

In Memoriam

HONORABLE DOUGLAS L. EDMONDS

Judge of the Municipal Court of the City of Los Angeles, 1926-1927; Judge of the Superior Court of Los Angeles County, 1927-1936; Associate Justice of the Supreme Court of the State of California, 1936-1955.

The Supreme Court of California met in bank in its courtroom, State Building, Los Angeles, October 30, 1963. Present: Chief Justice Gibson, presiding; Associate Justices Traynor, Schauer, McComb, Peters and Tobriner, and Presiding Justice Parker Wood, District Court of Appeal, Second Appellate District, Division One, sitting pro tempore. Sullivan, Clerk; Joanne Jacobs and Jack Franke, Acting Reporters; Matteoli, Bailiff.

The proceedings were as follows:

CHIEF JUSTICE GIBSON: Before calling our calendar we would like to pay tribute to the memory of a former justice of this court, Douglas L. Edmonds. In the absence of Justice Peek we have asked Presiding Justice Parker Wood of the Second District Court of Appeal to sit with us this morning. This seems particularly appropriate since Justice Edmonds began his judicial service with Justice Wood on the Los Angeles Municipal Court and later served with him on the Superior Court of this county.

The memorial to Justice Edmonds will be presented by his long time friend and associate, Mr. Edward S. Shattuck of the Los Angeles Bar.

MR. SHATTUCK: Chief Justice Gibson, Associate Justices, may it please the Court:

I am deeply sensitive of the privilege of addressing the Court in memory of Mr. Justice Edmonds. His great capacity for friendship touched upon my life and left its indelible imprint as it did on the lives of so many.

Douglas Lyman Edmonds was born on November 20, 1887, in Chicago, Illinois. He was educated in the public schools of Denver, Colorado, and Redlands, San Diego and Los Angeles, California and the University of Southern California Law School. In order to secure the funds needed to complete his education, he worked while going to school. Many older

graduates of the University of Southern California Law School will recall the Edmonds Tobacco House inside the entrance of the Tajo Building, the upper floors of which housed the U.S.C. Law School.

In 1910, young Douglas Edmonds was admitted to the Bar of California. For sixteen years he engaged in the private practice of the law in Los Angeles, was a leader in his church and took an active interest in civic and political affairs of the State. In 1926 he was appointed to the Municipal Bench of the City of Los Angeles by Governor Friend W. Richardson. Later the same year he was elected to the Superior Court. When he tendered his resignation from the Municipal Court, Governor Richardson prophetically wrote in part: "I want to express my approval of the record that you have made on the Bench and to predict for you a successful career on the higher Courts." For nearly ten years Judge Edmonds was one of the highly respected trial judges of the Los Angeles County Superior Court. While he was sitting on the Superior Court, I was admitted to practice in California and, as with all other young lawyers who appeared before Judge Edmonds, I received kindly and considerate treatment, patient and helpful guidance and friendly encouragement, but not always a favorable ruling.

In 1935 he served by assignment on the District Court of Appeal. On his return to the trial court in 1936 he became the Presiding Judge of the Los Angeles Superior Court. From this post, in September, 1936, Governor Frank F. Merriam appointed him an Associate Justice of the Supreme Court of California. In a period of ten years he had risen from the Municipal Court to this State's highest Court. The Supreme Court Reports from 1936 to 1956, a period of nearly twenty years, embody the multitude of his fine, clear-cut and persuasive opinions on behalf of this Court.

On November 2, 1954, Associate Justice Edmonds was re-elected to the Supreme Court for a term beginning January 1, 1955, and ending January 1, 1967. But Justice Edmonds was anxious again to cross lances with his fellow lawyers as an advocate. He submitted his resignation from the Court effective December 31, 1955. Governor Goodwin J. Knight, in accepting, said, "Your distinguished service certainly merits for you the gratitude of the people of our State for the outstanding work you have rendered for the last twenty-nine years as Judge of the Municipal, Superior, Appellate and Supreme Courts."

During the time Justice Edmonds served on this Court and before, I had been privileged to be one of his close friends. Very often he mentioned that he had loved the work on the Bench and enjoyed the friendship and close working arrangements with his fellow Justices. He took great pride in the fact that the Supreme Court of California had a distinguished record for excellence in its work. To have been an Associate Justice of the Supreme Court of California was the highlight of his colorful career.

