

IN THE
SUPREME COURT OF PENNSYLVANIA

In Memory of HONORABLE GROVER C. LADNER
Justice of the Supreme Court

Minutes of Memorial Service for Honorable Grover C. Ladner at Philadelphia, Pennsylvania, on Monday, November 8, 1954.

CHIEF JUSTICE HORACE STERN: The Court recognizes Mr. Frederic L. Clark.

FREDERIC L. CLARK, ESQ.: Your Honors, we are here in memory of GROVER LADNER. It is not easy to speak with restraint about such a friend and colleague. And this is true because no one could be associated with him and not become impressed by his high character, his fine abilities, and his winning personality. Any association with him was bound to leave a deep impression upon those privileged to share it.

Judge LADNER's long career on and off the Bench gave him a broad familiarity with basic legal principles and an extensive acquaintance with procedural processes, and the wisdom gained in these years made him a wise counsellor in the discussion of legal problems, and a powerful advocate in presenting his conclusions to a court.

Honesty of purpose and accurate perception of right and wrong controlled his approach to a case. Clarity of thought and an earnest desire for justice were the instruments he used in reaching a conclusion.

In the all too brief period of twenty-four months during which he was with us we came to know him

well. It was an interesting experience to work with him or to see him work. Because on any problem under his care he brought to bear upon its solution intense intellectual energy. He pursued his investigation of the facts and of the law with a relentless and contagious enthusiasm, and when he formed his opinions they were buttressed by his researches and by a wealth of experience in deciding similar or analogous problems.

He was a true servant of the State and of his fellow men, an outstanding citizen, and always he was the devoted and loyal friend, the kindly and considerate associate, the inspiring leader in guiding those working with him in the search for the truth.

We mourn his passing. We honor and revere him.

And so we say :

“Peace to this just man’s memory ; let it grow
Greener with years, and blossom through the flight
Of ages ; let the mimic canvass show
His calm benevolent features ; let the light
Stream on his deeds of love, that shunned the sight
Of all but heaven ; and in the book of fame
The glorious record of his virtues write
And hold it up to men ; and bid them claim
A palm like his ; and catch from him the hallowed
flame.”

CHIEF JUSTICE STERN : Thank you, Mr. Clark.

Mr. J. Wesley McWilliams.

J. WESLEY MCWILLIAMS, ESQ. : May it please Your Honors :

When GROVER CLEVELAND LADNER left this Court and resumed private practice, the Commonwealth lost the services of an able, scholarly judge, and you, his

brethren on its highest Court, lost the stimulation of a vigorous, warm and human personality. When he died last June the Bar of Pennsylvania lost an esteemed and much beloved member.

GROVER LADNER, for almost half a century, was either an active practitioner before the Bar of this Court or in judicial office. I shall say nothing of his career as a lawyer, since his old friend and law partner, Frederic L. Clark, Esquire, has just referred to this phase of his life in moving and affectionate words.

With submission to the Court, I should like to speak briefly of his judicial work. On March 15, 1937, he took his seat on the Orphans' Court of Philadelphia, where he served with distinction and rare ability until his appointment to this Court in the summer of 1950, following the death of Chief Justice Maxey. The Philadelphia Orphans' Court possesses a great history and a fine tradition; it is the great *nisi prius* Court of the Commonwealth, and Judge LADNER gave unstintingly of his energy and learning in the maintenance of its enviable reputation.

As a trial judge he ever held before him the admonitions of Lord Bacon. "Patience and gravity of hearing is an essential part of justice," said his Lordship. "It is no grace to a judge first to find that which he might have heard in due time from the Bar, or to show quickness of conceit in cutting off evidence or counsel too short."

The magnitude of his work, both in quality and in quantity, while a member of the Orphans' Court merits comment. If I may be pardoned for reciting a few figures, Judge LADNER, during the last two and one-half years he was on that Court, passed upon 1251 accounts involving gross estates totalling over \$119,000,000. He heard and disposed of eleven appeals from the Register

of Wills, wrote over twenty-five opinions for the Court en banc, and, in addition, passed on uncounted numbers of petitions and interlocutory matters.

His wide scholarship and complete mastery of his subject appear in his opinions, which are written with clarity and in a pleasing literary style. In addition to his knowledge of the law of decedents' estates, he was a master of real estate law, which he taught at Temple University School of Law while sitting on the Orphans' Court. His book on *Conveyancing in Pennsylvania* is an outstanding work on the subject.

Justice LADNER, while a member of the Supreme Court, carried his full share of its heavy burdens. We on this side of the Bar realize the responsibilities imposed upon a Justice of this Court, the highest tribunal of a sovereign state of eleven million people, endowed with material wealth such as no like number has ever possessed. The social and economic problems implicit in the cases coming before such a Court in twentieth century America are of a complexity and importance which only the profession can appreciate.

With all the powers of King's Bench at Westminster, as they existed in the year 1722, Your Honors have duties commensurate with your powers. Service on your Bench is a dedication to which Mr. Justice LADNER responded. Never did he exploit himself or seek personal aggrandizement. A believer in cooperation and team effort, a play to the galleries was wholly foreign to his nature.

He enthusiastically and unselfishly performed his judicial labors without pride of opinion and in an understanding spirit. During the year and a half that he sat on this Court he wrote 54 opinions, of which 46 were written for the Court, one in concurrence and seven in dissent. If time permitted I should have liked to refer

to several of these opinions which will have a lasting influence in molding the course of our law.

