

## **In Memoriam.**

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### **HON. FRANK M. ANGELLOTTI,**

Associate Justice of the Supreme Court of the State of California,  
1902-1914; Chief Justice of the Supreme Court of the  
State of California, 1915-1921.

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### **HON. JOHN EVAN RICHARDS,**

Associate Justice of the District Court of Appeal of the State of  
California, 1913-1924; Associate Justice of the Supreme  
Court of the State of California, 1924-1932.

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At a special session of the Supreme Court held on October 19, 1932, the following proceedings were had in honor of the memory of the late Chief Justice Frank M. Angellotti and the late Associate Justice John Evan Richards.

Chief Justice Waste called for the reports of committees theretofore appointed to draft and present memorials to the memory of Justice John E. Richards and former Chief Justice Frank M. Angellotti.

Judge Max C. Sloss announced the memorials were to be formally presented by Mr. John M. Burnett and Judge Charles A. Shurtleff, respectively, and paid a feeling tribute to the former Justices.

Mr. John M. Burnett, former President of the Santa Clara County Bar Association, then addressed the court in eulogy of Associate Justice Richards as follows:

May It Please the Court:

It is my sad and solemn duty to officially inform this court of the death of one of the most distinguished and at the same time best beloved judges who has ever sat as a member of this high court during the eighty-two long years of its existence, and to pronounce a few feeble words in appreciation of the life of Judge John E. Richards, whose kindly countenance, sympathetic demeanor and intellectual

character occupied a seat upon this bench, which is now left vacant—a vacancy which will be hard indeed to fill. Judge Richards, a son of pioneer parents, was born in Edenvale, Santa Clara County, on July 7, 1856, received his early education in the schools of Santa Clara County and entered the University of the Pacific in the year 1872, from which institution he was graduated in the year 1877 with the degree of Bachelor of Arts. He then entered the Law School of the University of Michigan and received from that university the degree of Bachelor of Laws in 1879. Returning again to the county of his nativity, he commenced the practice of the law in the office of Moore, Lane & Leib in San Jose in the year 1879, which firm at that time was one of the most prominent in the county and was composed of such beloved and well-known men as the late Howell Moore, Thomas Lane and Judge S. F. Leib. A year after Judge Richards' entrance to that firm it was augmented by the association of the eminent D. M. Delmas as a fourth partner and Judge Richards always said that much of the great love of the law and legal research which he possessed came from his early association with this eminent law firm. He practiced law in San Jose continuously until the year 1907, when, by appointment from Governor Gillette, he was elevated to the Superior Court bench of Santa Clara County to fill the vacancy caused by the retirement of the late distinguished Judge A. L. Rhodes, to which position he was then elected and which office he filled with honor and distinction to himself and to the court until the year 1913. In 1913 he was appointed by Governor Johnson an Associate Justice of the District Court of Appeal, First Appellate District, and served as a justice of that court until 1924, when, by appointment by Governor Richardson, he was made an Associate Justice of the Supreme Court of this state, which position he continued to occupy until the date of his death.

In every step of Judge Richards' career he gave evidence of indefatigable industry, of the ability to reason correctly, of astute legal acumen, of strong character, of honest purpose and of kindness and charity toward his fellow men. The years which he spent as a lawyer before the bar of Santa Clara County won him the esteem of his fellow lawyers and the respect of the bench. From the first moment that he was placed upon the bench, his earnest and kindly

