby states as follows:

1. I was born July 29, 1902. I currently reside in Alexandria, Minnesota. With respect to the above-captioned matter, because of my age, I do not wish to travel to South Bend, Indiana, or to participate in any formal legal proceedings, other than to prepare this affidavit for possible use in the above-captioned matter.
2. I am retired from the Stearns County Juvenile Court bench, where I served as a judge from 1941 to 1947, and the State of Minnesota District Court bench from 1947 to 1967. In my private life, as one way to participate in civic affairs, I was Chief Justice and Chairman of the Youth Guidance Committee of the Fraternal Order of Eagles.
3. In my work as a juvenile court judge, I came in frequent contact with youngsters who were in trouble with the law. It seemed to me that many of them were without any code of conduct or standards by which to govern their actions. About the year 1943, it occurred to me that

they could benefit from exposure to one of mankind's earliest codes of conduct, the Ten Commandments. This was not to be religious instruction of any kind, but to show these youngsters that there were such recognized codes of behavior to guide and help them. I developed the idea of posting a copy of the Ten Commandments in each juvenile courtroom in the State of Minnesota and later in juvenile courtrooms throughout the country.

4. Such a program would require funding. I presented this idea to the Fraternal Order of Eagles, seeking their support. Initially, the idea was rejected by the Eagles because it was felt this might seem coercive or sectarian. Eventually, however, representatives from the Jewish, Protestant, and Roman Catholic communities joined together and developed a version of the Ten Commandments which was not identified with any one religious group; and on this basis, the Eagles agreed to support such a Youth Guidance program.
5. While this program was being developed, I received a telephone call from motion picture producer Cecil B. DeMille, who was making a film called the "Ten Commandments". He told me that he thought the program was a wonderful idea and suggested that rather than paper copies, the Ten Commandments be put on bronze plaques for distribution throughout the country. I said that since the original Ten Commandments were on granite that this would be an even more suitable material. He agreed, and I worked with two local Minnesota granite companies to produce

granite monuments inscribed with the Ten Commandments. Local aeries of Eagles throughout the country paid for monuments which they presented to their communities.

6. Ceremonies were held in connection with the presentation of most of the monuments and some were attended by the film actors who appeared in the Cecil B. DeMille movie; by city, county, and state officials; the Boy Scouts of America; and other civic organizations. Charleton Heston, who played Moses in the film, appeared at one ceremony, and Martha Scott, who played the mother of Moses, appeared at another.

I affirm under the penalties for perjury that the foregoing representations are true.

Dated this 22 day of September, 1998.



E. J. Ruegemer