

IN THE SUPREME COURT OF PENNSYLVANIA

In Memory of
HONORABLE JOHN C. ARNOLD
Justice of the Supreme Court
January 5, 1953—November 9, 1958

A memorial service in honor of Justice JOHN C. ARNOLD was held in Room 456, City Hall, on Friday, January 9, 1959, at 10:00 A.M.

There were present the Chief Justice and Justices BELL, MUSMANNO, BENJAMIN R. JONES, COHEN and MCBRIDE, and a representation of the Bar and members of Justice ARNOLD's family and friends.

Chief Justice CHARLES ALVIN JONES presided.

CHIEF JUSTICE JONES: We set apart this hour for memorial services for our late brother, Justice JOHN C. ARNOLD. Mr. RAMEY, President of the Clearfield County Bar Association, is present to speak for the Bar of that County. Mr. RAMEY.

MR. W. ALBERT RAMEY: Chief Justice JONES and Associate Justices of the Supreme Court of Pennsylvania, Mrs. Arnold, children and friends of Justice ARNOLD, the members of the Clearfield County Bar Association greatly appreciate the invitation to be here and to take part in these memorial services for our late brother, Justice ARNOLD.

He was President of the Clearfield County Bar Association for a period of ten years, from 1935 until 1945. His son, Dan P. Arnold, Esquire, is now vice-president. It was during his term as president and

under his leadership that the plan was adopted for 100 per cent membership of the local Bar in the Pennsylvania Bar Association. That plan became known throughout the State as the "Clearfield Plan."

Justice ARNOLD was born in Curwensville, Clearfield County, on March 10, 1887, the son of William C. Arnold and Jane Irvin Arnold, both of whom were natives of that community. His father, William C. Arnold, was a lawyer of some repute and some renown, and he served as a member of the Congress of the United States. Justice ARNOLD attended the schools of DuBois in Clearfield County, and graduated from DuBois High School. He obtained his legal education and his law degree at the University of Pennsylvania, from which he was graduated in 1909. He then returned to his home town of DuBois and began his long and active career as a practicing lawyer in DuBois, where he served as borough solicitor and then as city solicitor when DuBois became a third-class city. He was elected District Attorney of Clearfield County in 1917, and re-elected in 1921. Following his election to that office, he and his family took up their residence in the county seat. He was a senior partner in the law firm of Arnold and Chaplin from 1934 until 1945, when Governor Edward Martin appointed him to the Superior Court of Pennsylvania.

On September 17, 1913, Justice ARNOLD and Miss Clare E. Platt, the daughter of the Reverend and Mrs. Daniel Platt, were united in marriage. To this marriage four children were born, three of whom survive. They are Jane Arnold Mann of Norristown, Pennsylvania; Dan P. Arnold, Esquire, of Clearfield, Pennsylvania; and Mary Arnold Brandis, of Champaign, Illinois. The second born, John C. Arnold, Jr., better known to his many friends as Jack, died in 1953.

Henry Van Dyke wrote:

“Four things a man must learn to do
If he would make his record true:
To think without confusion clearly;
To love his fellow men sincerely;
To act from honest motives purely;
To trust in God and Heaven securely.”

These four things Justice ARNOLD did do. The Bench and the Bar alike, and his many clients throughout his long and active career as practicing lawyer for more than thirty-five years can and do attest to the soundness of his opinions and the clarity of his thinking. This quality in Justice ARNOLD was recognized in June, 1953, when Dickinson College awarded him the honorary degree of doctor of laws; and again only last April when Dickinson School of Law presented him with a citation in recognition of his outstanding ability and his distinguished accomplishments in the field of law. Justice ARNOLD was a member of the board of trustees of each of these institutions.

He did love his fellow man sincerely. He had great concern and compassion for all people, as was so well stated by Mr. Justice MUSMANNO at the time of Justice ARNOLD's death—if the press quoted him correctly —“The race of man will feel the loss.”

That Justice ARNOLD acted from honest motives purely goes without saying; and at the time of his death the Governor of this State said, “He was an outstanding man of real integrity.”

Lastly, Justice ARNOLD did trust in God and Heaven securely. This is evidenced by his devotion to his Church and by his loyalty to the many Masonic and fraternal bodies to which he was loyal, giving of his valuable time and talent as well as his material con-

tributions. Justice ARNOLD was a member of the Free and Accepted Masons, and in 1944 was honored with the honorary 33rd degree in Scottish Rite Masonry. He was one of five Pennsylvania active members of the Supreme Council, Northern Masonic Jurisdiction.

