

**CHIEF JUSTICE WAITE, BORN
NOVEMBER 29, 1816, DIED MARCH
23, 1888: MEMORIAL BEFORE THE
ASSOCIATION OF THE BAR OF THE
CITY OF NEW YORK**

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Chief Justice Waite, Born November 29, 1816, Died March 23, 1888: Memorial before the association of the bar of the city of New York by Various

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As per Mrs.
M. R. Wente

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CHIEF-JUSTICE WAITE

BORN NOVEMBER 29, 1816

DIED MARCH 23, 1888

MEMORIAL BEFORE THE ASSOCIATION OF THE BAR
OF THE CITY OF NEW-YORK

PROCEEDINGS AT THE MEETING OF THE BAR OF THE
CITY OF NEW-YORK, HELD MARCH 31, 1888

PRINTED FOR THE ASSOCIATION
1890

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CONTENTS.

	PAGE.
MEMORIAL BY MR. BEAMAN	5
ADDRESSES AT BAR MEETING BY	
MR. WALKER	9
MR. CHOATE	11
MR. HOADLY	16
MR. DILLON	19
MR. BUTLER	22
MR. COUDERT	26
MR. BEAMAN	28
MR. PEABODY	31
MR. PARKER	34
MR. BENEDICT	35
JUDGE WALLACE	35
MR. HAND	36
THE RESOLUTIONS	11
MORITURUS SALUTO	
MR. CONKLING	37

AT a meeting of the Executive Committee of the Association of the Bar of the City of New-York, held November 8, 1889, Mr. Charles C. Beaman having read to the Committee the Memorial which at its request he had prepared of the late Chief-Justice Waite, and having at the same time handed to the Committee a revised report of the proceedings of a meeting of the Bar of the City of New-York, held at the United States Circuit Court Rooms on the 31st of March, 1888, and which had not been printed, the Committee, on motion of Mr. Francis L. Stetson, resolved that Mr. Beaman be asked to prepare for publication the Memorial read by him and also the proceedings of the meeting of the Bar, and that two thousand copies thereof, with a suitable portrait of Chief-Justice Waite, be printed by the Association, and that a copy be presented by him in its behalf to the Supreme Court of the United States.



MEMORIAL BY MR. BEAMAN.

MORRISON RENWICK WAITE was born at Lyme, Connecticut, November 29, 1816, was graduated at Yale College in 1837, was admitted to the Bar in Ohio in 1839, and continued to practice law at Toledo until 1874, when, at the age of fifty-eight, he became Chief-Justice of the Supreme Court of the United States. He took the oath as Chief-Justice on the 4th of March, 1874, and sat in Court for the last time on March 19, 1888. He died of pneumonia four days later at his home in Washington.

While Mr. Waite was in college his father, Henry Matson Waite, was one of the Judges of the Supreme Court of Connecticut, and afterwards became its Chief-Justice.

In Ohio Mr. Waite from the beginning found abundant opportunities as a lawyer. He was actively employed in consultation and before judges and juries. In political association he was first a Whig and afterwards a Republican. He was a member of the State Legislature. He declined to be appointed Judge of the Supreme Court of Ohio. He failed of election as Member of Congress. In 1871 he was appointed by President Grant one of the counsel to represent the United States before the tribunal at Geneva, for the settlement of the so-called Alabama claims, and for the next year he did his full share of the work, and should receive his full share of the credit for the favorable award received by the United States from that tribunal. Mr. Waite then returned to his office and practice at Toledo. He was soon chosen a member of the Con-

stitutional Convention of the State of Ohio, and while presiding over that Convention as its President, he, on the 6th of November, 1873, learned that he had been nominated by President Grant as Chief-Justice of the Supreme Court of the United States. His nomination was confirmed by a large favorable vote, and he received his commission on the 21st of January, 1874.

His selection as counsel at Geneva and his nomination as Chief-Justice each came to him unsought. The offices had sought the man. Esteemed by his fellow-citizens, trusted by his clients, he was in Ohio well known, and especially was he well known to lawyers there, and to many lawyers elsewhere who had been glad to avail themselves of his professional services.

He took his seat as Chief-Justice on March 4, 1874, and had never until then appeared before that Court, except when on his return from Geneva he had been admitted to practice on motion of Mr. Cushing, one of his associates.

The first opinion of Mr. Waite is reported in 19 Wallace, page 490, and it happened that in that case, Mr. Fuller, now Chief-Justice, was of counsel. For the next fourteen years Mr. Waite was never absent from the sessions of that Court, except during his sickness in 1885. By nature and by inheritance he was well adapted to preside over the Court, both in its sessions and in its conferences. No counsel ever received from him an undeserved reproof, and many a young attorney can testify to his encouraging attention and words.

Mr. Waite had had an extensive and general practice; he had the kindest nature; he was welcomed by the Court.

In his remarks to the Court after the death of Justice Clifford, in 1881 (104 United States, page xviii.), he recalls and makes record of the cordial and affectionate greeting given him by Mr. Clifford, then the Senior Associate Justice, who for months after the death of Chief-Justice Chase had presided over the Court.

Fourteen years after this kindly greeting from Justice Clifford, Justice Miller, who, since 1862, has been a member of the Court, pays his tribute to Chief-Justice Waite, then deceased, in these words:

"The oldest members of this Court know of no one who was better fitted to discharge the administrative duties of the office of its Chief-Justice, or whoever did so with more acceptability to his associates and to the public at large."