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manner in arriving at the facts of the many cases which were tried before him, his courtesy toward the lawyers and litigants who appeared before him in the superior court and the learning and ability which was expounded in his decisions, not only won him the favor of the bar and the people of his own county, but attracted state-wide attention and admiration. In his work on the Appellate Court bench and in the Supreme Court, he leaves behind him in the official reports a monument greater than any words, no matter how eloquent they may be, can ever express. From the day when he first took his seat as a justice of the Appellate Court up to the time of his elevation to the Supreme Court, the decisions of the Appellate Court filled forty-four volumes, of which opinions Judge Richards wrote his full, fair share; and his opinions in these volumes are among the most lucid and best reasoned opinions rendered by that busy and most important court. From the year he assumed office as a justice of the Supreme Court until the date of his death, the opinions of that court have filled over nineteen volumes, by far the greater majority of which were bane decisions of the court, and during which time California has grown into one of the greatest of the commercial states of the Union, with the result that the Supreme Court of this state has, during that period of time, been called to pass on questions involving the rights of persons and of property of a complex nature second to none among the courts of last resort of the American Union; and in all of these decisions of the court, the keen mind, the hard work, the legal knowledge and at the same time, the kindly disposition and deep understanding of equitable principles possessed by the late Judge Richards have had a great effect upon the conduct of business and the running of governmental institutions within this state; and if, looking back upon Judge Richards' career, we could say nothing else about him than to give a description of the great contribution that he has made to his state as a judge of its various courts, we could truthfully say, "There was a man of eminence, whose life will be of great and good effect among the people for generations yet to come," but Judge Richards was more than a great judge; he was an idealist, and at the same time a humanitarian, a man among men, and at the same time a pious Christian, who believed with his whole heart and his whole soul in the Fatherhood of God and the brotherhood of man.

Always interested in the arts, and particularly in literature, and with an almost inspired pen, his poetry and other literary works were not only a gratification but a source almost of inspiration to his friends and the many other readers of his works. As a scholar and as a humanitarian, he was always interested in the spread of learning to others and in the assistance of the young, particularly those who desired to embark upon the study of the law; and, consequently, from the years 1913 to 1916 we find him at the Law School of the University of Santa Clara, giving of his time and energy and ability, to educate the coming lawyers of the state, by acting as a professor of law at that university. Altho Judge Richards was possessed of far more than ordinary learning, he was ever understanding and sympathetic with those who were not so fortunate in an intellectual way as he, and we find that throughout his entire life he was as courteous and kindly and considerate to the poorest and humblest citizen, toiling in the field or factory, as he was to the most eminent judge or the most distinguished member of the bar. The proof of his virile manhood is made manifest by the myriad of friends he possessed throughout his life, and yet at the same time his deep and practical Christianity is attested by his constant activities in the church to which he belonged, by every utterance he has made, and lastly by his private and family life.

Married on November 23, 1881, to Mary Wallace, he and his wife lived a devoted life together until the day of his death. Their two sons always received from him the most tender and loving father's care, and now that his work is done and he has been called to his reward, in spite of a career that has forced him many times to make decisions on vital public questions, the responsibility of which he has never shirked, there is no man living who can say that he ever heard Judge Richards utter an unkindly word about a fellow man. During his lifetime the two universities which he attended recognized the great qualities and attainments of this man, the University of the Pacific awarding him the degree of Master of Arts in 1914 and by later making him a member of its Board of Trustees, and the University of Michigan by awarding him the honorary degree of Doctor of Laws in 1924. And now, after a full and fine career in life, the Eternal Judge on High has called him to claim

his just reward in payment for his good works here on earth.

It would take a speaker possessed of far more eloquence and ability than I could ever muster to begin to give you a description of the smallest part of the love which the bench and the bar of Santa Clara County have always possessed for Judge John E. Richards. You judges sitting on this bench, and you distinguished members of the bar, drawn from every corner of the state, have always had the highest admiration and respect for Judge Richards, but we of Santa Clara County, where he was born, grew up, passed the greater portion of his life, where he died and where he is buried, love him with that tender love which only comes from long and intimate association, and the members of our bar have held him and do now and will always hold him before our minds as their ideal of a good man, a learned lawyer and an eminent judge. In particular, the younger members of our bar, who have frequently sought his advice, which he has always given sincerely and with a father's loving, tender care, find in his death the passing of a counsellor and of a staff to lean on in times of need which can never again be replaced. We, proud of the record of Judge Richards, and confident of his ability, gave him to the state. The people of the state, by placing him upon this high court, gave him an opportunity to render a most capable and everlasting service to themselves. That he more than lived up to the expectations which the people had of him, when he first assumed office as a justice of this court, is universally known and appreciated, and now that he has gone to that heavenly kingdom where tangible things mean nothing, and where nothing that we say or do can add the least particle to his happiness on high, the most that we can do is, out of respect to his memory and for the purpose of remembering and preserving his ideals as a future guide for our own lives and those of our successors, to place some small tribute on the permanent records of this court.