Justice ARNOLD was a member of Trinity Methodist Church at Clearfield. For many years he was a member of the board of trustees of that church, and also a member of the finance commission and the committee on pastoral relations. He also taught the men's bible class, a group of more than one hundred men, regularly for more than sixteen years. In this role he was a modern Gamaliel. It was my great blessing to have been able to sit at the feet of this great teacher as a scholar during the years of his teaching of the lessons of the Bible. Justice ARNOLD did place his trust in God.

Let it then be said of JOHN CARLISLE ARNOLD, once a Justice of the Supreme Court of Pennsylvania, that he did those things which, according to the Prophet Micah, the Lord requires of all men. That is, he did justly, he loved kindness, and he walked humbly with God.

CHIEF JUSTICE JONES: Mr. Eckert of the Allegheny County Bar will speak on behalf of the Pennsylvania Bar Association, by designation of the Association's President.

MR. WILLIAM H. ECKERT: If the Court please: Tall, handsome, smiling, and dignified, Mr. Justice JOHN C. ARNOLD ascended the bench of this Court on January 5, 1953, after having proved his judicial qualifications, though no one ever doubted that he possessed them, by eight years of exemplary service on the Superior Court of Pennsylvania. Previous to that he had dis-

tinguished himself as the leading trial lawyer of northwestern Pennsylvania, and his services were in demand all over the State. In addition to the pride which any lawyer inevitably would derive from being elevated to this Court, representing as it does the pinnacle of the legal profession in the great State of Pennsylvania, Mr. Justice ARNOLD must have been doubly proud on that happy occasion just six years ago because his commission was presented by his own lawyer son, Dan P. Arnold, who continues the ancestral practice in Clearfield County.

Since Mr. Ramey has admirably recounted Mr. Justice ARNOLD's personal and family life and activities and his legal practice, I will not mention them further, except to say that we may be certain that no one would have been quicker than Mr. Justice ARNOLD himself to acknowledge that his lovely and gracious wife was a tremendous help to him throughout their married lives.

The preeminent esteem in which Mr. Justice ARNOLD was held by his contemporaries is attested by the fact that he was president of the Clearfield County Bar Association for ten years. His fame as a lawyer and appreciation of his urbanity were not, however, confined to his native county, but spread throughout the state, culminating in his election as president of the Pennsylvania Bar Association in 1942. Mr. Justice ARNOLD was always a staunch supporter of the Pennsylvania Bar Association and active in its affairs until his untimely death.

As a lawyer and a judge, Mr. Justice ARNOLD was featured by an alert intellect, a keen power of perception and analysis, sound judgment, mature experience, a broad knowledge of the law, a kindly temperament, due respect for personal and property rights, and the courage of his convictions.

Aside from his legal attainments, the trait of character of Mr. Justice ARNOLD that was most outstanding, to me at least, was his extraordinary talent for getting along harmoniously with everyone. Undoubtedly, that was due in large measure to his sympathetic thoughtfulness of the problems and feelings of others. He thought more about the welfare of others than he did of his own personal advancement. His habit of voluntarily thinking of the other person's interests and reactions endeared him to all. I never heard him say an unkind word about anyone, nor have I ever heard anyone speak disparagingly of him. Another manifestation of his consideration for others was the fact that, although he adhered firmly to his own convictions, he never tried to force them on others.

Another outstanding characteristic of Mr. Justice ARNOLD was his keen sense of humor and his ready wit. They made him an entertaining conversationalist and a sparkling after-dinner speaker. He also employed those talents to great advantage in his legal and judicial careers. On more than one occasion that I can remember while he was on this Court, he exposed the fallacy in an unsound argument by a pungent question, wittily expressed, but always courteously asked.

Although his physical strength ebbed in his last years, his mind remained clear and alert until the end. He must have suffered much from the physical infirmities which befell him toward his end, but no one to whom I have spoken ever heard him complain. He bore his pain and misfortunes manfully and philosophically.

In the passing of Mr. Justice ARNOLD, his family, to whom our deepest sympathy is extended, has lost a loving husband and father; the Bar and the public have

lost a wise, honest, and humane judge; and this Court has lost a valued and dear colleague. Would only that anything that anyone could say could restore him to life on this earth. But all that we mortals can have are our cherished memories of him, and they will cling with us as long as we live.

The most appropriate words in which to conclude, of which I can think, are those of Sir Thomas Moore in a short poem:

“Let fate do her worst, there are relics of joy,
Bright dreams of the past that she cannot destroy;
They come in the nighttime of sorrow and care,
And bring back the features that joy used to wear.
“Long, long may my heart by such memories be
filled,
Like a vase in which roses have once been distilled;
You may break, you may shatter, the vase, if you
will,
But the scent of the roses will cling ’round it still.”

