In Memoriam.

STANLEY MATTHEWS, LL.D.

SUPREME COURT OF THE UNITED STATES.

MONDAY, April 15, 1889.

Present: The Hon. MELVILLE W. FULLER, *Chief Justice.*
SAMUEL F. MILLER,
STEPHEN J. FIELD,
JOSEPH P. BRADLEY,
JOHN M. HARLAN,
HORACE GRAY,
SAMUEL BLATCHFORD,
LUCIUS Q. C. LAMAR,
Associate Justices.

MR. ATTORNEY GENERAL addressed the court as follows:

MAY IT PLEASE THE COURT: At a meeting of the bar of this court, on the 6th instant, resolutions were adopted touching the death of the late JUSTICE MATTHEWS.[1] These resolutions,

[1] Mr. Justice Matthews died at Washington, on the morning of the 22d March, 1889. On convening on that day, the court adjourned until the 28th March. On the 25th, the funeral services took place, in Washington, and the body was taken to Ohio for interment. Justices Harlan, Gray, Blatchford and Lamar accompanied it.

On the 30th of March, at 12 M., a meeting of the bar of the Supreme Court of the United States was held in the court room, to take action upon his death. Mr. William M. Evarts was elected chairman, and Mr. James H. McKenney, secretary of the meeting. Messrs. George F. Edmunds, Benjamin Butterworth, George F. Hoar, W. C. P. Breckenridge, George Ticknor Curtis, Samuel Shellabarger, George A. Jenks and Joseph E. McDonald were appointed a committee to prepare suitable resolutions; whereupon the meeting adjourned to April 6, at 11 A.M., at the same place.

On the 11th April, at 11 A.M., Mr. Evarts took the chair. Mr. Edmunds,

as the representative of the Department of Justice, of which STANLEY MATTHEWS, both at the bar and on the bench, was so conspicuous an ornament, I was directed to present to this court. I beg leave to read the resolutions:

"*Resolved*, That the bar of the Supreme Court of the United States deeply deplores the decease of the late MR. JUSTICE MATTHEWS, whereby the country has lost an always patriotic and respected citizen, alike eminent in his private and public career; the bar one of its long-time leaders, conspicuous as an example of the best relations of our profession with the administration of justice; and the court itself a member fitted by character, temperament, learning, and industry to the place he held in the highest judicial tribunal of a great nation. His name is rightly enrolled among those honored by their countrymen.

"*Resolved*, That the bar presents to the family of the departed Justice its sincere sympathy and condolence in their bereavement.

"*Resolved*, That the Attorney General be requested to present these resolutions to the court for such consideration as may be fit.

"*Resolved*, That the chairman be requested to transmit a copy hereof to Mrs. Matthews."

MAY IT PLEASE THE COURT: In this august presence all human visitors stand uncovered and bow with reverence. But now and again your precincts are invaded by the herald of a Power which knows no rank or dignity, in whose court magistrate and private citizen, jurist and rustic, are upon a plane of absolute equality.

Answering the summons of this Power, your eminent asso-

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on behalf of the committee, reported the resolutions which are printed above. Remarks were made by Mr. Edmunds, Mr. George Hoadly, Mr. R. D. Mussey, Mr. William S. Flippin, Mr. William C. P. Breckenridge, Mr. Joseph E. McDonald, and Mr. Evarts, when the resolutions were unanimously adopted, and the meeting adjourned.

The remarks made by these speakers had not been finally corrected and printed when this volume was made ready for the press.

ciate, a worthy successor of the long line of illustrious men whose virtues and learning have adorned this great tribunal, has gone to that country whose mystery, so far as human effort is concerned, is no nearer solution than when in the childhood of the race Death snatched a brother's life by a brother's hand, or when the Poet King, bewailing his child, said all that can now be said, "I shall go to him, but he shall not return to me." We mourn the departure of your associate, our brother, not for his own, but for the country's sake. True, his life has gone out when at the zenith of its brightness.

While not a young man, JUSTICE MATTHEWS was upheld by a spirit so buoyant, mastered difficult questions and wrote great decisions so easily, that no one thought of him as old in years.

It is the dull, uneventful day which drags and seems long. The day or the life full of great thoughts crystallizing into great deeds seems always too short.

Even the pagan had a better measure of life than years. Seneca says:

"We must not care for length of life, but for life sufficient for its duties. Life is long if it is full; but it is full when the soul hath completed its development and hath shown all its latent powers."

Measured by this standard, the life we mourn had no further need of years on earth.