Therefore, your committee presents and moves the adoption of the following resolution:

"Whereas, it has pleased Almighty God to call to his reward John Evan Richards, former Associate Justice of the Supreme Court of the State of California; and

"Whereas, it is fitting and proper that tribute should be paid to his high character, great legal learning and judicial

ability by proper resolutions and memorials held in this court and to be spread upon its records for the purpose of forming a lasting testimonial of his worth and attainments, and also of his service to his State;

"Now, therefore, be it resolved, that, in the death of Hon. John E. Richards, the legal profession has lost one of its most prominent members, this court one of its most able judges, and the State of California one of its finest men;

"Resolved that his kindly manner, his scholarly zeal for truth and learning, his unflinching devotion to Almighty God, his high character among men and his great work as a judge of our various courts, all place him in the first rank among the great sons of California, and a man whose life will stand as a guiding star in marking the course of the present and future members of the legal profession, whether on the bench or before the bar;

"Resolved that this testimonial of the affection and esteem in which Justice John E. Richards was held by the public and the members of the bench and of the bar, together with a summary of the proceedings attending its presentation be ordered entered on the records of the court and that the clerk of the court be directed to transmit a copy thereof, under its seal, to his widow and children; and

"Resolved that the sincere sympathy of the members of the bench and bar of California be and it is hereby extended to them to comfort them in their distress and sorrow. Warren Olney, Jr., Peter J. Crosby, Louis W. Myers, Lucien Shaw, Frank G. Finlayson, M. C. Sloss, Randolph V. Whiting, Matt I. Sullivan, Charles A. Shurtleff, John M. Burnett, Memorial Committee appointed by the Supreme Court of the State of California."

Hon. Charles A. Shurtleff, a former Associate Justice of the Supreme Court, then addressed the court in eulogy of former Chief Justice Frank M. Angellotti, as follows:

May It Please Your Honors:

Frank M. Angellotti, a former Chief Justice of this court, whose death occurred in this city on May 23, 1932, was born in San Rafael, Marin County, California, on September 4, 1861. He was the son of Joseph Angellotti, a native of Italy, and Lois Frances Osgood, a native of the state of Maine. His mother came of a prominent New England

family. Her Grandfather Osgood was a minuteman from Andover, Massachusetts, and fought at Lexington, and her grandfather, Captain Joseph Hibbert, commanded the cartel ship "Labania" in the Revolutionary War.

Justice Angellotti received his academic education in the private and public schools of California, among them being Lowell High School of San Francisco, from which he graduated in 1879. He was a pupil of more than ordinary cleverness, always excelling in scholarship. In 1882 the Hastings College of the Law, which he entered in 1879, conferred the degree of LL.B. upon him. At that time graduates of Hastings were not required to submit to an examination before the Supreme Court, but were admitted upon motion, usually made by the Dean of the College, who at the date of Justice Angellotti's admission was the late John Norton Pomeroy. I was a member of Justice Angellotti's class and I recall that he could not be admitted to the bar with the rest of us because he was not then twenty-one years of age. His admission, however, followed a few months later in the same year.

He began practice in San Rafael, early springing into professional prominence. He held a number of public positions, his first being attorney for the public administrator of Marin County, which relation had continued but a short time when he was elected district attorney of the county, the duties of which office he discharged so acceptably that he was selected to serve for three consecutive terms, beginning in 1885 and ending in 1891.

Upon completion of his third term as district attorney, the voters promoted him to the superior judgeship of the county. He was but twenty-nine years of age when, in 1891, he entered upon the performance of the duties of that important office, and, so satisfactorily did he discharge them, and so acceptably did he meet its responsibilities, that he was chosen to serve another term, at the close of which, having in the preceding November been elected as associate justice of the Supreme Court of California, he in January, 1902, assumed the duties of that trust. He was then in the prime of life, being a little more than forty years of age.