CHIEF JUSTICE JONES: MR. WALTER ALESSANDRONI, Chancellor of the Philadelphia Bar Association, will speak on behalf of the Philadelphia Bar.

MR. WALTER E. ALESSANDRONI: If Your Honors please, the minutes of this Court of November 10, 1958, will disclose that JOHN C. ARNOLD, Associate Justice of this Court, passed away on November 9th. Although he had been ill, his death came as a great shock to the Bench and Bar of this Commonwealth who held him in high regard and affection. But we are not meeting here today in sadness because we know it is not our choice to control life's end, and because the grief of the Bench and Bar was recorded by this Court following his death.

Rather, we are gathered for remembrance and recollection and rejoicing in the privilege that was ours in being associated with him, and to record for posterity in the official proceedings of this Court the esteem in which he was held by the judges and the lawyers of Pennsylvania.

Mr. William H. Eckert, representing the Pennsylvania Bar Association, and Mr. W. Albert Ramey, representing the Clearfield County Bar Association, have eloquently spoken of his achievements and character in outlining the biography of this great man. Although a biography and history tell what a man did, they sometimes fall far short of telling what a man really was; and Mr. Justice ARNOLD, the man himself, his character, his soul, his very make-up, were far more important than any of his achievements. No one who knew him could be insensitive to his sterling qualities and his sympathetic understanding of human nature.

It would seem fitting and proper, therefore, if Your Honors please, as a part of these memorial ceremonies, that we of the Philadelphia Bar record our admiration for Mr. Justice ARNOLD, because it was our privilege to have had him with us in this city for so many years, both as Judge of the Superior Court and as a Justice of the Supreme Court. He came as a stranger to many, but his friendly spirit, judicial ability, and legal acumen soon endeared him to all of us. Although we know that this Court will go on in its historic function of securing and safeguarding the proper administration of law in this Commonwealth, Mr. Justice ARNOLD will be sadly missed because he was well fitted by temperament and dedication to sit on this most important tribunal in our State.

To the organized Bar in his county and state he gave freely of great gifts of mind and energy. He was one of whom it can be said has fully paid the debt which every lawyer owes to the upbuilding of his profession. Although Justice ARNOLD's legal practice and judicial duties took him to all parts of the state, and sometimes for long periods of time, his roots remain deep in the soil of his native Clearfield County. Those qualities which we associate with a rural upbringing, practicality, common sense, rugged honesty, and ability to go quickly to the root of a problem, were displayed by him throughout his entire life. He liked to refer to himself as the Main Street Lawyer. Unspoiled by honors which came to him, this continued to be his approach to the often difficult and complex legal problems he faced in the appellate court during his tenure, an approach which was reflected, too, in the style of his written opinions.

Above all things, however, he was a lawyer. As one of us who appreciate the many noble connotations of that appellation, I am sure this is how he would best like us to remember him. Mr. Justice ARNOLD—distinguished lawyer, leader of the organized Bar, courteous gentleman always, valued friend—we of the Philadelphia Bar are proud to record our admiration for him and to express our thankfulness that it was our good fortune to have known him.

CHIEF JUSTICE JONES: The Court is indeed grateful for these appropriate and well chosen remarks in appraisal of the character and life of our departed brother, Justice JOHN C. ARNOLD. Judge ARNOLD's qualities have been referred to, but no matter how long we might speak, we could not adequately appraise them all, for he was a quiet man and there was much in his life that never received open expression. You

could feel it. You could sense it from your association with him.

Judge ARNOLD was, as has been said here, a very eminent trial lawyer of northwestern Pennsylvania. He earned a reputation as an advocate which took him to other parts of this state where his services were sought and where he always had remarkable success, especially with juries.

His open mind, his fairness, and his utter freedom from deception elicited the interest of the man who sat to hear him as he expounded on any subject. His life is a memento to a character such as enlightens the spirit and life of all of us.

Judge ARNOLD was a member of this Court just six years this month. During much of that time he was subject to illness or other physical incapacity either through failing health or accident, which he suffered on several occasions. But, throughout all that, just as has been spoken here, he bore his illnesses and pains with great fortitude; and there is none that I ever knew who ever heard him complain or utter a single word of complaint or despair or discouragement. He was always "all right" when you asked him how he was. That was his habitual answer.

He was a wonderful colleague. We all had the highest regard for him, and he will be greatly missed. But, more than that, the best thing, the most affecting thing in a memorial service is the inspiration that the life we speak of gives to those who survive. We are all richer for having known JOHN ARNOLD; and his honesty, his integrity, and his ability will always be an inspiration to all of us.

This will conclude the memorial services.