
II.

IN MEMORIAM.

At the meeting of the Supreme Court on 20th day of February 1877; Chief Justice AGNEW, and Justices SHARSWOOD, MERCUR, GORDON, PAXSON and WOODWARD, being on the bench:—

Chief Justice AGNEW announced the death of Justice HENRY W. WILLIAMS, as follows:—

GENTLEMEN OF THE BAR: Melancholy news has been telegraphed to us. The death of our brother, Justice HENRY WARREN WILLIAMS, is the cause of great sorrow to us. Owing to his continued illness for many months it has not been altogether unexpected. It is now more than a year since he sat with us and aided us with his counsels and enlivened us with his pleasant intercourse. He came to Philadelphia on the last day of 1875, and sat with us in consultation on the 1st day of January 1876, coming into court on the following Monday to deliver his opinions. Called to his home on that day or the next by the illness of his wife, he was soon taken sick himself, and has not been with us since. He had been a great sufferer when death came, in a dispensation of mercy, and relieved him yesterday shortly after one o'clock in the afternoon.

I regret that I am unable to state the leading facts of his life with fulness and accuracy. He was born and reared on a farm in Connecticut, and received his primary education there. After graduating at Amherst College he came to Pittsburgh, Pennsylvania, about the year 1839, where he soon became engaged in teaching the classics in a select school, kept (if I remember aright) by his friend

B. M. Smith, Esq., a native of Connecticut also, who, like himself, as a student at law, both becoming afterwards prominent in their profession.

Judge WILLIAMS, I think, studied law under the late Chief Justice WALTER H. LOWRIE, then a leading practitioner in Pittsburgh. I know he became his partner, and continued so until Judge LOWRIE was appointed to the bench of the District Court of Allegheny county. Afterwards Judge WILLIAMS became the leading partner in a firm composed of himself and the late William M. Shinn, Esq. In October 1851, at the election under the amendment to the Constitution of 1850, he was elected one of the Judges of the District Court, and sat with the late Walter Forward, who was chosen President. Judge WILLIAMS filled that position with great acceptability and credit. The Nisi Prius and before a jury was his forte, and greatly preferred by him. He has often said to me that he loved to begin a cause, and going step by step with the evidence, build it up from the foundation. His mind was peculiarly receptive and retentive of facts, and his memory one of the most tenacious. He seemed never to forget a case he had once heard; nor was this peculiar adaptation to the trial of causes at all destructive of his power of analysis and sound judgment. He seized the leading points quickly, and with a strong grasp. His oral arguments and his charges were always clear, pointed, discriminating and forcible. He was re-elected to the District Bench, and was far in his second term when he was appointed by Governor Geary, in the latter part of October 1868, to fill the vacancy on our bench caused by the resignation of Judge WILLIAM STRONG. He took his seat immediately, at Pittsburgh, the court being then in session there. In the autumn of 1869 he was elected by the people, and continued in service, with occasional interruptions of sickness, until the third or fourth of January 1876, when he left for home, as I have stated. Our Brother WILLIAMS was a man of great probity and firmness of character, of conscientious convictions, and strict notions of duty. Of the old New England stock, he was reared, and continued to live, a consistent member of the Presbyterian Church, siding with the New School, and yet coming into the union with the

Old School with satisfaction. In purity and singleness his mind was especially conspicuous, swerving neither to the right nor to the left, so far as he knew himself. This was eminently so in the performance of his judicial duties. In consultation he was of great assistance to his brothers, his broad views and vigorous logic making his judgments valuable aids to correct conclusions. But it was not by these qualities alone he became endeared to us. His was a genial and kindly nature, filled with wit and good humor, poured out often in a sonorous voice, and with a liberality which made his intercourse enjoyable. We have, on like occasions, listened with sorrow to the announcements of the deaths of those who had sat on this Bench; but this is the first time, since the death of Judge GIBSON, in 1853, that the bench lost a member by death. It is sad, indeed, to know that a brother has been cut off from our midst, but so it is—so it must be. Still more keenly does this penetrating thought come to us, who, from the very character of our bench, must have passed the zenith of life, and are on our descent to that broad horizon where all must come at last—where darkness settles and the wave of death engulfs. We pour out this tribute from full hearts, yet knowing that sorrow cannot chain the parting breath, or our voices call back the spirit from its flight; we must bid our friend and brother our last adieu.

At the conclusion of his remarks the Chief Justice ordered an adjournment of the court till Saturday morning next, at 10 o'clock.