His associates at that time were W. H. Beatty, Chief Justice, and Associate Justices Walter Van Dyke, Lucien Shaw, T. B. McFarland, W. G. Lorigan and F. W. Henshaw, none of whom, except Hon. Lucien Shaw, are now living.

At the expiration of his term as Associate Justice, Judge Angellotti, being the successful candidate, became Chief Justice, the then Chief Justice, Hon. William H. Beatty, having announced he would not seek re-election. Justice Angellotti assumed his new duties in January, 1915, and continued as Chief Justice until November 15, 1921, when he resigned to engage in private practice and to become general counsel of the Western Pacific Railroad Company, which latter connection he held until his death.

He was succeeded as Chief Justice by Hon. Lucien Shaw, who resigned as Associate Justice to accept the Chief Justiceship. When Chief Justice Angellotti surrendered the judicial ermine to his successor, it was as spotless as when he received it nearly twenty years previous.

Justice Angellotti lost no professional momentum in his passing from the bench to the bar, but was immediately recognized as a leading lawyer, which rank he maintained until his death.

It is interesting to note that Justice Angellotti spent thirty years of his life upon the bench. He enjoyed judicial work and was, in mind, disposition and temperament, a judge. He had an exalted conception of what a judge should be. He was always dignified—never commonplace—and took his duties seriously. His honesty, fairness, courage and fidelity were never questioned; he was, of course, human, and may have erred in judgment; if so, it was an honest error.

I speak with knowledge when I say that Justice Angellotti did not act immediately upon the invitation to become general counsel of the Western Pacific Railroad Company, but held it under advisement for a number of weeks. He was happy in his work as Chief Justice; it was a pleasant relation and he disliked to sever it, and it was with pronounced misgivings and regrets that he finally decided to accept the offer. The emolument being much larger than the salary he was receiving as Chief Justice, he felt, in fairness to himself and in justice to his family, he should not reject the overture. It should be said Mrs. Angellotti urged him to follow his personal inclinations and make his decision accordingly. When he left the court for the last time, the past seemed to rise before him like a panorama, and he was touchingly depressed and deeply felt the parting; but when he became familiar with his work and surroundings as



general counsel of the railroad company he took the same interest and found the same pleasure in that connection that he enjoyed when a member of this tribunal. His changed environment led him into new fields of investigation and practice, but he was equal to the responsibilities entailed, and acquitted himself with distinction and won and retained the confidence and respect that he never failed to command.

When Justice Angellotti affirmed that facts stated by him were true, and he would not so state if he did not know they were true, they were accepted without question; and likewise, when he advanced an opinion touching a point of law, it was uniformly respected, for those whom he addressed knew he sincerely believed it to be sound or he would not have urged it.

As illustrative of the standing of Justice Angellotti in his new field of endeavor, I will refer to the following: Upon his death the members of the Federal Interstate Commerce Commission unanimously declared that none of the large number of attorneys who appeared before that tribunal carried greater weight, or threw more light upon the matter in controversy before them, than did Justice Angellotti. In like token of respect, the Association of Practitioners, composed of those practicing before the Interstate Commerce Commission, of which association Justice Angellotti was a member, and which is to-day holding its annual meeting in Washington, D. C., will at its present session adopt a memorial to him; these are indeed gracious compliments.

The entrance of Justices Angellotti and Shaw to this court was simultaneous, and they early became devoted friends and ever held each other in very high and affectionate esteem. Justice Shaw, in a letter recently written by him, paid the following beautiful and tender tribute to his old friend and associate. He said:

"I take this opportunity to write a few words in regard to Justice Angellotti, with whom I was associated during almost twenty years on the Supreme Court, during twelve years of which we were serving as Associate Justices of that court and the balance of the time he was serving as Chief Justice and I was serving my second term as Associate Justice of said court.

"It is impossible for me to write as much as I feel about the loss to the State as well as the loss to myself, which I felt from the fact of his absence from the bench, but I never expected to feel such a loss as was caused by his untimely death.

