

RETIREMENT OF MR. JUSTICE PITNEY.

SUPREME COURT OF THE UNITED STATES.

MONDAY, MARCH 5, 1923.

PRESENT: THE CHIEF JUSTICE, MR. JUSTICE MCKENNA, MR. JUSTICE HOLMES, MR. JUSTICE VAN DEVANTER, MR. JUSTICE McREYNOLDS, MR. JUSTICE BRANDEIS, MR. JUSTICE SUTHERLAND, MR. JUSTICE BUTLER, AND MR. JUSTICE SANFORD.

The CHIEF JUSTICE announced the following order of the Court:

It is ordered by this Court that the accompanying correspondence between members of the Court and Mr. Justice Pitney, upon his retirement as an Associate Justice of the Court, be this day spread upon the record, and that it also be printed in the reports of the Court:

WASHINGTON, D. C., FEBRUARY 24, 1923.

DEAR BROTHER PITNEY: We write to assure you of our sincere appreciation of you as a colleague and to express our deep regret that failing health has compelled you to give up the work which you love, and in which you have rendered signal service to our Country.

After four years in the Federal Congress and three years in the New Jersey Senate, whose presiding officer you were, you became a Justice of the Supreme Court of the State, and ultimately the Chancellor. Your father's distinguished career on the same equity bench gave you a high standard to follow. With this seven years of legislative training and eleven years of judicial experience, you were called to our Court, fully equipped for its responsible duties.

For ten years you have given unremitting labor to the work of the Court—the consideration of cases, the preparation of your own opinions, and the most careful examination and criticism of the opinions of your colleagues. You have spared yourself in nothing. We can not but think that you have sacrificed your health in the earnest effort to do everything possible to further the work of the Court. Your opinions in thirty-four volumes—225 to 259—show a splendid sense of responsibility, accurate learning, thorough research, able reasoning, nice sense of justice, and careful preparation.

We shall miss your kindly companionship, your genial courtesy, your loyalty, and your high sense of judicial duty. Our love follows you in retirement. May the years to come give you well-earned repose and happiness.

With affectionate regard, we are,

Sincerely yours,

WILLIAM H. TAFT.

JOSEPH MCKENNA.

OLIVER WENDELL HOLMES.

WILLIS VAN DEVANTER.

JAMES CLARK MCREYNOLDS.

LOUIS DEMBITZ BRANDEIS.

Hon. MAHLON PITNEY,

1763 R Street NW., Washington, D. C.

WASHINGTON, D. C., March 3, 1923.

MY DEAR CHIEF JUSTICE: Your letter touched me more deeply than I can tell you. To you, and to my dear brethren of the Court, I owe ten of the happiest years of my life.

Your unvarying kindness, consideration, and helpfulness did everything to stimulate my ambition to win your esteem; and if through overwork I have undermined my health, I feel fully repaid by the appreciation expressed, in your letter, of my usefulness to the Court. It is with the deepest regret that I am compelled to retire from the

MR. JUSTICE PITNEY.

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bench; but it ever will be a source of consolation and pleasure to look back upon the days we spent together.

With assurance of my affectionate regards to you all, I am,

Yours fraternally,

MAHLON PITNEY.

Hon. WILLIAM H. TAFT, Chief Justice.