

IN THE
Supreme Court of Pennsylvania
EASTERN DISTRICT

PROCEEDINGS ON THE OCCASION OF
THE INDUCTION OF
HONORABLE MICHAEL J. EAGEN
AS A JUSTICE OF THE SUPREME
COURT OF PENNSYLVANIA

Present: CHARLES ALVIN JONES, C. J., BENJAMIN
R. JONES, COHEN and BOK, JJ.

The proceedings on the opening of the Supreme Court on Saturday, January 2, 1960, were as follows:

Mr. Chief Justice JONES: The Court is being convened here today in order to administer to MICHAEL J. EAGEN the oath of office as a member of the Supreme Court of Pennsylvania. We recognize Honorable T. Linus Hoban, President Judge of the 45th Judicial District.

President Judge HOBAN: Mr. Chief Justice, Justices of this Court:

May it please the Court, this is the first time in more than twenty-five years that I have had the privilege of appearing before this august Court. It is a distinct pleasure for me to appear on this occasion and to make the motion which I shall presently put before you.

For some eighteen years the HONORABLE MICHAEL J. EAGEN, an associate judge of the courts of Lackawanna County, has been my colleague. For many years before that I watched with admiration and great pleasure his advancement at the bar and his career in public office. He has been a true servant, a servant of the people and a servant of the Commonwealth. As a loyal district attorney and then as judge, he has made his mark in our community and the results of the recent elections show, of course, that he has made his mark in the Commonwealth of Pennsylvania.

I know of no man who has been more devoted to the public weal and to the interests of the people. Honors innumerable, and jobs, chores of public interest, of public value, have been showered upon him, all of which he has accepted with humility, with dignity and with honor.

I do not suppose it becomes me, or any other judge or any other lawyer for that matter, to say what the great qualifications are for a man to become a great justice in this Court. But I do know that Judge EAGEN will bring to this Court qualities of mind and heart that are most desirable. We have found him to be, in our court, a loyal, hard-working colleague. The people of our community have found him to be a selfless, devoted person, one who has always maintained the public interest uppermost in his mind. I am sure that these same qualifications will serve the Commonwealth of Pennsylvania with distinction and honor as they have served his home County of Lackawanna.

Mr. Chief Justice, I present him with a commission signed by the Governor of Pennsylvania, which certifies to the election of Judge EAGEN as a justice of the Supreme Court of Pennsylvania. And I now have the honor, sir, to move that he may be administered the

oath of office and may be inducted as a member of this Court.

Chief Justice JONES: We recognize Mr. Paul Bedford, Nestor of the Luzerne County Bar. Mr. Bedford.

PAUL BEDFORD, ESQUIRE: Honorable Chief Justice and Justices of the Supreme Court:

The County of Lackawanna does not stand alone in the pride it holds for the man who becomes your associate today.

The Mother County of Luzerne, whereof Lackawanna is the child born in 1878, participates in that pride, for Judge EAGEN, a son of Lackawanna, is by the law of consanguinity a grandson of Old Luzerne.

In that good area lost to Lackawanna were leaders of the Bar who have multiplied with redundancy for the enrichment of the profession we all love. The seeds of law sown by Luzerne in the soil of Lackawanna have yielded products of vintage value.

It has been my privilege as a member of the Bar of the two counties to learn the fitness of our mutual friend for judicial preferment. The proof of his fitness lies in his career as a practicing lawyer, as district attorney for eight years, and as judge of the Forty-fifth District for eighteen years, supplemented by uncounted activities for the welfare of the people of his community.

His earmarks are integrity, ability and industry—a combination indispensable and ideal, and he has it. When to that is added good health in the prime of life, there comes a conviction that his record in this Court will add lustre to its venerated traditions.

To all who know him, it is with confidence in his services that our hopes and admirations rise as he now

leaves his home County of Lackawanna to engage in a larger capacity as a citizen of this grand old Commonwealth of Pennsylvania.

