

MEMORANDA.

THE Bar of the Supreme Court of the United States met in the court-room, in the Capitol, Washington, on Friday morning, Feb. 18, 1876, at 10 o'clock, to pay respect to the memory of the late REVERDY JOHNSON.

On motion, Mr. M. H. CARPENTER was appointed chairman, and Mr. D. W. MIDDLETON, secretary.

Mr. CARPENTER, on taking the chair, addressed the meeting as follows:—

GENTLEMEN: We have met to express our sorrow at the death of Reverdy Johnson, who *long ago* was Attorney-General of the United States, and who, amid the cares and responsibilities of many high political stations, at home and abroad, never abandoned the practice of his profession. For more than fifty years he steadily advanced in professional reputation, and came at length to be regarded as one of the leaders of this Bar.

Beginning his practice here in early life, he became the worthy successor of Harper, Martin, Pinkney, and Wirt, men who added so much to the glory of the Old Maryland. And considering the extent and variety of his practice; his natural resources and professional attainments; his thorough self-possession and steadiness of nerve, when the skill of an opponent unexpectedly brought on the crisis of a great trial,—an opportunity for feeble men to lose first themselves and then their cause; his fidelity to the oath which was anciently administered to all the lawyers of England,—to present nothing false, but *to make war* for their clients; the audacity of his valor when the fate of his client was trembling in the balance,—he believing his client to be right, while every one else believed him to be wrong;—remembering all these traits, we must rank him with the greatest lawyers and advocates of this or any other country.

He retained full possession of his faculties to the moment of his death, and not long since appeared to argue some important causes at this bar; and although his eye was dim, all who heard him felt that his natural force was not abated. As with Milton, from his natural eye, the beauties of the earth and the heavens were excluded; to him, as to Milton, there returned not

“Day, or the sweet approach of ev’n or morn,
Or sight of vernal bloom, or summer’s rose,
Or flocks, or herds, or human face divine;” —

but upon his intellectual comprehension, upon his mind and heart, the light of heaven never ceased to shine.

Nature sets indelible marks upon the productions of which she is proudest. His outward form proclaimed the man. His compact, firm-knit frame, his heavy shoulders, his round head, his striking face, bearing the furrows of many sharp professional and political conflicts, but from which there still shone his gentle, kindly nature, — all indicated a man of genial nature, yet resolute of purpose, — a man easy to court, but dangerous in conflict.

We are taught to pray for deliverance from "*sudden death*." But the life of our eminent brother had been long extended, — even to nine years beyond "threescore and ten;" and without pain, without death-bed parting from those he loved (more painful than death itself), possessing all his faculties in full vigor, rich in honors and glorious with praise, he passed in an instant from the known to the unknown, from earth to the hereafter of hope and faith. And if it was ordered that the scene of his mortal life must end that moment, who can say that the manner of its close was not also ordered, *in mercy*, by that God *who doeth ALL things well*!

I should do violence to my feelings if I did not say one thing more. I *loved* that old man. When I came first here, with the trembling inspired by the glorious memories of this court, over which John Marshall so long presided, Mr. Johnson took me by the hand, gave me fatherly recognition, became my adviser, and ever after remained my friend. For all his kindness, professional and social, I would be less than a man did I not cherish the profoundest gratitude.

MR. GEORGE F. EDMUNDS. — Mr. Chairman: Certainly what you have said, sir, is so complete a generalization of the character and of the life of Mr. Johnson, that little else need be said in that respect; and so at this moment, in coinciding in every thing that the chairman has stated to us, I venture to move that a committee be appointed by the chair to prepare and report presently such resolutions as it may be thought fit to adopt.

The motion of Mr. Edmunds was agreed to, and the following gentlemen were appointed by the chair to constitute the committee: —

Committee on Resolutions.

MR. GEORGE F. EDMUNDS, Chairman.

MR. PHILIP PHILLIPS.

MR. R. T. MERRICK.

MR. A. G. THURMAN.

MR. W. D. DAVIDGE.

MR. WM. PINKNEY WHYTE.

MR. GEO. TICKNOR CURTIS.

MR. J. H. B. LATROBE.

MR. S. TEACKLE WALLIS.

MR. WM. PITT LYNDE.

MR. J. RANDOLPH TUCKER.

MR. T. O. HOWE.

MR. JOHN T. MORGAN.

MR. J. A. GARFIELD.

MR. T. J. DURANT.