"He was always present to my mind even after his resignation as Chief Justice, but I never expected his death to precede my own. He was sixteen years my junior and, as I thought, in the best of health.

"Our association was from the very first most cordial, and seeing him daily thereafter it only grew more so. We were associated as members of the court but also as members of the same department and were thus brought together more closely and there was never a break in our feeling of close friendship even to the last. I can say most emphatically I was never brought into so pleasant a relationship with a man in my life.

"He was a man of clear views and was given to the expression of them very freely but without any but the kindest of feeling and no one could be so associated with him without feeling the greatest admiration for him."

Thus spoke one of the many able justices who have graced this court during the eighty-two years of its existence, and may we step aside for a moment from the solemnities of this occasion and wish that honored and beloved justice many added years of health and happiness?

Justice Angellotti was a member of the Supreme Court for nearly twenty years; during his incumbency nine new members entered the judicial family, some of whom passed into the Great Beyond and others resigned, before he retired. Of those who served with him six are now living, namely: Hon. Lucien Shaw, Hon. Matt I. Sullivan, Hon. Curtis D. Wilbur, now a United States Circuit Judge, who is sitting with your honors to-day, Hon. M. C. Sloss, Hon. Warren Olney, and myself.

During the years he was a Justice of this court many judges of the State District Courts of Appeal were called to this tribunal to sit as justices *pro tem.*, one of them being the Hon. Frank H. Kerrigan, now a District Judge of the United States, who is also sitting with the court this morning and who was a member of the court at the time he was appointed a federal judge. Another who sat as a temporary justice, but at the time of his recent death was an

associate justice of the Supreme Court, is the late John E. Richards, to whom a memorial has just been presented, accompanied by an impressive narrative of his life and splendid accomplishments. He was a man of wide and varied attainments and learning, and his name will live in the annals of our state as an able and upright judge.

Justice Angellotti's gentle and courteous manner, both in his public and private life, endeared him to all who knew him. The high honors that came to him were accepted with notable dignity, and in no way did they inspire in him a feeling of superiority. He was free from ostentation and show. Proud, as well he might be, that he enjoyed the highest honor that his state could confer upon a member of his profession, that pride in no manner lessened or marred the charm and grace of his natural self. It has been well said that simplicity is one of the crowning and distinguishing attributes of real greatness, and true it is that this quality adorned the life and character of Justice Angellotti.

Many valuable and helpful lessons can be drawn from his life, but I can do no more than refer to one, and that is the splendid example it offers to the younger members of the profession. Indeed, it would be well for all lawyers, young and old, to emulate him in their contact and dealings with the courts and with one another. He had a high conception of ethics, to which he conscientiously at all times adhered. He was ever tolerant and considerate of the opinions of others. While firm in his own views when he had reached a conclusion upon a contested question, he patiently listened with an open mind to those who differed with him. These are qualities of mind and heart that carry strength and are worthy of emulation.

The opinions rendered by Justice Angellotti appear in forty-eight volumes (139 to 187, both inclusive) of the California Reports, and are lasting testimonials of his stupendous industry, his splendid legal learning and ability. Through and by them will his name ever be a bright star in the judicial firmament of California. In his judicial service, his sole and controlling purpose was to be right as he could see the right, and to do exact justice in all controversies submitted to him for decision. He at all times upheld the majesty of the law. If time permitted, it would be illuminating to refer to some of the opinions of the court of which

Justice Angellotti was the author, and to mention other causes in the decision of which he participated; they cover the entire field of state law and deal with constitutional and other important questions of law and fact; they attest his legal erudition and learning.

It must be left to others, at another time, to present a complete retrospect of the life and achievements of Justice Angellotti, and to review in detail his activities of a private nature which were apart from his judicial and professional duties. Briefly, he took a deep interest in Masonry, serving as Master of his Blue Lodge in San Rafael, and later as Grand Master of the Grand Lodge of California. He was, at the time of his death, and for years had been, a trustee of the Hastings College of the Law, and president of San Francisco Chapter of the Society of Colonial Wars. He was the first president of Mt. Tamalpais Parlor of the Native Sons of the Golden West, and held other important positions of trust.