To Judge EAGEN our greeting from Luzerne is: *Itaque, amice, ave atque vale.*

Chief Justice JONES: We recognize Mr. Needle, President of the Lackawanna County Bar Association. Mr. Needle.

RALPH P. NEEDLE, ESQUIRE: Mr. Chief Justice, Associate Justices of the Supreme Court:

With your Honors' permission, the Lackawanna County Bar Association seeks upon this occasion to have inscribed upon the records of your honorable Court the congratulations of every member of our Bar, whether present or unavoidably absent, upon this occasion of Justice EAGEN'S induction to the bench of your high Court.

When we consider his eighteen years as a common pleas judge in Lackawanna County, the variety and importance of the thousands of cases in which he took a leading part and the marked success which crowned his efforts in innumerable instances, we feel that there will be no divided opinion among us that the man, MICHAEL J. EAGEN, now takes his place with the venerated leaders who were the founders of our Bar.

Fortune first smiled upon him when it led him into the choice of his life work, because his mental powers rejoiced in the subtle complexities of the law and his robust and industrious nature has made his labors and exertions the most congenial of activities.

In extending the congratulations of our Bar to Judge EAGEN in his attainment of the highest judicial office of our Commonwealth of Pennsylvania it is with a mixture of both joy and a sense of sadness—joy be-

cause of Justice EAGEN's attainment; sadness because Judge EAGEN seemed to say: "This little Valley of Lackawanna is world enough for me." He was interested in all of its people, their griefs and their triumphs, their joys and their aspirations and their accomplishments, as individuals and as a community. It was this interest in men that kept Judge EAGEN constantly in the forefront as a judge, as a citizen and as a leader in the little Valley of Lackawanna.

In saying this it must be emphatically noted that he has a circle of ardent friends among the people of all races which is so extensive that it is a matter of comment. And it bespeaks the possession of one of the most admirable of human graces, to wit, a spontaneous and incorrigible instinct of friendly good will toward his fellow men and, indeed, all mankind.

Chief Justice JONES: The Prothonotary will now read the Commission.

(The Commission of MICHAEL J. EAGEN as a Judge of the Supreme Court, dated December 10, 1959, and signed by David L. Lawrence, Governor, and John S. Rice, Secretary of the Commonwealth, with the great seal of the State affixed, was then read by Charles H. McKibben, the Prothonotary.)

Chief Justice JONES: Judge EAGEN, you will now present yourself at the lectern and be sworn.

(Following administration of the constitutional oath, Justice EAGEN donned his robe and took his seat on the bench.)

Chief Justice JONES: Judge EAGEN, you are not only honored by this large gathering of your friends to witness your induction to the office of Judge of the Supreme Court of Pennsylvania, but we are doubly honored by having our former esteemed colleague and Chief Justice, HORACE STERN, present.

In the face of the very appropriate and well chosen remarks of the speakers whom you have heard, there is little I need say except I do want, on behalf of the Court, to welcome you most cordially to your place on this Court and to our councils. And in so saying I speak for the whole Court, despite the unavoidable absences today from the membership of the Court.

You have had a long judicial career, active, successful in every way. You have typified the requirements of the just judge, to listen attentively and courteously to arguments of counsel, to consider the problems before you thoroughly and dispassionately, and then judge justly.

To do that, any man commissioned to judge others can do so with charity only by first judging himself sincerely. Your whole life in your judicial experience evidences the fact that you possess those qualities in great measure, and that you are destined for a very successful term as Judge of the Supreme Court of Pennsylvania, with benefit to the people of the whole State and with great credit to yourself. You have now merely enlarged your judicial sphere, to speak the law for the State and not for a single judicial district of the State.

I congratulate you upon your elevation.

This will now conclude the formal proceeding here. Immediately upon adjournment of the Court, Judge EAGEN will receive all friends who wish to congratulate him in the Conference Room immediately back of this courtroom.

(Whereupon the Court was adjourned)