The Committee thereupon retired; and, on returning, reported, through Mr. Edmunds, the following resolutions for adoption:—

Resolved, That the bar of the Supreme Court of the United States has received with deep sorrow the intelligence of the death of Reverdy Johnson, for more than half a century an eminent and honored practitioner in this court.

Resolved, That the memory of Mr. Johnson deserves to be cherished by the bar, as most honorable to the profession of which he was a distinguished member, as dear to the court that has benefited by his great contributions to the science of jurisprudence, and as valuable to the Republic, in whose service, as citizen, attorney-general, senator, and diplomatist, he was wise and faithful.

Resolved, That the Attorney-General be requested to communicate these resolutions to the court, and to move that they be entered of record; and

Resolved, That they be communicated to the family of Mr. Johnson, with the expression of the earnest condolence of the bar.

The CHAIRMAN: The resolutions, having been reported from the Committee, are now before the meeting, subject to amendment and subject to debate.

REMARKS OF MR. G. F. EDMUNDS.

Mr. CHAIRMAN: In presenting these resolutions on behalf of the Committee of the Bar, I only feel competent myself to say a single word.

When I was a mere lad and visited this city, I used often to come into the then Supreme Court room, which is below us now, where great causes of public and national concern were being almost daily heard; and one of the chief and most interesting figures that, to my young eye, appeared as lawyer, and, I may say, sometimes as orator, in that court was Mr. Johnson. Although I had not then the pleasure of knowing him personally, when afterwards I came here and made his acquaintance, I soon learned enough of him to be able to second with all my heart what the chairman has said in the opening of this meeting; for to every young lawyer who came to this bar I am sure Mr. Johnson gave that wise and kindly intercourse which is so encouraging to those who deserve it, and is so justly, I may say, conservative, in toning down the sometimes exuberant fancies of young lawyers,—quite as necessary to them sometimes as the encouragement to those who have less force and more modesty.

Mr. Johnson has been so long known to the bar of the United States, that it is quite a work of supererogation to name the extensive and varied contributions that he has made to jurisprudence and to its application to the affairs of men. In looking through the reports of this court alone, to

say nothing of those of the various States, in which, from time to time, he has been called upon to practise, you find that his great mind has been brought to the consideration of every variety of question that can arise in the affairs of men, from the lowest and simplest to the highest and most complex; and, I think, it is perhaps a somewhat significant commentary upon his recognized force and greatness, that the first cause he ever argued in this court was with Mr. Taney, afterwards Chief Justice of the United States, against Mr. Wirt and Mr. Meredith, of Baltimore,—the case of *Brown v. The State of Maryland*, that great leading cause, in which the lines of political power and of political jurisprudence, if I may use such a phrase, were so stoutly contested between the States and the United States. And although in that particular case Mr. Johnson failed to convince the court that he was right, I think that, as we look back upon the events that have since taken place, it is not altogether certain that if the question were now new, it might not have been decided the other way.

But time does not allow me to go into these recollections of his great services to the nation and to civilization everywhere, which performing the high duties and the true duties of a barrister have given him the opportunity to do; for I think I need not say to the bar, or to you, sir, what perhaps is so much felt and yet so little understood in this country and every other, that the civilization and the progress of a people are almost exactly measured by the degree of vigor, prudence, and purity that characterizes the administration of its laws in courts of justice; and, as we all know, the laws cannot be administered without the arguments of impartial and learned advocates upon both sides.

But as we say these things, sir, there comes back to us the recollection that Mr. Johnson has gone, and that he cannot profit, if he should have needed ever to profit, by the admiration, or the solitudes, or the grateful memories of his fellow-men.

Id cinerem aut manes, credis currare sepultos? was said of a great man who many centuries ago departed suddenly from life.

But for our own consolation, and for that high duty that we owe everywhere to society, to make prominent and to give honor to those names that have done great service to the cause of civilization and of society, it is every thing; and as such, with the contribution that my admiration for Mr. Johnson enables me most sincerely to offer, I join gladly in these memorial services.

REMARKS OF MR. P. PHILLIPS.

MR. CHAIRMAN: A little over a year ago the members of the Bar assembled to do honor to the memory of the distinguished jurist, Judge Curtis. On that occasion Reverdy Johnson, on my motion, was selected as the proper representative of the profession to express their profound respect for the deceased, and fittingly did he discharge the duty. Now we are called on to mourn the death of Mr. Johnson himself. Thus, one after another, we pass from the sunlight of day into the shadows of night.

