

PROCEEDINGS ON THE RETIREMENT OF
MR. JUSTICE MOODY.¹

SUPREME COURT OF THE UNITED STATES.

THURSDAY, DECEMBER 8, 1910.

Present: MR. JUSTICE HARLAN, MR. JUSTICE WHITE,
MR. JUSTICE MCKENNA, MR. JUSTICE HOLMES, MR. JUSTICE
DAY, MR. JUSTICE LURTON and MR. JUSTICE HUGHES.

Order: It is ordered by the court that the following correspondence be spread upon the minutes and journal of the court:

“SUPREME COURT OF THE UNITED STATES,

“*Washington, D. C., November 23, 1910.*

“DEAR BROTHER MOODY: We can not let you leave us without an expression of our deep regret. The too few years during which we sat together on the bench already had confirmed the prophecy of your arguments at the bar. They had proved that your unusual powers would be applied as faithfully and impartially to dispassionate decision as, when you were Attorney General, they had been devoted to an always lofty presentation of a side. We grieve that the country so soon should lose services that it ill can spare and we companionship in which affection was joined to respect. But you have left a sample of your work in the reports, and, we believe, have earned the

¹ See *ante*, p. v.

great reward—that the wise and good of the future, as well of the present, will say it was well and nobly done.

“JOHN M. HARLAN.

“E. D. WHITE.

“JOSEPH MCKENNA.

“OLIVER WENDELL HOLMES.

“WILLIAM R. DAY.”

“We came to the bench of the Supreme Court after BROTHER MOODY was compelled by sickness to lay aside active public work. But we have knowledge of his course of life, and of his judicial opinions, and concur most cordially in what is said in the above letter by those of his associates who served with him on the bench.

“HORACE H. LURTON.

“CHARLES E. HUGHES.”

“1525 EIGHTEENTH STREET NW.,

“Washington, D. C., December 5, 1910.

“MY DEAR BRETHREN: I can not let your letter go unanswered, but at this time I am unable fittingly to say more than that your words reach deep in my heart and mind and awaken there an intense gratitude to you all. With the expression of this and of my respect and affection for each individual member of the court, I must be content.

“Most sincerely, yours,

“WILLIAM H. MOODY.”