

OBITUARY.

HON. FELIX GRUNDY.

At the opening of the court, Mr. Gilpin, the Attorney-General of the United States, addressed the court as follows :

"I have been requested, by a meeting of the gentlemen of this bar, and the officers of this court, to submit the proceedings lately adopted by them in which they express their feelings at the loss sustained by the profession, and the whole country, in the death of Mr. GRUNDY, of Tennessee. They respectfully solicit the permission of the court, that they may be inserted among its records. If a long life, largely passed in the practice, and illustrated by the honors of a profession which he ever pursued with an honorable and elevated spirit ; if a bland, cheerful and generous intercourse towards those with whom he was called upon to act ; if the exercise of an excellent judgment, which guided all his actions, and was tempered with a simplicity and a modesty that gave but the more force to the quickness of his intelligence, and the extent of his learning ; if these, and the many qualities which secured an affectionate respect and remembrance from all who knew him, afford a reason for soliciting from the court that favor which is now sought by the bar, I well know that it will be promptly granted ; for to none better than to those who here preside, were these qualities known ; by none were they more justly appreciated. I respectfully move the court, that the resolutions which I now submit may be entered on its minutes."

To which Mr. Chief Justice TANNEY made the following reply : "The members of the court have sincerely deplored the death of Mr. Grundy, and unite with the bar in expressing their respect and esteem for his character. The office of Attorney-General of the United States, which he recently held, connected him for a time, closely, with the business of this court ; and we willingly bear testimony to his kind and amiable character as a man, as well as to his learning and ability as an officer. And concurring, as we cordially do, in the resolutions adopted by the bar, they will be entered on the records of the court."

Whereupon, it is ordered by the court, that the following proceedings be entered upon the minutes, viz :

At a meeting of the gentlemen of the Bar of the Supreme Court of the United States, at the court-room in the Capitol, on the 20th day of Jan-

uary, A. D. 1841. The Hon. Samuel L. Southard was appointed chairman, and Mathew Birchard, Esq., appointed secretary. The following resolutions were submitted by Richard Peters, Esquire, and unanimously adopted, viz:

Resolved, that the members of this bar, and the officers of this court, feel, with deep sensibility, the loss which the profession and the country have sustained in the death of the Hon. Felix Grundy, late Attorney-General of the United States, and a member of this bar.

Resolved, that we cherish the highest respect for the professional learning of the deceased; for the purity and uprightness of his professional life; and for the amiable and excellent qualities which belonged to him as a man.

Resolved, that to testify these sentiments, we will wear the usual badge of mourning for the residue of the term.

Resolved, that Mr. Gilpin, the Attorney-General of the United States, do move the court that these resolutions be entered upon the minutes of their proceedings.

MR. JUSTICE BARBOUR.

ON the opening of the court, Mr. Gilpin, the Attorney-General of the United States, made the following remarks:

"Since the adjournment, caused by the sudden and most afflicting event which deprived this court, and his country, of the services of Mr. Justice BARBOUR, the members of the bar, and the officers of the court, have assembled to express the feelings which the relations with him, that it was their pride and happiness to enjoy, could not but make peculiarly poignant. They have requested me, respectfully, to lay before the court this, the last offering of respect which they are able to pay, and to solicit the favor of having inserted among the records of the court, resolutions whose sincerity must compensate for the feeble manner in which they convey their deep sense of the loss they have sustained. To those whom I am thus, in the name of my professional brethren, called upon to address, and who were the daily and more intimate witnesses of the learning, the genius and the many admirable traits by which Judge BARBOUR was distinguished, any testimony of mine, to these high qualities, would appear truly inadequate; but I may be permitted to say, that no judge had ever more completely gained the confidence and respect of those who were called upon to appear before him; the decisions of no one were ever listened to with more certainty that they were the emanations of an enlightened intellect, and excellent judgment, the purest intentions, and the kindest heart. When to these motives for esteem, were added that bland, frank and unaffected deportment, which is fresh in the recollection of us all, it is needless to say, that the tie that has been severed is felt by us to have been closer than that of mere official intercourse; and we cannot forget, that while the chair of the

judge is made vacant, a blank, too, is left in the circle of our friends. In compliance with the instructions of the meeting, on whose behalf I appear, I respectfully request that the following proceedings may be entered of record : ”

At a meeting of the members of the Bar of the Supreme Court of the United States, and the officers of the court, at the court-room in the Capitol, on Friday, the 26th of February 1841, the Honorable Thomas Clayton was appointed chairman, and the Honorable Silas Wright, Jr., was appointed secretary. The following resolutions were submitted by General Walter Jones, and unanimously adopted :

Resolved, That the members of this bar, and the officers of this court, have heard with deep regret of the sudden death of the Honorable PHILIP P. BARBOUR, one of the Associate Justices of this Court.

Resolved, That we entertain the highest veneration for his memory, a grateful admiration of the ability and integrity with which he devoted himself to the performance of his distinguished trust, and a recollection that will long continue of the virtue, the urbanity, and the genius by which his personal character was adorned.

Resolved, That we will attend the removal of his remains this day, and wear the customary badge of mourning for the residue of the term.

Resolved, That Mr. Gilpin, the Attorney-General of the United States, communicate these proceedings to the supreme court, and respectfully request, in the name of this meeting, that they may be inserted among its records.

Resolved, That the chairman and secretary also transmit a copy to the family of the deceased ; and assure them of our sincere condolence on account of the great loss they have sustained.

T. CLAYTON, Chairman.

SILAS WRIGHT, JR., Secretary.

To which Mr. Chief Justice TANEY made the following reply : “ I speak in the name of the court, and by its authority, when I say, that we have scarcely yet recovered from the unexpected blow which has fallen upon us ; our deceased brother, for weeks past, has been daily with us in the hall, listening to the animated and earnest discussions which the great subjects in controversy here naturally produce ; and he has been with us, also, in the calmer scenes of the conference-room, taking a full share in the deliberations of the court, and always listened to with the most respectful attention. It was from one of these meetings, which had been protracted to a late hour of the night, that we all last parted from him, apparently in his usual health ; and in the morning, we found that the associate whom we all so highly respected, and the friend we so greatly esteemed, had been called away from us, and had passed to another, and we trust to a better world. The suddenness of the bereavement, the character of the judge we have lost, and his worth as a man, made it proper to suspend the business of the court until

to-day. The time was necessary, not only to pay the honors due to his memory, but to recollect and fit ourselves for renewed labors.

“ Judge BARBOUR was a member of this court but a few years ; yet he has been long enough here, to leave behind him, in the published proceedings of the court, striking proofs of the clearness and vigor of his mind, and of his eminent learning and industry. But those only who have been intimately associated with him, as members of the same tribunal, can fully appreciate the frankness of his character, and the singleness and purity of purpose with which he endeavored to discharge his arduous duties. By those who have thus known him, his memory will always be cherished with the most affectionate remembrance ; and we will cordially unite with the bar in the honors they propose to pay to his memory.

“ The court, therefore, order that the resolutions of the bar be entered on the records of the court ; and the judges will wear the customary badges of mourning, during the residue of the term.”