Mr. Johnson and Mr. Curtis were the recognized leaders of the American Bar, and their experience, learning, and intellectual power justified fully the high position which by common consent was awarded to them.

Long associated with Mr. Johnson, I can speak truly of the ability he uniformly displayed in the argument of his causes in the Supreme Court, and of the amiability which marked his intercourse with his professional brethren.

It is seldom allotted to one man to be distinguished in more than one sphere, but it may be said of our departed brother, that he was as equally eminent as legislator and jurist.

In honoring the memory of such a man we honor ourselves.

I do not rise, Mr. Chairman, to multiply words, which at best are but feeble exponents of feeling, but merely to move the adoption of the resolutions.

REMARKS OF MR. F. T. FRELINGHUYSEN.

MR. PRESIDENT: I do not feel that I can suffer this occasion to pass without saying a word expressive of my appreciation of Mr. Johnson and my regard for him. Of course this is not the time to delineate a character of which so much might be said, or to review a life which, for half a century, was so intimately connected with the history of our country. There are striking features in his character to which I call attention.

As a statesman he had large views, and compassed the interests of his whole country. Eminently familiar with and learned in international law, in constitutional law, in the history of his times and of his country, at any moment and on any emergency he was ready to come to the front, and there courageously and ably contend for what he believed the best interests of his country.

He was an able lawyer; not in my opinion that he always appeared the best equipped and prepared on a given occasion, but he was full of his profession and of its learning, and was ever ready to communicate instruction or enter the arena. He was eminently a ready man.

He was a patriot, with whom the love and the duty he owed his country was paramount to any allegiance he owed to a party. You and I, sir, have seen him push away the demands of party that he might better meet the demands of his country, as readily as he would wipe the moisture from his brow.

But I do not stand here to delineate his excellencies. They were impressed upon and realized by us much more readily than they can be depicted. But if I was called upon to state the marked moral characteristics of Mr. Johnson, I should say that they were courage and generosity, — two attributes that always command the admiration of mankind. We know that with the ancients courage was the acme of the virtues. Christianity has inculcated the virtue of meekness, and modified our views of what constitutes true courage; but it has not detracted from it, for all of us know that that Being who had the most of meekness had also the most of

courage, and we do not at this day remove that virtue from the high niche it held in the days of the Cæsars.

Mr. President, last Sunday morning I saw in the city of Baltimore the avenues leading from Mr. Johnson's dwelling to his tomb lined with citizens, that, as his funeral car passed, they might manifest the high respect and regard they felt for one they so well knew. A friend with whom I was riding then pointed me to the site of the dwelling formerly occupied by Mr. Johnson, which years ago was demolished by the excited violence of the populace. He had faced the storm of popular prejudice, and had calmly and resolutely waited until public opinion came to do him homage. He had the courage to stand and wait.

But it was his generosity that made him friends. He delighted in words and acts of kindness, and he withheld his sympathy from no one in trouble. There are men in this world who are respectable, honest, circum-spect, but from whom we instinctively turn away, because we feel that they love themselves supremely, and care for no one else. But to the whole-souled, the genial, the generous man, we open wide the portals of our hearts. This is the tribute the world pays to that disinterestedness which is the crowning virtue of our holy religion. No man lives to himself; he certainly did not live to himself. No man dies to himself; he did not, for there is in his life and character much that we may all properly imitate, and thus perpetuate.

REMARKS OF MR. GEORGE TICKNOR CURTIS.

Mr. CHAIRMAN: I cannot allow this occasion to pass without adding my feeble tribute to what has been said concerning Mr. Johnson. I knew him well more than twenty years ago. It is about that period since it happened to me to take some part in the discussion at this Bar of that great cause which so much agitated the country, and the decision of which has so much affected its present and its future. Mr. Johnson shared the opinion that the welfare of the country required that the Supreme Court of the United States should arrive at the decision, which it reached by a majority, in the well-known Dred Scott case. It was his forcible presentation of the Southern view of our Constitution in respect to the relations of Slavery to the Territories and of the Territories to Slavery, that contributed more than any thing else to bring about the decision that was made in that cause. I believe that he held those opinions with entire sincerity; at any rate, he enforced them with great power. Those who were opposed to him (and I happened to be one of them) felt the force of his arguments, and foresaw what their effect would be upon a majority of the court. The judgment of the country very speedily may be said to have reversed that decision; but in my opinion it becomes us all, in the view that we may take of this great man's efforts, and of the sincerity with which he held and enforced his opinions upon constitutional questions, to recognize the patriotism that lay at the bottom of the whole effort that he made on that occasion, and to give it its just due.

