

PROCEEDINGS ON THE OCCASION OF
THE INDUCTION OF
HON. CHARLES ALVIN JONES
AS JUSTICE OF THE SUPREME COURT
OF PENNSYLVANIA*

The proceedings on the opening of the Supreme Court on Tuesday, January 2, 1945, when HON. CHARLES ALVIN JONES was inducted as Justice, were as follows:

Chief Justice MAXEY directed the Prothonotary, Charles A. Waters, Esq., to read the commission of HON. CHARLES ALVIN JONES as Justice of the Supreme Court of Pennsylvania. After the commission was read, the Chief Justice administered the constitutional oath of office to Justice JONES, who then ascended the bench and was greeted by the Chief Justice and Justices.

The Chief Justice then directed the Prothonotary to note in the official minutes of the court that the following members of the Federal and State Judiciary were present: Senior Judge JOHN BIGGS, JR., Judge HERBERT F. GOODRICH and Judge GERALD McLAUGHLIN, of the United States Third Circuit Court of Appeals, and the following Federal District Judges: ALBERT W. JOHNSON, GEORGE A. WELSH, HARRY E. KALODNER, GUY K. BARD, J. CULLEN GANEY, PAUL LEAHY, WILLIAM F. SMITH and THOMAS F. MEANY, and the following judges of the Court of Common Pleas of Philadelphia County: JAMES GAY GORDON, JR., FRANCIS SHUNK BROWN, JR., THOMAS BLUETT, CURTIS BOK, JOSEPH SLOANE, JAMES C. CRUMLISH and GERALD F. FLOOD; and ROBERT V. BOLGER, Judge of the Orphans' Court of Philadelphia County, and Congressman John W. Murphy of Scranton.

* Excerpt from the official minutes of the Supreme Court of Pennsylvania.

ton. There were also present Mrs. Charles Alvin Jones, wife of Justice JONES, and their daughter, Miss Isabella A. Jones, and Justice JONES' sisters: Mrs. Joseph B. Hutchinson, Jr., and Mrs. J. Kenneth Mathieson; and Mrs. Marion D. Patterson, wife of Justice MARION D. PATTERSON of the State Supreme Court, and Mrs. Albert B. Maris, wife of Judge MARIS of the United States Third Circuit Court of Appeals.

Chief Justice MAXEY then recognized Senior Judge JOHN BIGGS, JR., of the United States Court of Appeals for the Third Circuit. Judge BIGGS spoke as follows:

MR. CHIEF JUSTICE MAXEY AND ASSOCIATE JUSTICES OF
THIS MOST DISTINGUISHED TRIBUNAL, THE SUPREME COURT OF THIS COMMONWEALTH:

It is not often that an individual sits as a member of a United States Court of Appeals on a Saturday and the following Tuesday sits as a member, an Associate Justice, of the Supreme Court of Pennsylvania. This, to say the least, is unusual. On Saturday he is bound by the rule of *Erie R. Co. v. Tompkins*. On Tuesday he implements the rule. On Saturday he is the servant: on Tuesday, he is the master. How strangely inscrutable destiny works its course! We know that Justice JONES' knowledge of the law of Pennsylvania is accurate and extensive.

Judge JONES came to our court in 1939. He has served in the United States Court of Appeals for this Circuit for more than five years. In that period he has written some eight score opinions. They have been erudite; they have been acutely reasoned; they would do credit to any tribunal in this land. But Judge JONES has done more than this. He has not only been just. He has not only served justice and has served her well and faithfully. He has become beloved! Not only among his brethren of the bench but by the bar as well.

He will be greatly missed. It is difficult to express our sense of loss. But the choice was his and he has

freely made it. We know that the Supreme Tribunal of this Commonwealth has found a worthy member; that Justice JONES' contribution to the law of this State will be as great as was Judge JONES' contribution to the great body of the Federal law! May his years of service be many, and happy. We bid him farewell with deep affection.

You, Mr. Chief Justice, may now bid him welcome! His home, his duties now rest in this Tribunal. You will find him a willing, an able and a skillful servant of justice.

Good luck to this court, to its Chief Justice, its other members and our own Judge JONES during the coming years!

Chief Justice MAXEY replied as follows:

JUDGE BIGGS AND OTHER MEMBERS OF THE FEDERAL AND STATE JUDICIARY AND MEMBERS OF THE BAR:

We welcome CHARLES ALVIN JONES to the bench of the Supreme Court of Pennsylvania, and we wish him a long, successful and happy career here. This is, I believe, the first time in the 223 years' history of this court that any member of the Federal judiciary has become a member of it. Our state judges have not heretofore been recruited from the Federal bench and seldom has any Federal judge been recruited from the state judiciary. President Polk in 1846 appointed Judge ROBERT C. GRIER of the Court of Common Pleas of Allegheny County to the United States Supreme Court, where he rendered faithful service until 1870, when he resigned. In 1868 Justice WILLIAM STRONG, after a decade of brilliant service on this court, resigned, and two years later President Grant appointed him to the United States Supreme Court, where he rendered notable service for ten years and then resigned. JEREMIAH S. BLACK, who served as a Justice and Chief Justice of this court, became successively Attorney General and Secretary of State in President Buchanan's Cabinet, and on Febru-

tory reports it, "Owing to the opposition of Douglas arý 5, 1861, the President nominated him as a Justice of the Supreme Court of the United States, but as his Democrats and Southern Sympathizers in the Senate he was not confirmed." He soon became one of the foremost leaders of the American Bar, and he is justly renowned for his great argument in defense of the right to trial by jury in *Ex parte Milligan*, 4 Wall. 2.

The relations of this Court with the Federal Court of Appeals from which Justice JONES now comes have always been pleasant. We have never had any clashes over jurisdiction. The root of the American system of government is found in the principle of the duality of sovereignty. This principle both the Court of which Justice JONES has been a member and the Court of which he now becomes a member have carefully observed. We well know of Justice JONES' character and high standing as a member of the bar of this court and of his distinguished service as a member for five years of the United States Circuit Court of Appeals. We look forward to a congenial association with him here, and we are confident that he will worthily maintain the traditions and reputation of the Supreme Court of Pennsylvania.

The Chief Justice then declared a recess of the Court until 1:30 P. M., and Justice and Mrs. JONES held a reception in the Supreme Court consultation room.