For ourselves and the country, we regret that we could not have the benefit of further exertions of his splendid powers; but for himself, his life was full.

He has gone over to the majority: to the majority of the great and good of all time; to the majority of the associates of his early life, that period in which most lasting attachments are formed; to the majority of his own kindred; to the majority, I had almost said, of those who, as associates, extended to him the hand of welcome when he first took his seat as a justice of this court.

My personal acquaintance with JUDGE MATTHEWS was slight. While he was at the bar I occasionally met him, but only as a young man at the bar meets a great lawyer; since he has

been upon the bench I have only seen him in the discharge of his high duties. Of his personality, therefore, it does not become me to speak.

Nor is this the time, nor am I the person, to indulge in extended eulogy on his career and character. Others, better fitted by intimate personal and professional association and by gifts of speech, have already performed this pleasing duty. This much, however, I may say in the way of characterization. The mind of STANLEY MATTHEWS seemed to me to be deeply original. He pioneered. He studied principles more than precedents; he surveyed the field of jurisprudence with the eye of a statesman as well as lawyer; he took his direction in the law by the compass and the stars, rather than by uncertain foot-prints or marks on the trees blazed by his predecessors.

In conclusion, I ask that the resolutions of the bar be spread at large on your records, as a memorial to our children of our high appreciation of the virtues, learning and eminent character of our departed brother.

The CHIEF JUSTICE responded as follows:

The court entirely concurs in the sentiments expressed in the resolutions which have just been read and in the observations of the Attorney General accompanying their presentation.

Before he came to grace a seat upon this bench, MR. JUSTICE MATTHEWS had, in high public place, political, professional and judicial, acquired eminent distinction and displayed the qualities which invite attention and command admiration and respect, while as a member of the bar his conspicuous ability, faithfulness and integrity had given him a rank second to none; and the felicity was also his of having rendered his country gallant service as a soldier.

He brought here the garnered wisdom of years of varied experience, and constantly added to it the fruit of cultivation in this exalted field of exertion, whose margin faded before him as he moved, growing in strength with exigencies requiring the putting forth of all his powers.

Mr. Justice Matthews.

In listening, patient and sympathetic; in intercourse with counsel, cordial but dignified; conscientious in investigation; honest and impartial in judgment; full of resource in supporting given conclusions by accurate and discriminating reasoning; ample in learning and comprehensive in scholarship; luminous in exposition and apt in illustration, he demonstrated such fitness for this sphere of action, that his removal in the midst of his usefulness cannot but be regarded as a severe loss to the bar, the judiciary, and the country.

To the associates of years of personal companionship in the administration of justice that loss is quite unspeakable. The ties between those thus thrown into close intimacy are extremely strong, and when one is taken away upon whose painstaking scrutiny, clearness in explanation, and fulness of knowledge, reliance has been justly reposed by his brethren, and whose amenity of temper and kindliness of heart have naturally inspired affection, a keen sense of personal bereavement mingles with the common sorrow.

In view of a life like this, crowned with the success that waits upon absolute devotion to duty, how false the desponding exclamation of the Preacher, that "that which now is, in the days to come shall be forgotten."

The remembrance of the just and the wise is with the generations always, and the works of his faithful public servant will follow him, "in the days to come," now that he rests from his labors.

The court has heretofore adjourned as a mark of respect to the memory of the deceased and attended the funeral ceremonies in Ohio. The resolutions just presented and the remarks of the Attorney General will be spread upon the records, and the tribute of the bar of Saint Louis, which has been transmitted to the court, and such other commemorative proceedings as may be received, will be placed upon the files with a proper minute in regard to them.

In Memoriam.

JOHN ARCHIBALD CAMPBELL, LL.D.

SUPREME COURT OF THE UNITED STATES.

FRIDAY, April 12, 1889.

Present: The Hon. MELVILLE W. FULLER, *Chief Justice.*
SAMUEL F. MILLER,
STEPHEN J. FIELD,
JOSEPH P. BRADLEY,
JOHN M. HARLAN,
HORACE GRAY,
SAMUEL BLATCHFORD,
LUCIUS Q. C. LAMAR,
Associate Justices.

MR. ATTORNEY GENERAL MILLER addressed the court as follows:

MAY IT PLEASE THE COURT: On the 13th of March last JOHN ARCHIBALD CAMPBELL, a very distinguished lawyer and ex-Justice of this court, departed this life.

For fifty years, a full half of the life-time of the government, this eminent man has been intimately and conspicuously associated with the interpretation of the laws of the land and the administration of justice.