Mr. Chairman, in listening to the beautiful remarks with which you opened this meeting, I was struck by your reference to the sudden death of Mr. Johnson. I happened quite recently to have seen a couple of verses written by one who, in middle life, had reason to anticipate, and who met with, a sudden death:—

“While others’ set, thy sun shall fall;
Night without eve shall close on thee;
And He who made, with sudden call,
Shall bid, and thou shalt cease to be.

“So whispers Nature, whispers Sorrow,
And I could greet the things they say,
But for the thought of those whose morrow
Hangs trembling on my little day.”

But, sir, in the case of a man so aged as Mr. Johnson, of a man whose fame was gathered and full, who had no occasion to look back over a long life, save with gratitude for the mercies and distinctions by which it had been marked, sudden death comes not as a calamity, but may be welcomed as a blessing.

REMARKS OF MR. E. N. DICKERSON.

Twenty years ago, Mr. Chairman, in the argument of an important cause before Judge McLean, four lawyers, from remote parts of the country, met at Cincinnati, of whom one was unknown, and two but little known; but three of those four men were destined to occupy exalted places in our nation’s stormy history. They were Mr. Lincoln, Mr. Stanton, Mr. Johnson, and myself. At that time Mr. Lincoln had not been heard of very far beyond the limits of his native State; Mr. Stanton was practising law in Ohio; and Mr. Johnson was in the maturity of his strength, and with a reputation secured and safe. Three of those men have passed away. Mr. Lincoln lives in history, and in the hearts of his countrymen, as a statesman whose political sagacity was only excelled by his philanthropy, and whose philanthropy was the embodiment of the Golden Rule. Mr. Stanton is remembered and admired as the vigorous administrator, whose iron will braced up the tender and yielding heart of the beloved President in the trying hours of the nation’s struggle for existence; and now Mr. Johnson, last of all, leaves to us the reputation of a profound jurist, a wise legislator, and a noble, generous-hearted friend. When we contemplate the characters and virtues of these three distinguished men, it is to us, as Americans, a proud satisfaction that we need not look beyond that trio,—that we need not open the pages of history, nor search beyond the confines of our own country, for examples worthy of imitation and sufficient for our guidance, whether we are statesmen, or administrators, or lawyers; for I believe that in these three can be found the very excellence of those qualities which have distinguished the great rulers of men throughout all time.

Since that long-past encounter, in which these three dissimilar great men met in friendly strife, Mr. Johnson’s fame has steadily increased and

widened, until to-day it fills the whole country, and is cherished wherever men rely upon law for safety and protection.

With feelings of the most profound regret, softened by recollections of many years of agreeable personal associations with this great man, I have risen to add my tribute of respect for his memory, and to recall the incident I have mentioned, that it may suggest at once those three departed friends as examples for our admiration and our guidance, whether we would climb ambition's paths or labor where Mr. Johnson earned his great reward.

REMARKS OF MR. J. RANDOLPH TUCKER.

Mr. CHAIRMAN: It would not be proper that this meeting should pass away without Virginia adding the tribute of her admiration to the great lawyer of her sister State, Maryland. It was my pleasure, sir, to know Mr. Johnson but a very brief period while I lived temporarily in the city of Baltimore, several years ago. I can bear testimony to that generosity of disposition of which gentlemen have spoken, and which then manifested itself to me, a stranger and a younger member of the profession; and while I can unite in the tribute which has been paid to him as a great constitutional lawyer, and an eminent lawyer in other branches of jurisprudence, it is a peculiar pleasure to me to testify to the warmth of the friendship which he showed towards me at that time and ever since.

To any man who looks upon the law as the necessary companion of all progress, he who for nearly threescore years has stood as an advocate at the American Bar in the maintenance of constitutional principles and in the development of every other department of jurisprudence, must occupy a most important position in the advancement of our race. And although a man who is merely at the Bar and has never been elevated to the Bench may not go down to future times with the fame and the distinction which attaches to that more distinguished position, yet, like the stones in a great edifice which are not seen, he may still be as important to the strength of its structure and to the beauty of its outward appearance. And it is a consolation to those of us who occupy a more humble position in the ranks of the profession, that while we may not be known in the future, we may at least feel that we have played our part, a very humble one it may be, but still a valuable part, in the promotion of liberty and civilization.