The services of Justice LADNER were in accord with the highest traditions of an American judge. He was at all times, in the language of our Canons of Judicial Ethics, "conscientious, studious, thorough, courteous, patient, punctual, just, impartial, fearless of public clamor, regardless of public pressure and indifferent to private, political or partisan influences."

Justice LADNER truly followed the mandate of Moses to the Judges of Israel:

"Ye shall not respect persons in judgment; but ye shall hear the small as well as the great; ye shall not be afraid of the face of man; for the judgment is God's."

CHIEF JUSTICE STERN: Justice LADNER served in the Orphans' Court for many years with Mr. Justice Allen M. Stearne, whom I now recognize.

MR. JUSTICE ALLEN M. STEARNE: Mr. Chief Justice and Friends of GROVER LADNER—I have been asked to add a few words because for so many years, both before he was a lawyer, after he became a lawyer, when he was a judge in the Orphans' Court, and as a Justice of this Court, our lives constantly touched.

One of our great American philosophers has remarked that so many of us go through life and leave nothing behind to show that we have passed through. Every time I go to London I visit St. Paul's Cathedral. I think in many ways the life of that great architect, Sir Christopher Wren, paralleled that of Judge LADNER's. Sir Christopher, the architect, has that wonderful monument to his memory, St. Paul's Cathedral. But he had many other monuments in this country. At William and Mary you can see the wonderful chapel

which he designed. When he came to die, his body was interred in St. Paul's. He is interred under the floor. Over him on a marble slab is a Latin inscription which, literally translated, reads, "If you look for my monument, just glance about you."

I felt that that is how GROVER LADNER'S monuments were left. If you wish to get a true picture of GROVER LADNER'S depth and breadth of knowledge as a judge, all you need to do is to read the District and County Reports and the reports in this Court. They accurately reflect Grover's real judicial character. He also left us that wonderful and helpful treatise, *Conveyancing in Pennsylvania*.

I do not propose to again recount his virtues. That has been so well done by the distinguished members of our bar, Mr. Clark, his partner, and Mr. McWilliams, the former President of the Pennsylvania Bar Association.

Curiously enough, I knew Grover's father before I knew Grover. His father was Albert H. Ladner, a magistrate, whose office was at Fifth and Green Streets. He was a real Democrat after Grover Cleveland's philosophy. In that section of the city everybody respected him. He was an expert in landlord and tenant cases. As a clerk in a law office, I realized how highly he was respected. Other magistrates, remembering their liability upon their bonds, sent their landlord and tenant cases to Albert H. Ladner, the magistrate. I believe that the meticulous care with which Magistrate Ladner conducted his court is reflected in the fine and efficient work of Grover.

When I did meet Grover, it was as a law student at the University of Pennsylvania. He was in the Class of 1906. I happened to be in the Class of 1905, one year ahead of him. Our contact was through the James Wilson Law Club. He was a real student. Everybody liked

Grover. He made an excellent record.

When I graduated I became a plain Frankford country lawyer. Grover was a real trial lawyer. All you need do is to read the reports in the Pennsylvania State Reports to see how many times he so successfully argued cases before this Court.

In 1927 I was appointed and then elected to the Orphans' Court bench. For almost ten years I served before Grover joined us. He was appointed to that court in 1937. At first he was disappointed. He had expected to be appointed to the Common Pleas. He came in to see me, his old friend, to express himself. We had quite a talk. I recounted the field of the Orphans' Court. I felt that he should realize the importance of that work. I pulled down opinions of Judge Penrose and Judge Gest, and showed him the great things he could accomplish. Evidently he became interested. I had the great satisfaction, years afterwards, in having him tell me that he was pleased that he had come into the Orphans' Court. We had a very enjoyable and happy time in that court.

In 1942, curiously enough, Grover and I both were candidates for the Supreme Court. He was on one ticket, I was on the other. We both actively went through the state. The group that I was with happened to win. Grover had no ill-feeling. About a week after the election we were sitting at lunch in a club together, laughing and talking over our experiences while campaigning. A gentleman came along and said, "Well, I declare! This is the first time I have ever seen this: Two men who just a little over a week ago were going through the state, each trying to get his party elected, I now find you still friends sitting down together." He said, "That is truly the American way." Grover and I believed in the American way.

Grover returned to the Orphans' Court where he was

so efficiently serving. He loved that work. I commenced my new duties on this tribunal.

On July 5, 1950, the Governor appointed Judge LADNER to the Supreme Court. He served until the succeeding election. He was a judge for fifteen years, thirteen in the Orphans' Court and approximately two years in this Court. Of those fifteen years he was my associate for eight of them.

The thing which I admired about Grover was his co-operation. His mind, while strong and firm, remained open to conviction. If he agreed, fine; if you did not join him, well and good. There was no proselyting. He did not press to have his colleagues join in his opinions. He had no personal interest. His sole object was properly to administer the law.

I have lost a good friend. Our profession has lost a great man. I am certain that Grover in the Other World already is actively engaged in important spiritual duties.

CHIEF JUSTICE STERN: Thank you, Mr. Justice Stearne.

In accordance with our usual custom, the fine, sympathetic addresses we have heard in memory of our departed friend and colleague will be entered on the records of the Court and printed in the State Reports.