Nor is the length of JUDGE CAMPBELL'S professional career its only striking feature. The manner of his coming to the bar was unusual.

In the first year of the first term of President Jackson, by a special act of the legislature of Georgia, his native State, MR. CAMPBELL, with Robert Toombs and three or four others, was "admitted to practise law and equity" in that State.

Removing to the city of Montgomery, he at once took the same rank at the bar which he had maintained in school and college, among the foremost, and at the age of thirty he had no superior at the bar of Alabama.

At forty-two he was appointed, and was worthy to be appointed, Associate Justice of this court.

Not one of the learned and eminent jurists who sat with him here on the bench or in the consultation room now remains to bear witness to his virtues or his talents; but the opinions he wrote, found in Howard's Reports, volumes 15 to 24 inclusive, testify, and will testify so long as American jurisprudence shall last, of his industry, his great abilities and profound learning.

A disciple, an admirer, and a friend of Mr. Calhoun, in 1861 Judge Campbell followed, though it is believed reluctantly followed, the teachings of the apostle of state sovereignty to their logical results.

Since the war he has easily maintained a place at the bar, and, as a scholar and publicist, among the most eminent of the land.

Having no personal acquaintance with Judge Campbell, it is not fitting that I should speak of his private life and personal character.

Fully appreciating his great and good qualities, both of head and heart, the members of this bar, on the 6th instant, adopted resolutions expressive of our sentiments on the melancholy occasion of his death. These resolutions[1] are as follows:

"The bar of the Supreme Court of the United States have

[1] At a meeting of the bar of the Supreme Court of the United States held in the court room on Saturday, the 6th of April, 1889, at 2 P.M., on motion of Mr. George F. Edmunds, Mr. George Ticknor Curtis was called to the chair and Mr. James H. McKenney was elected secretary. Mr. Assistant Attorney General Maury offered the resolutions which are printed above; and after appropriate remarks by Mr. Maury, the Rev. Alfred C. Powell of Grace Church, Baltimore, Mr. George Hoadly, Mr. William M. Evarts, Mr. George F. Edmunds and Mr. George Ticknor Curtis, they were unanimously adopted; and the meeting thereupon adjourned. The remarks made by these speakers had not been corrected and printed when this volume went to press.

assembled for the purpose of giving expression to their sense of the loss which they, in common with the whole country, have sustained in the death of JOHN ARCHIBALD CAMPBELL.

"It is but just to his memory to say that he was a jurist of extensive and varied learning in the common law, and civil law as well, and accustomed to resort to the great sources of jurisprudence, which are the school, we are told, where proficiency can best be acquired in the difficult art of applying the abstract principles of the law to actual cases.

"His learning in constitutional law and in international law, and his large acquaintance with the political history of the country, added to his vast reading in general history and literature, fitted him admirably to sit in the Supreme Court of the United States, where for nearly eight years he was an honored and influential associate: Therefore, be it resolved:—

"1. That the bar of the Supreme Court of the United States do hereby attest their admiration and appreciation of the great career of JOHN ARCHIBALD CAMPBELL as a leading practising lawyer and as a judge of the first rank, and do hereby commemorate his many public and private virtues, and that modesty and simplicity which were the chaste setting of his great intellect and learning.

"2. That we tender the family of the deceased our sympathy; and that the Chairman be, and he is hereby, requested to send them a copy of these proceedings.

"3. That the Chairman be, and he is hereby, requested to transmit a copy of these proceedings to the Attorney General of the United States, with the request to present the same to the Supreme Court of the United States for such action as may be deemed proper."

MAY IT PLEASE THE COURT: I move that these resolutions be incorporated in your record as permanent evidence of the high estimation in which JUDGE CAMPBELL was held by his brethren of the bar.

THE CHIEF JUSTICE responded as follows: The court recognizes in the decease of MR. JUSTICE CAMPBELL the departure

of an eminent citizen, who through his power of intellect, profound learning and unremitting diligence, coupled with integrity of mind and sincere love of justice, deservedly achieved high reputation as a jurist and reflected corresponding credit upon this bench during the years he adorned it.

His accession here had been preceded, as his regretted retirement was followed, by distinguished service in the legal profession.

It is proper that marks of respect should be shown to his memory, now that, in the fulness of years, he has peacefully fallen asleep —

> "Men must endure
> Their going hence, even as their coming hither:
> Ripeness is all."

The remarks of the Attorney General and the resolutions will be spread upon the record.