I felt, sir, that it was due from me, as a Virginian, that I should say thus much in testimony of the great and eminent character of Mr. Johnson.

REMARKS OF MR. HENRY S. FOOTE.

Mr. CHAIRMAN: After so much has been said on the interesting subject which has drawn us together in the presence of so large a number of the learned and distinguished members of the bar of the Supreme Court of the United States, I know it would be unbecoming for me, deeply as I feel interested in the proceedings now in progress, to do more than offer a few brief suggestions.

I had the honor of knowing Mr. Johnson for more than thirty years. In the winter of 1847-48 there was a banquet given in this city in honor of certain distinguished commanders of the American army, just returned from Mexico. At that banquet Mr. Johnson was present, and I for the first time heard him speak. A more patriotic and eloquent production I never listened to, nor one that was more universally admired and commended; for on that occasion he rose above his party for the purpose of maintaining the vital interests of his country.

A few weeks thereafter I heard for the first time an elaborate speech from the lips of Mr. Johnson in this hall, then, as you well know, occupied by the Senate of the United States. As a member of that body, he spoke for two days upon the great questions then at issue in the country, in a manner that commanded the respect, the sympathy, and the intense admiration of all who listened to his remarks, not only by reason of the extraordinary ability displayed by him, but on account of those noble attributes which he exhibited so resplendently on that occasion,—his ardent patriotism, his manly independence, his high moral courage.

I may be permitted to extend my remarks for a few minutes only, whilst I state the deliberate opinion which I formed of Mr. Johnson at that time, and which I have ever entertained up to the present moment. And by way of illustration, Mr. Chairman, of what I have already said, and of what has fallen from the lips of others as to his extraordinary merits, I may mention a rather curious historical fact: When General Taylor was elected to the presidency of the Union, the programme of his cabinet was made known a day or two before the inauguration occurred. In that programme Mr. Johnson's name was not mentioned, but it was made known to some who were then members of the Senate, that if it should so happen that a bill which had passed the House of Representatives for the establishment of the Department of the Interior, and which had thus far failed to pass the Senate, should, upon a motion for reconsideration, be taken up and passed, General Taylor would take delight in adding Mr. Johnson to his cabinet as attorney-general. It did so happen that the individual now addressing you, with his associate in the body of that period, admiring Mr. Johnson very highly, having but slight objections to the bill for the establishment of the Department of the Interior, but objections sufficiently strong to have induced us to vote against the bill originally, determined upon that information to change our votes. We did change our votes; and by that change was the Department of the Interior established and the way made open for Reverdy Johnson to become Attorney-General of the United States, an office to which he lent such extraordinary dignity during the period that he held it.

I have said that for nearly thirty years of his splendid and useful public life he was known to me more or less familiarly. I first saw him, as I have said, some thirty years ago, and it was my fortune to behold him when acting amidst various scenes here of high responsibility, in which all the attributes almost that can possibly be imagined as dignifying humanity

were put to a thorough test. Nor ever was he found wanting. His learning, his high powers as a reasoner, his acknowledged skill as an advocate, his remarkable moral courage, which has been so happily remarked upon, his freedom from all party or sectional bias, his noble fidelity in friendship, his kindness in social intercourse, — these qualities have given to Reverdy Johnson, him whose sudden death we all so deeply deplore, and which has embalmed him in the affectionate recollection of his countrymen of all parties; these qualities, which it will never be in the power of detraction to enfeeble, or even of time itself altogether to obliterate, I need not dwell upon. They constitute a splendid portion of the history of this Republic. No words which I could use, especially after what has been said on this occasion, could add to the splendor of his fame or give full expression to the sense of national bereavement which at this moment everywhere is manifesting itself. In the unhappy days upon which we have now fallen, the disappearance from the public arena of one so gifted, so pure, so magnanimous, so free from petty jealousies of every kind, from low and over-selfish schemes for the acquisition of illicit gain or for the attainment of official station, may be well looked upon, in my judgment, as one of the severest national calamities which have of late fallen upon the American people. May we, who are now present, long continue to cherish the recollection of the virtues, and be vigilant and assiduous in avoiding those vices, which Reverdy Johnson, while living, is known ever to have held in unmeasured contempt and detestation.

REMARKS OF MR. J. A. GARFIELD.

