

In Memoriam

HONORABLE LOUIS WESCOTT MYERS

Judge of the Superior Court of Los Angeles County, 1913-1923; Associate Justice of the Supreme Court of the State of California, 1923-1924; Chief Justice of the Supreme Court of the State of California, 1924-1925.

HONORABLE JESSE W. CURTIS

Judge of the Superior Court of San Bernardino County, 1915-1923; Justice, District Court of Appeal, Second Appellate District, Division One, 1923-1926; Associate Justice of the Supreme Court of California, 1926-1944.

The Supreme Court of California met in bank in its courtroom, State Building, Los Angeles, at 10 a. m., pursuant to recess of yesterday. Present: Chief Justice Gibson, presiding; Associate Justices Traynor, Schauer, McComb, Peters, White, Dooling; Sullivan, clerk; Joanne Jacobs, acting reporter; Bushong, bailiff.

CHIEF JUSTICE GIBSON: We desire this morning to pay tribute to the memory of two former members of this court, Chief Justice Louis W. Myers and Associate Justice Jesse W. Curtis.

CHIEF JUSTICE GIBSON: We have asked the Honorable Frederick F. Houser, Judge of the Superior Court of Los Angeles County, to present the memorial to Justice Jesse W. Curtis. Judge Houser:

JUDGE HOUSER: Mr. Chief Justice, Associate Justices, Ladies and Gentlemen. My memory of Justice Jesse W. Curtis goes back a good many years—nearly 38 to be more exact. I was a freshman at the University of California at Los Angeles. My father had been elected in the summer of 1922, as a Justice of the District Court of Appeal and then, on March 26, 1923, Jesse W. Curtis was appointed by Governor Friend W. Richardson to the same division of the same court, where he served with Presiding Justice Nathaniel P. Conrey and with my father, both of whom later became his associates and close friends on the Supreme Court. Mr. Justice Curtis was appointed to the highest court in the state on January 1, 1926, to fill the vacancy caused by the appointment of William H. Waste, on the same day, as Chief Justice. It is noteworthy that Jesse W. Curtis, a lifelong Democrat, was appointed to each of these high courts by a Republican Governor, who knew his worth.

Jesse W. Curtis was born on July 18, 1865, in the then frontier town of San Bernardino, and he left this earthly life, again in San Bernardino, for what I am sure will be even greater service elsewhere, on October 5, 1960, at the age of 95. He had retired from the Supreme Court on January 1, 1945, at the age of 79, after having served for 19 years with great distinction and, upon retirement, he took with him the love and esteem of his fellow Justices and of literally thousands of lawyers and judges throughout all of California.

In 1864 the parents of Mr. Justice Curtis, William Jesse and Frances Sophia Curtis, traveled the pioneer trail from Iowa to California as members of the historical group known as the "Pella Company," the survivors settling in San Bernardino and, about one year later, their second son, Jesse William Curtis, was born. The father, William Jesse Curtis, first became a teacher, then studied law and was admitted to the Bar. He was associated for many years with other prominent lawyers in San Bernardino and carried on the law tradition of the family. Coming from pre-revolutionary stock and born into a family of lawyers and lawmakers, Justice Curtis became the fourth generation member to follow a legal career. His grandfather, I. C. Curtis, was a lawyer and a member of the Indiana Legislature, and his great grandfather on his mother's side,

Jesse L. Holman, wrote the first decision ever handed down by the Indiana Supreme Court.

Justice Curtis became a member of the first class to go completely through the then infant University of Southern California, from which he graduated in 1887. Two of his proudest achievements came through his association with this university. He was its oldest living alumnus and, in 1934, during his years on the Supreme Court bench, he was awarded the University's Asa Call achievement trophy, given annually to the alumnus who has brought the greatest honor to his alma mater.

Justice Curtis completed his legal education in 1891 at the University of Michigan and returned to San Bernardino to start his legal career with his father, in the firm of Curtis, Oster & Curtis.

He was District Attorney of San Bernardino County from 1899 to 1903, returning then to private practice until 1915, when he was elected to the Superior Court bench, a post he held until 1923 when he was appointed, as heretofore stated, to the District Court of Appeal.

The scholarly jurist possessed a quickness of wit equal to the knowledge which made him one of California's outstanding legal authorities. He frequently was called upon for comment, especially at gatherings of his beloved legal profession.

One of these times was when his son, Jesse W. Curtis, Jr., was sworn in after his appointment to the superior court bench in 1953.

In the crowded courtroom, the elderly dean of jurists advised his son on certain problems he would face as a judge. Obviously recalling some hours of boredom he had spent presiding, while some attorneys had argued over some dull cases, Justice Curtis advised: "You'll have to learn to sleep with your eyes open." And again, commenting on the cases which attorneys submit for decision on briefs, the Justice said: "Be sure you read them. You'd be surprised what you can learn."

Upon his retirement from the Supreme Court, Justice Curtis returned to San Bernardino and entered a law partnership with his son, who had graduated from Harvard Law School in 1931, was a fifth generation lawyer, and had become a leading member of the State Bar.

Honorary law degrees were conferred upon Justice Curtis by three universities, University of Southern California, Southwestern University, and the University of Redlands of which he was a trustee.

Quoting from Justice John W. Shenk, who served with Justice Curtis during all of the 19 years spent by him on the Supreme Court:

“His service as a judge of the reviewing courts has put him in a conspicuous place as one of California’s outstanding jurists. By his one hundred opinions in the District Court of Appeal during the nearly three years of work on that court, and seven hundred seventy-seven opinions in the Supreme Court, he has made a valuable contribution to the body of the law in this state. The opinions are record evidence of clear thinking and sound judgment. His labors were characterized by thoroughness and an intelligent understanding of the legal principles involved. A never failing honesty of purpose and natural good sense charted his course in all of his undertakings. . . .”

No finer tribute could be paid to any jurist.

No one who has been close to Jesse William Curtis in his official or personal relationships can have failed to be touched by the warmth of his friendliness. Always a gentleman, courteous, considerate and generous.

His life was blessed by his marriage on June 23, 1892, to Ida L. Seymour, the daughter of E. C. Seymour, who represented San Bernardino and Orange Counties in the State Senate. Justice and Mrs. Curtis observed their 67th wedding anniversary in 1959, and then on February 16, 1960, his beloved wife died. He did not long survive her.

The Justice is survived by three children, Mrs. Harris M. Chadwell (Margaret Curtis) of Rancho Santa Fe, Mrs. Helen Curtis Shepardson of San Bernardino, and Superior Court Judge Jesse William Curtis, Jr., also of San Bernardino. There are eight grandchildren and six great grandchildren.

To all of the members of the family, in behalf of all of us, I wish to express our most sincere and deepest sympathy for the loss of a dearly beloved mother and father in the one year of 1960.

Across the face of the Courts and Library Building in Sacramento, these words are carved deep:

“Bring me men to match my mountains.”

Such a man was Jesse William Curtis.

CHIEF JUSTICE GIBSON: Some of us had the good fortune to be associated with Justice Curtis as a member of this court and all of us knew and admired him. He was a good lawyer, an able judge and a lovable man. We join in the tribute paid to him by Judge Houser.

It is ordered that these memorials be spread in full upon the minutes of this court and published in the official reports.