

## IN MEMORIAM.

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HON. S. LESLIE MESTREZAT

HON. WILLIAM P. POTTER.

At a meeting of the Bar of Allegheny and Fayette Counties, held in the Court Room in Pittsburgh on the 22d day of November, 1918, Chief Justice BROWN, in presiding, announced the deaths of Mr. Justice MESTREZAT and Mr. Justice POTTER in the following terms:

The sore distress, brethren of the Bench and Bar of Pennsylvania, which came to your highest Court seven months ago and has called us together at this time, is without a precedent. Within just a fortnight the Angel of Death beckoned two of its members, and each was ready for the summons, for both had walked with God from childhood. Our Brother POTTER, who was first called, was the son of a minister of the Gospel, from whom there came to him as his best heritage, moral and intellectual worth. While others here will speak in detail of the activities of his busy, useful life, which ended while the rays of the day's sun were still shining upon him and before the shadows of night had darkened over him, it is fitting that I speak a word of respect and esteem for him on behalf of his colleagues in his judicial life.

On September 25, 1900, WILLIAM P. POTTER was appointed a member of the Supreme Court of the State, to fill a vacancy caused by the death of Chief Justice Henry GREEN, and, in 1901, he was elected for a full term of twenty-one years. He brought to the court no judicial experience, but did bring to it the always needed helping hand of the successful active practitioner. From the day he came to us until he last sat with us in the consultation room—barely ten days before his death—we were constantly helped by his large experience and good judgment as a practitioner, especially when questions involving business and commercial interests were under consideration, and assignments went to him from time to time for his aptitude in dealing with them. The hard-working, intelligent lawyer became per saltum the industrious, painstaking, learned and conscientious judge. Sixty-five volumes of the State Reports are the lasting memorials of his well-performed judicial labors. His consuming thought in every case was the attainment

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of justice. To attain it, he was at times inclined to be a chancellor on the law side of the court, and would remain unmoved by the pious regard of his colleagues for stare decisis. But whatever he did was done from what his conscience told him was right, and he knew no other guide in striving to reach justice and truth. His interest in the members of the bar who were in the active practice of their profession never abated, and as a judge, he was, to the end, as amiable, courteous and approachable to them as he had been when their labors were his own. To those for whom I speak he was as companionable as he was helpful, and we have missed and shall miss the excellent qualities of the good man's mind and heart.

The sudden and wholly unexpected death of Judge POTTER came as a great shock; that of the lamented MESTREZAT had been looked for many days, as he lay a patient sufferer upon a bed from which we knew he would never rise. I hardly dare trust myself to speak of him. We were elected for full terms on the same day, but neither had met the other until we were about to enter together upon judicial duties. At the time I was serving under appointment by the Governor to fill a vacancy caused by the death of Justice HENRY W. WILLIAMS. In January, 1900, Justice MESTREZAT and I took our places on the bench for the constitutional period. From the day he came into the court until the last hour he was a pillar of strength to it. Of all the judges whom I have known I can recall no one who devoted himself with greater diligence to his official duties. Denied home life when wife and child were taken from him, the law became his lasting love. But though this be true, he was of the kindest disposition towards all, with a heart ever throbbing in sympathy with human distress or suffering. No one could have been more tender in his feelings, and he at all times exhibited intense interest in the welfare of the people. His industry, his learning, the acuteness and accuracy of his understanding, his abiding sense of justice, his uprightness and courage as a judge, and the perfect purity of his life have made his name precious in the sight of the people he served so long and so well. Shortly after his death it was justly said of him what may be now truthfully repeated: "His opinions are founded upon justice and well fortified by authority. To review them would be to write a digest of the law of Pennsylvania. It may be said that no Pennsylvania Supreme Court justice has been more frequently reported in Lawyers' Reports Annotated, American and English Annotated Cases and American State Reports, and his reasoning is highly respected by the judiciary of other states."

Though he had reached the allotted period, Judge MESTREZAT, until a short time before his death, gave promise of years of continued usefulness; but it was decreed otherwise, and, while he was still walking in the old paths along the ancient landmarks, set

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by the fathers, night came upon him and he fell asleep; and a voice was heard saying, "Mark the perfect man, and behold the upright; for the end of that man is peace."

At the conclusion of the remarks of the Chief Justice, suitable addresses were made by the following members of the Bar, in support of appropriate resolutions on the deceased justices:

THOMAS PATTERSON, Esq., L. K. PORTER, Esq., D. W. McDONALD, Esq., GEORGE B. GORDEN, Esq., Hon. JOHN D. SHAFER, Hon. EDMUND H. REPERT, J. BOYD DUFF, Esq., CLARENCE BURLEIGH, Esq., Hon. W. H. S. THOMSON and JAMES A. WAKEFIELD, Esq.