

DEATH OF JUSTICE POWELL

SUPREME COURT OF THE UNITED STATES

MONDAY, OCTOBER 5, 1998

Present: CHIEF JUSTICE REHNQUIST, JUSTICE STEVENS, JUSTICE O'CONNOR, JUSTICE SCALIA, JUSTICE KENNEDY, JUSTICE SOUTER, JUSTICE THOMAS, JUSTICE GINSBURG, and JUSTICE BREYER.

THE CHIEF JUSTICE said:

As we open this morning, I want to pay tribute to our friend and colleague, Lewis F. Powell, a retired Justice of this Court, who died on August 25, 1998, at his home in Richmond, Virginia.

Lewis Powell took the Oath of Office on January 7, 1972, becoming the 99th Justice to serve on this Court. He retired on June 26, 1987. Following his retirement, he sat on the Court of Appeals for the Fourth Circuit, and taught at both Washington and Lee and the University of Virginia.

Justice Powell was born on September 19, 1907, in Suffolk, Virginia. He graduated first in his class at Washington and Lee College in 1929, then completed his law degree in two years and went on to receive his LL.M. from Harvard Law School in 1932. In that year, he began practicing law in his native city of Richmond. In 1941, at the time of the Japanese attack on Pearl Harbor, he was 34 years old. Though his age and family responsibilities would have excluded him from the draft, he volunteered and was commissioned a First Lieutenant in the Air Force, rising in rank to Colonel, and winning the Legion of Merit and Bronze Star medals. He served overseas with distinction as an Intelligence Officer

in the Air Force for four years during World War II and its aftermath.

After serving the country during the war, he returned to Richmond and the law firm of Hunton and Williams. Throughout his career in Virginia, he gave generously of his time and energy to the Richmond community and to the Commonwealth. He served as the President of the Virginia State Board of Education as well as Chairman of the Richmond Public School Board. He was elected to serve as the President of the American Bar Association and was appointed by President Johnson as a member of the National Commission on Law Enforcement and Administration of Justice.

At the age of 64, already occupying a secure place among the legal leaders of the United States, his country called again and he accepted an appointment to this Court as his patriotic duty. We who served with him during his fifteen years on this Court cherished his intellect, gentlemanly charm, and consummate judicial temperament. We continue to miss him. At an appropriate time in the spring, the traditional memorial observance of the Court and the Bar of the Court will be held in this Courtroom.