While he was still a member of this Court, Justice Edmonds was elected on June 28, 1954, to fill a vacancy on the International Law Commission. The members of the Commission serve without compensation. Typical of Justice Edmonds was his acceptance of this post in a field which appealed to him as a further challenge of his outstanding legal ability. Each of the twenty-one members of the Commission comes from a different country. Justice Edmonds described his status as a member of the Commission in these words: "While I am the only American on the Commission, I do not, as such, represent the United States. I am subject to no direction from the United States. In this group I am an independent jurist operating individually and representing no country."

The Commission's work was to study, summarize and codify existing agreements between nations and make recommendations of the best direction for future understandings among nations. It met three months in the spring of each year in Geneva, Switzerland. Here Justice Edmonds exchanged views with learned men not only in the school of English-American common law, but Roman law, Western European law, the Oriental law and other legal systems. He often described this as "the exciting experience of my life." He plunged into the work of the Commission with his usual vigor and continued enthusiastically to carry forward its work until the expiration of his second term at the end of 1961.

It is well to record here what Justice Edmonds considered so important about this Commission. "You hear people say that international laws and treaties won't work, that they are always being broken, but for every one that's broken, remember that hundreds are in force and are being scrupulously observed each day. I am surprised at the ability of twenty-one different nationals in our group to disagree without being disagreeable and finally to see things from a common standpoint."

When Justice Edmonds retired from the Supreme Court

he became one of my law partners and we changed the name of the firm to Darling, Shattuck & Edmonds. Partners and associates alike were always welcome in his office to discuss with him difficult problems and procedures. His wisdom and his understanding of the law were of immeasurable help to all of us. Shortly before his death on May 10, 1962, he retired as a partner but continued Of Counsel in order to limit his practice to consultation in appellate matters and to have more time for travel and relaxation. But all his life he had thrived on work. So after he became Of Counsel he remained just as much a partner as before, just as interested in everyone in the office, particularly the younger men, and just as willing to give his time and share the monumental store of knowledge that he had accumulated over the years.

The fact that Justice Edmonds had to work hard as a young man to secure his legal education resulted in his often expressed desire to be of assistance to young students of the law. Following World War II, he was largely responsible for rejuvenating and revitalizing the Phi Alpha Delta legal fraternity. In 1948, he was elected Supreme Justice of Phi Alpha Delta. So outstanding was his leadership, resulting in Chapter after Chapter being reestablished throughout the country, that he became the first man in forty years to be re-elected to this post, thus serving as Supreme Justice from 1948 to 1952. Under his stewardship the seventy Chapters and 25,000 alumni of Phi Alpha Delta established as their major extracurricular objective providing legal aid wherever needed. His contribution to his fraternity made him affectionately known in legal circles throughout the country as "Mr. PAD."

The esteem and affection generated by the personality of Justice Edmonds is well illustrated by the fact that all of those young lawyers who had served as his research assistants and their wives annually, at the meetings of the State Bar of California, tendered a dinner to Justice and Mrs. Edmonds which they affectionately dubbed the "Edmonds Alumni Dinner." He never lost contact with these young men. His influence in their lives is evident from the fact that every one of them stands tall in the profession or on the Bench and more than a few have a son named "Douglas."

Justice Edmonds' penetrating interest in young people combined with his sturdy Christian beliefs are revealed by his twenty-three years of service as a Trustee of Principia College of Liberal Arts, his membership in Legion Lex, the law graduate support group of the University of Southern Cali-

ifornia, and his many talks with and addresses to law students throughout the nation.

The honorary degree of Doctor of Laws was conferred upon Justice Edmonds by the University of Southern California in 1944 and Illinois Wesleyan University in 1950.

Justice Edmonds was devoted to the service of his fellowman. He never missed an opportunity to aid in the improvement of the administration of justice. Throughout his career he was active and diligent in the work of the American Bar Association, the International Bar Association, the American Law Institute and the American Judicature Society. In 1955 he served as Chairman of the Section on Judicial Administration of the American Bar Association. In 1956 he became a Fellow of the American Bar Foundation. He served for years on the Board of Directors of the Los Angeles Legal Aid Foundation. In 1948 he was one of a panel, consisting of two Justices from State Supreme Courts, two past Presidents of the American Bar Association and the Chairman of a special American Bar Committee which was charged with the responsibility of reviewing the qualifications of Hearing Examiners in fourteen administrative agencies of the Federal Government. For two years he worked on this panel over weekends and whenever he could escape from his other pressing duties.