Justice Angellotti was a member of the Presbyterian Church of San Rafael, but he was ever tolerant of the religious beliefs of others, and he took his religion into his daily life; well might he have said, "I have kept the faith."

Justice Angellotti was a very kindly man, and I cannot recall that during the fifty-three years of my intimate acquaintance with him I ever heard an unkind word fall from his lips. He might have given expression to words of criticism, but I am sure they were not harsh nor unkind. He was always affable and cordial. Association with his friends gave him, as well as them, infinite pleasure. Many will and do miss him and look in vain for his presence in places where they were wont to meet him and enjoy his companionship, but in those relations also must he live in thoughts to memory dear.

On December 27, 1884, he was united in marriage to Emma C. Cleary, and it was a very happy union. Mrs. Angellotti and their only child, Marion Polk Angellotti, survive him, and upon them his death falls heaviest. The Judge took great pride in the literary attainments of his daughter, who rose rapidly as a writer. She is the author of a number of stirring novels and interesting stories. Miss Angellotti also did canteen work with the American Red Cross during the World War, certainly a praiseworthy service.

Justice Angellotti was essentially a home man. He was happiest when in that sacred environment. When his day's labors were finished, the haven he sought was his home.

The passing of Justice Angellotti was sudden. For a few days previous to his death he had been indisposed, but his illness was not considered serious. On the morning of his death he was preparing to go to his office when the inevitable hour came. He heard the divine message, "It is I, be not afraid." It found him prepared, and painlessly and gently his spirit took flight to the "land of perfect day," but "to live in hearts we leave behind is not to die."

To those present who mourn, we tender our heartfelt sympathy. Theirs is a sacred sorrow, which no words of ours can assuage; only time can mellow the intensity of their grief. I take the following beautiful and inspiring passage from the writings of Washington Irving:

"The love which survives the tomb is one of the noblest attributes of the soul . . . when the overwhelming burst of grief is calmed into the gentle tear of recollection,—when the sudden anguish . . . is softened away into pensive meditation . . . who would root out such a sorrow from the heart?"

We have hastily portrayed the public career of Justice Angellotti, the uplifting influence of his life and relations with others, his elevated character, his refined personality, the esteem and affection in which he was universally held, and his reputation and success as a lawyer and a jurist, but underlying all these, omnipotent and supreme, is Frank M. Angellotti, the man.

How fitting, how beautiful it is, his labors o'er, the book closed, honored and beloved, his memory safe from the decay of forgetfulness, that he rests in a plot of his own selection in the shadow of Mt. Tamalpais in the beautiful hills that rise above the town where he was born and spent his early years, and where he laid, wisely and well, the foundation upon which he built and sustained his pure and exemplary life, that there, midst surroundings so dear to him, he will repose in blessed peace until the coming of the promised morning when all shall meet again.

If your Honors please, I will now present the memorial to Justice Angellotti, prepared by the committee named by the court, and ask that it be spread upon the minutes, and that, when the court adjourn, it do so in honor of those noted

Justices, the late Frank M. Angellotti and the late John E. Richards.

The memorial resolution presented by Hon. Charles A. Shurtleff reads as follows:

“Whereas, it has pleased Divine Providence to close the earthly career of Frank M. Angellotti, an eminent member of the bar of California and a former Chief Justice of the Supreme Court of the State of California; and

“Whereas, it is fitting that, by appropriate ceremony, tribute be paid to his sterling character, profound legal learning and distinguished judicial ability, and a memorial spread upon the records of the Supreme Court, there to remain a permanent testimonial of his personal worth and intellectual attainments; therefore, be it

“Resolved, that in the death of Judge Frank M. Angellotti the legal profession has lost one of its ablest and most prominent colleagues; the State one of its best known and respected citizens, and society one of its most congenial and lovable members;

“Resolved, that his personal honesty, his rectitude of mind and deed, his unflinching devotion to justice and duty, his gracious manner, his kindly consideration of others, and his pre-eminent ability as a judge, rank him as one of the foremost men of the State—a man whose memory will endure and stimulate others to emulate his elevating example;

