

In Memoriam.

At a Special Session of the Supreme Court held on February 6, 1928, the following proceedings were had in honor of the memory of the late Justices William P. Lawlor, Thomas J. Lennon, and Jeremiah F. Sullivan.

At the opening of the court in bank Mr. Chief Justice Waste stated that the session had been called at the request of the Bar Association of San Francisco, and asked Mr. Henry E. Monroe, president of the Association, to state the purpose of the session. Mr. Monroe said:

If the court please, as has been stated, the court has convened to-day and we are here for the purpose of paying some slight tribute to the memory of three distinguished members of this bench and of the bar—Mr. Justice William P. Lawlor, Mr. Justice Thomas J. Lennon, and Mr. Justice Jeremiah F. Sullivan.

At a time like this we feel the inadequacy of words to take the place of the genial smile and the warm pressure of the hand that establishes the bond and communion between kindred souls. I sometimes think of the tragedy of it all and the human heart's yearning for sympathy and for the words of appreciation which we either meagerly give or withhold altogether. But while these things should better have been said in life, it is pleasing to think that perhaps our friends in the "over there" know what is said and what we feel in the "over here" to-day.

Committees have been appointed to prepare proper resolutions and memorials. There has been one gentleman placed upon those committees who is not a member of the bar, but who it seems, should most properly be there, on account of his long and intimate association and friendship, almost filial devotion, to Mr. Justice Lawlor, Mr. Andrew Y. Wood, and the committee has asked that its report be presented by Mr. Wood.

The reports of the other committees will be presented, that of Mr. Justice Lennon by Mr. William M. Abbott, and for Mr. Justice Sullivan by Mr. Randolph V. Whiting, and Mr. O. K. Cushing will speak for the State Bar.

Hon. William Patrick Lawlor,**ASSOCIATE JUSTICE OF THE SUPREME COURT OF THE STATE OF
CALIFORNIA, 1915-1926.**

In presenting the memorial to Mr. Justice Lawlor Mr. Wood, on behalf of the committee of the Bar Association of San Francisco, composed of Charles A. Shurtleff, Max C. Sloss, Warren Olney, Jr., William M. Abbott and Andrew Y. Wood, said:

It is not often given to one not of the elect to speak before this honorable tribunal, and I am duly appreciative of the privilege accorded me of speaking in this presence in behalf of the memory of the man whose life and achievements we are commemorating.

To the Supreme Court of California in its history have come many men of high character and learning, but none has held a higher ideal of justice nor exhibited a stronger devotion to duty than did William Patrick Lawlor during his long and eminent career upon the trial and appellate bench of the State of California.

Born in the City of New York, September 17, 1854, the son of Patrick and Eliza (Maher) Lawlor, he was at the age of ten years, thru the death of his parents, thrown upon his own resources. Such schooling as he received was in the parochial and public schools and was of about three years' duration.

His early life was one of meager opportunity and heroic effort. Following the death of his parents he worked as a bobbin boy in the cotton and silk mills of Paterson, New Jersey, where he learned to appreciate the difficulties of the under dog, something that thruout his life he never forgot.

While working long hours in the Paterson mills he attended night school. His character at that time is evidenced by the fact that he was one of a group of boys that pledged themselves never to smoke or drink intoxicants—a pledge that he kept thruout his life.

In 1877 young Lawlor came to California, and for several years worked in the quicksilver mines in the vicinity of Napa, rising by his own efforts to the position of mine superintendent. Coming to San Francisco, he was, during 1885-87, enrolled in Hastings College of the Law as a student. During this period he worked as a clerk in the law office of Rhodes and Barstow.

He engaged in newspaper work, being connected with the "San Francisco Examiner" in various capacities. Later he was associated with the law offices of the late Dennis Spencer. He interested himself deeply in the political activities of the Democratic party, with which he was affiliated thruout his career.

On December 16, 1898, he was appointed by Governor James H. Budd to be judge of the Superior Court of the City and County of San Francisco to succeed Rhodes Borden, who had died. From that date until his death, on July 25, 1926, a period of twenty-eight years, Judge Lawlor was upon the bench.

Judge Lawlor brought to his work a deep sympathy, a thoro knowledge of human nature and a strong feeling for justice. Presiding thruout his career on the Superior Court in a criminal court, he was greatly concerned with the welfare of those who appeared before him. He was one of the early advocates of adult probation, and used his powers in that direction to give men who had taken their first misstep an opportunity to redeem themselves. To the habitual criminal he was a stern judge, meting out severe punishment as occasion required.

During the troublous times following the conflagration of 1906, when city officials and others conspired to defraud the city and debauch its government, Judge Lawlor was called upon to try a number of the offenders. Despite vilification and threats, bitter assaults and taunting insults, he stood fast and administered justice with impartiality and dignity, earning the respect and esteem of the public.

In November, 1914, Judge Lawlor was elected a Justice of the Supreme Court, taking office on January 3, 1915. He devoted himself to his arduous duties with the same zeal and diligence that he had manifested while on the trial bench, with the result that he suffered a severe breakdown which left him with impaired health. Despite his

weakened physical condition Justice Lawlor continued to devote himself assiduously to the work before him, and the light in his chambers often served as a beacon to wayfarers who crossed the Civic Center in the night hours.