Justice Edmonds' unbounded energy and his love of his fellowman led him into myriad activities. He went on trips with the Navy and the Air Force. He took special courses at the University of Southern California and secured a Certificate of Proficiency in Navigation and Nautical Astronomy. He assumed an active role in the work of the Masons, the Scottish Rite and the Shrine. He enjoyed the Cabinet Table, the Press Club and the Rotary Club in San Francisco and the Athletic Club in Los Angeles. He was a member of the Sons of the Revolution. He had friends at every crossroad in California and, for that matter, throughout the United States and in many countries of the world.

On December 16, 1909, Douglas Edmonds married Laura Clare Leinbach. In 1913 he and his wife had their only child, Dorothy, who is now Mrs. George S. Coates. The Coates' presented Justice Edmonds with two very attractive granddaughters, Cynthia Ann Coates, now Mrs. Richard Fry, and Barbara Coates, now a Senior at Westridge School in Pasadena. In 1946 Justice Edmonds' beloved wife, Laura, passed on.

In 1948 Justice Edmonds married Gertrude S. Forsyth. Mrs. Forsyth, a widow, had two sons, Robert Forsyth and

Charles Forsyth. At the time of the marriage the two boys were still in school and Justice Edmonds, in his typical fashion, became a genuine and devoted father to them. Charles graduated in Business Administration and became an executive of I.B.M., while Robert graduated from law school and was admitted to practice in the State of California, being sworn in as a member of the State Bar by Justice Edmonds on July 23, 1953. The two stepsons added a girl and six boys to the growing number of grandchildren—nine in all.

Justice Edmonds was a man who loved his family, loved his children, loved his grandchildren and, in turn, received deep and lasting love from each of them.

I could not close this Memorial to Justice Edmonds without making reference to his keen interest in meeting people all over the world, his travels throughout the world, and his love of photography. Each time that he journeyed to Geneva, Switzerland, always with his wife, Gertrude, to attend the International Law Commission sessions he would take a different route in order to visit new places and meet new people. He spoke in many countries and was respected and loved by all who came to know him. He accumulated a wealth of photographs, all of professional caliber and covering subjects all over the world, and leaves these as a heritage to his lovely widow and to his children and grandchildren. Many of his photographs have been exhibited and many received awards at meetings of the State Bar of California. As a photographer he took the same minute care in preparing to take a picture that he took in preparing to write a brief or an opinion of this Court. As a result his pictures, his briefs and his opinions were all excellent and clear-cut.

This well beloved and outstanding American jurist reflected his love of liberty and his devotion to its preservation which was the driving force behind his life work in the commencement address delivered by him at Illinois Wesleyan University on June 9, 1947, when he said: "We need to see what is wrong in both business and government, but we must also see what is right in them. We must have a growing, dynamic faith in the principles which have made our country strong and great. We must work understandingly for a fair balancing of individual rights and the demands of organized society. We must reinterpret the constitutional guarantees in the light of present-day conditions. The ideals of liberty have always been and will always continue to be goals toward which we must be ever marching. In proportion to our own exertions shall we retain

freedom and security. Human rights are neither attained nor made secure in great moments, but as the result of hour by hour and day by day attention to the seemingly trivial and inconsequential things which make for good citizenship."

By this lofty philosophy Justice Douglas Lyman Edmonds lived, served on this Court, served his fellowman, served his country, served the people throughout the world. During his lifetime he inspired many. While his work is done, his influence for the betterment of mankind lives on.

CHIEF JUSTICE: Thank you, Mr. Shattuck, and we join with you in the fine tribute you have paid to Justice Edmonds.

This occasion affords us an opportunity to express our appreciation for the many priceless gifts that Douglas Edmonds bestowed upon us and countless others during his lifetime, and for the rich legacy of fine thoughts and good deeds which he has left for future generations. He was fortunate in that by reason of his judicial position he was able to make a larger contribution than most men in the struggle against greed, intolerance, bigotry, and injustice. It was his high privilege to preserve and maintain for each man who appeared before him, of whatever race, color or creed, the fundamental rights guaranteed by our Constitution. He discharged this duty with honor to himself and to his country. In public life he was a faithful servant and a kind and just judge; in private life he was a delightful companion and a loyal friend. The things which Paul said of himself as he reached the end of his journey Justice Edmonds could with all humility have spoken of himself: "I have fought a good fight. I have run my course. I have kept the faith."

In accordance with our custom, it is ordered that this memorial be spread in full upon the minutes of the court and published in the official reports.