“Resolved, that this testimonial of the affection and esteem in which former Chief Justice Frank M. Angellotti was held by the public, the members of the judiciary and the bar of the State, together with a summary of the proceedings attending its presentation, be ordered entered in the records of the court, and the clerk of the court be directed to transmit a copy thereof to the widow and daughter of the deceased; and

“Resolved, that the sincere sympathy of the members of the judiciary and the bar of California be and it is hereby extended them in their bereavement and overwhelming sorrow. Matt I. Sullivan, Lucien Shaw, Warren Olney, Jr., Peter J. Crosby, Louis W. Myers, John M. Burnett, Frank G. Finlayson, M. C. Sloss, Randolph V. Whiting, Charles A. Shurtleff, Memorial Committee appointed by the Supreme Court of the State of California.”

Mr. Chief Justice William H. Waste then responded on behalf of the court, as follows:

"It has seemed to members of the court that but few words need be said in response to the splendid tributes which have been paid to the lives and services on the court of Mr. Chief Justice Angellotti and Mr. Associate Justice Richards. What has been spoken on this occasion has been appropriately said by those, and on behalf of others, who were close to, and enjoyed the confidence and esteem of, the men whose memory they came here to honor. It was not unexpected, therefore, that they would say much that members of the court might say were they called upon to put into words their own tributes on this occasion. The association of men who serve together on such a tribunal as the Supreme Court of California, particularly when harmonious action and unselfish co-operation are the goal of all the members, is so close that one can hardly be called upon to speak on such an occasion without a feeling of deep emotion. Our words of appreciation, spoken in memory of either of our departed brethren of the bench, do not imply that they are not equally fitting if spoken of the other. The present Chief Justice came to the court to fill the vacancy caused by the resignation of Mr. Justice Angellotti and the appointment of Mr. Justice Lucien Shaw to be the Chief Justice. No member of the court, as presently constituted, actually served under Chief Justice Angellotti, or on the court with him, but each one had an intimate acquaintance with him, and felt honored in being permitted to admire, appreciate and respect the highest jurist of the commonwealth as a friend and companion. Perhaps no one who has honored the position of Chief Justice of this court has possessed a more clearly marked judicial mind and temperament than did Mr. Justice Angellotti. His opinions, marked by simplicity and directness of statement, are examples of masterly comprehension of law and facts delightfully expressed and clearly stated. He was devoted to the legal profession and to the court he served. He exerted every effort to maintain unsullied the character of the court, and resented any unwarranted aspersions against its reputation and fame. With Mr. Justice Richards, who but recently laid down his burden of judicial labor, the present members of the court were all associated. One of the present justices, as a young man, began the study of law

in Justice Richards' law office. Through long and intimate association, we came to hold him in tender, almost filial, affection. Few, if any, judges or justices of this state to-day come as near being of the type of the old-time jurist as did Mr. Justice Richards. To him the court he served was almost a holy thing. Like many jurists before him, he feelingly resented what he termed the invasion of the rights, duties and prerogatives of courts and the 'whittling away of their jurisdiction' through the creation of administrative boards and commissions, and the transfer to them of many matters theretofore committed to the jurisdiction of the courts. In conference over impending decisions, Justice Richards was apt, when such questions arose, to vigorously defend his stand against the, to him, almost sacrilegious invasion of the court's prerogatives. There was in him a mixture of scholarly attainment, dignity and profound knowledge of the law. His opinions, because of his ability to write easily and well, make splendid reading on the legal subjects he considered.

"The lives of Justices Angellotti and Richards marked the careers of distinguished citizens of their native state. Their services as judges of the trial courts and as justices on the highest judicial tribunal of the state merit the glowing tributes to their memory which have been spoken here to-day. Living and serving, they added luster to the reputation of the courts of California. Bench and bar do well in doing honor to their lives and works and in paying due reverence to their memories. The resolutions and testimonials offered by the committee of the bar, composed very largely of former members of this court, will be spread in full on the minutes of the court and published in a forthcoming volume of the California Reports."

Thereupon the court adjourned.