

MEMORANDUM.

A MEETING of the members of the Bar of the Supreme Court of the United States was held in the court-room Dec. 20, 1880, to take action on the retirement of Mr. JUSTICE STRONG from the Bench.

MR. PHILIP PHILLIPS was elected chairman, and MR. ASSISTANT ATTORNEY-GENERAL McCAMMON, secretary.

MR. GEORGE H. WILLIAMS, MR. H. A. HERBERT, MR. JAMES CARR, MR. J. M. WILSON, MR. J. H. ASHTON, and MR. J. O. BROADHEAD, the committee appointed for the purpose, reported the following resolutions, which were adopted:—

Resolved, That the members of the Bar of the Supreme Court have learned with deep regret of the voluntary retirement of MR. JUSTICE STRONG, while in the full maturity of his great powers, from the labors and duties of the Bench.

Resolved, That in this termination of the agreeable and important relation he has sustained towards them they desire to express their cordial recognition of the profound learning, ripe wisdom, sincere anxiety to do justice, and absolute independence which have characterized this distinguished magistrate during his judicial career, as well as their grateful recollection of the kindly courtesies which he has constantly exhibited, and their sincere wishes for his continued health and happiness.

Resolved, That the Attorney-General be requested to present these resolutions to the Court, and ask that they may be entered on the minutes, and that they may be communicated by it to MR. JUSTICE STRONG.

Subsequently, MR. ATTORNEY-GENERAL DEVENS, in presenting the resolutions to the Court, said:—

May it please your Honors: It was with much emotion that the members of the Bar learned, at the close of the session of this court a week since, that they had seen for the last time the gracious presence of MR. JUSTICE STRONG among his associates.

That he should have determined to retire while yet in the fulness of his great powers, and with "his natural force unabated," was a resolution formed, as they well knew, in the same careful and conscientious spirit which has distinguished his whole career.

The propriety of such a decision they are not entitled to question, although they would have willingly had it postponed, that there might be postponed also the separation which it compels. They desire, in parting from him, to express

simply and unaffectedly their deep sense of the large and varied learning, the wide experience, the strong intellectual force, the rigid impartiality, of which those whose interests have been discussed here have had the full benefit, and of the unfailing courtesy and patience with which they have been listened to in representing those interests. No judicial tribunal historically known to us has ever had imposed upon it labors as grave as those imposed upon the Supreme Court by the Constitution of the United States. While, in order that it may decide, a question must be submitted in the form of a case at law or in equity, its highest duty is not alone that of deciding cases between party and party.

Its heaviest responsibility results from the fact that it is one of the three distinct branches to which the Constitution has distributed all the powers of a complete government, and that it is charged with the duty of defining, not only its own powers, but of restraining the other branches within their appropriate limits. Of the wide beneficial and permanent influence which it has exerted I shall not attempt to speak. The subject is too large, were I competent to deal with it. It is proper to observe, however, that MR. JUSTICE STRONG came upon the Bench at a most interesting period in its history. Our great civil strife was over. It had left behind, among its legacies, legislation which, even if prompted by patriotic motives, was still debated, and perhaps debatable, and the constitutional amendments intended to embody and to preserve the principles settled by it. It was a time to examine carefully compass and chart, to determine whether we had been anywhere driven from our true course, and to ascertain also the true direction and boundaries of the new course upon which we had entered. In these grave inquiries MR. JUSTICE STRONG ably bore his full share; and it will be recalled that, among many other important cases, he was intrusted by this Court with stating the reasons for its judgments in the Legal-Tender Cases in 1872, the Confiscation Cases in 1875, those involving the removal of criminal causes from the State to the United States courts, and those involving the rights of colored men to be jurors.

Whatever they may lose by the retirement of MR. JUSTICE STRONG, the members of the Bar are sensible that those upon the Bench, with whom he was associated, must lose much more. He will carry into his dignified retirement the affectionate respect of all who have known him. All that "should accompany old age, as honor, love, obedience, troops of friends," will be his, and the evening of an upright life which has been full of kindness and courtesy to all men, and of great and honorable labor in the service of the country, cannot, they trust, fail to be serene and happy.

MR. CHIEF JUSTICE WAITE, in reply, said:—

We are glad to receive from the members of the Bar this expression of their regard for JUDGE STRONG. It is but simple justice to say that, during the ten years and more he held a seat on this Bench, he never for a moment forgot what was due to the place he so ably filled. His judgments were always the result of his honest convictions of what was right, and we who have known him in the intimacy of long personal and official intercourse shall ever bear witness to his purity of character as a man and his eminent ability as a judge. We part with him on the Bench with sincere regret.

The resolutions of the Bar, with the remarks of the Attorney-General in presenting them, will be entered on the records of the Court, and we shall take pleasure in sending a copy to MR. JUSTICE STRONG, as requested.