MR. CHAIRMAN: The career of Mr. Johnson affords a new and striking illustration of the fact that the profession of the American lawyer is becoming a much more prominent element in our national life and thought than at any other period in our history. In the remarks to which we have just listened, far more emphasis has been laid on Mr. Johnson's career as a lawyer than upon all else he achieved, however conspicuous and valuable to the nation.

Very recently we have seen the public sympathy profoundly aroused for the personal safety of an eminent citizen, who, I believe, has never held any public office, but who has won a foremost place in the affections of the nation, by worthily and honestly discharging the high duties of an American lawyer. The announcement that he was about to die awakened the deepest and tenderest solicitude in millions of American hearts. The daily bulletins that told us of his slowly returning health, and gave hopes of his complete recovery, were read by the American people with a gratification as sincere and as universal as though he had held the highest official station.

In the career of Reverdy Johnson we see united the eminent citizen, the public servant, and the great lawyer. But great as was his fame as Attorney-General, as Senator of the United States, as Minister to England, greatest of all was his fame as citizen and lawyer.

In all his service in official position, a part of his honor may be said to have been conferred upon him by his country. His fame as a citizen and a lawyer was all his own.

Perhaps there is no severer test of the stuff of which a man is made, than that he shall try conclusions with the men who meet in this great tribunal, — this court, against which, we may say with truth and gratitude, the waves of popular passion and political strife have dashed in vain. Within this sacred circle Truth, Law, Justice, the rights of citizens, and the superintending power of our Constitution, are the great factors; and in this forum our departed friend found his chief eminence, his greatest honor. To me, the most impressive lesson of his life is this, — that, more than any man we have known, Mr. Johnson has illustrated the truth that the highest human symbol of omnipotence is to be found in the power of unremitting, hard work. His monument was builded by his own hands. He made his fortune and his fame by powerful, continuous, earnest, honest work.

During the fourteen years of my acquaintance with Mr. Johnson, I never looked upon his face without feeling that he was a Roman of the elder days, — the very embodiment of rugged force and of that high culture which comes from continuous, persistent work.

If these are not the elements of genius, they are the best possible substitutes for it.

To the younger members of the profession no better path to success can be pointed out than the high and rugged one by which he ascended to that proud eminence where there is always recognition and room.

In this forum, I cannot doubt his memory will be for ever cherished, by Bench and Bar alike, as a noble embodiment of honor, of virtue, of power.

The resolutions were agreed to unanimously; and thereupon, on motion of Mr. PHILLIPS, the meeting adjourned.

On the 23d of February, Mr. ATTORNEY-GENERAL PIERRE-PONT addressed the court as follows: —

MAY IT PLEASE YOUR HONORS, — When an eminent citizen of the Republic, whose eminence has been achieved by an honorable career in the public service, in professional life, or in the less conspicuous but not less useful walks of private benevolence, dies, it is fit that some public notice be taken of the event, and that some permanent record be made to encourage and inspire those who are to come after us.

Reverdy Johnson, who recently departed, full of years and of honors, was, during a long period, one of the most eminent lawyers of this country, and one of the very foremost counsellors of this high court. He held with distinguished ability and honor, respectively, the great offices of Minister to England, Senator, and Attorney-General of the United States. He has

left a fame and an honored memory of which his descendants and his country may be justly proud.

The Bar of the Supreme Court met to do honor to his name, and passed resolutions which I now present, and which I ask this Honorable Court to receive as a tribute to the memory of a great lawyer and an eminent public man, and to order them to be entered in its permanent records.

Mr. CHIEF JUSTICE WAITE responded as follows :—

The court gives its ready assent to the sentiments so well expressed in the resolutions of the Bar. Mr. Johnson was admitted to practise here on the first day of March, 1824. The first case in which he appeared as counsel was that of *Brown v. The State of Maryland*, argued and decided at the January Term, 1827. Associated with him was the late Chief Justice Taney, and, opposed, were Mr. Wirt, then the Attorney-General, and Mr. Meredith,—all names familiar in history. The opinion was delivered by Chief Justice Marshall, and it stands to-day as a monument marking the boundary line between the powers of the United States under the Constitution, on the one hand, and those of the States on the other.

From the commencement of his practice here until his death, Mr. Johnson was extensively employed, with scarcely an interruption, in the most important causes. He was always welcome as an advocate, for he was always instructive. His friendship for the court was open, cordial, sincere. We mourn his loss both as counsellor and friend.

The request of the Bar is cheerfully acceded to. The resolutions are received in the same spirit they have been presented, and the clerk will cause them to be entered upon the records of the court.