Judge Lawlor was ever interested in civic affairs. He took a deep interest in politics. He was one of the founders of the Commonwealth Club, serving as temporary President in 1903.

Romance came to Judge Lawlor late in life. Regarded by his colleagues and club fellows as a confirmed bachelor, he astonished his associates by slipping away to San Diego, where, on November 5, 1913, he was married to Miss Mary Lee Henry. This marriage was the happy culmination of an acquaintanceship that began some twelve years before.

Judge Lawlor will be remembered for his sterling integrity, his fearless courage, his deep human sympathy, his learning in the law and his remarkable diligence. He was ever the student, and had a warm place in his heart for students. The young men who were attending Hastings College of the Law during Justice Lawlor's lifetime have occasion to remember him as a kindly friend.

In the last analysis of the life of a man the thing to be considered is the purpose to which that life was devoted. Justice Lawlor devoted his life to the continuous pursuit of knowledge, to the service of the people, to that highest of all things, the doing of justice. His successful pursuit of the goal to which he directed his efforts mark him as a man of high purpose, splendid character and fearless execution of the tasks that fell to his lot to perform. His memory is most worthy of commemoration at the hands of this tribunal, of which he was a distinguished member for so many years.

Mr. Justice Lawlor possessed all the great attributes of the jurist—learning, integrity, sincerity, patience, courage. By the death of Mr. Justice Lawlor the people of California lost a fearless, honest and faithful judge, a high-minded citizen and a Christian gentleman.

Mr. Chief Justice Waste stated that Mr. Justice Seawell would respond on behalf of the court to the memorial to the late Mr. Justice Lawlor.

Response by Mr. Justice Seawell.

The testimonials presented by the committees which have just reported, impressively commemorate the life-work of the three latest members of this court closed by command of the Author of our being, Who writes as a finis to every grant of life a decree of death.

This court has assigned to three of its members, respectively, by reason of his long and intimate acquaintance with the deceased member of whom he shall speak, the duty of pronouncing a merited tribute.

In the order of time, the first to depart of the three former Associate Justices whose obsequies we have met to solemnize, was William P. Lawlor. Both time and occasion forbid that I should assume the office of biographer and, step by step, trace the remarkable rise of this remarkable man from a most humble station to the highest office of judicial honor and power that an American State can confer upon citizenship.

The late Justice William P. Lawlor was denied by death at a very early period of his childhood the paternal care and protection that an unbroken hearthstone ordinarily vouchsafes youth. The members of his father's family, torn apart by the relentless hand of necessity, went their several ways, and he, at the age of twelve years, was placed in the home of an uncle. An uninviting factory room situate in a congested manufacturing quarter of a New Jersey city was a mean substitute for the American schoolroom. Indentured as an apprentice to a mill operator in the earlier days of our industrial development, he experienced all of the discouraging hardships that a system which was but a little better than industrial slavery imposed upon bonded apprenticeship. Unbroken in spirit, and strong in the faith that patience, industry and probity must ultimately triumph over adversity, and buoyant with hope born of high aspirations, he plodded on and on till in the fullness of time he harkened unto the call of the West and removed from an overcrowded area of the nation into the broad and expansive West and here began life under more favorable and hopeful conditions. Encouraged by new opportunities he looked not once backward, but constantly forward to the unfolding of a new future. The story of his life in the city of San Francisco is interlaced with the rapidly chang-

ing events which had during the half century of his residence here attended the development and growth of this city.

Endowed with a fine sense of natural justice, it would have been strange had he not become interested in the administration of the law. Just and impartial administration of the law found in him an earnest and able advocate. In his young manhood he began and pursued the study of the law as he had pursued a system of self-education, without teacher or tutor. By habit of study, aided by a comprehensive knowledge of the purpose, motives and tendencies that sway, impel and attract men, he early became a recognized authority in criminal law. He was not only an untiring student of the law, but also of the best American and English authors, and his opinions, thorough and painstakingly prepared, compare favorably in elegance of diction with those written by jurists who received their training in the classics at the feet of the masters.

Judge Lawlor was a man with pleasing and graceful personality and he moved with dignity and courtliness of bearing which well became his nobility of character.

In the administration of the criminal law there were some who thought him stern and severe. If there be seeming justification for such criticism it is wholly explicable in view of his conviction that the certainty of punishment for violation of law afforded the strongest deterrent against temptation to commit crime. Judge Lawlor was by nature sympathetic, considerate, kind and gentle, and did very much to relieve distress, as multitudes of the unfortunate of this city who have been cheered by his benevolences year after year can testify.

His life abounded in human interest. Its story may well be oft told, that the charm of a beautiful life may be transmitted to the youth of this State as an exemplar after which they may well fashion and pattern their lives, for he rose from an humble station, unaided by wealth or powerful influences, to a high and honorable place in the judiciary of this State, and, departing hence, left behind a memory that abides in the affections of the people of this State, whom he served for almost a third of a century. He left to his good widow and to his generation a record of official service as spotless as a star, a rich heritage to the commonwealth which he long proved.