

OUR CHIEF JUSTICES.

REMINISCENCES RECALLED BY THE CENTENNIAL CELEBRATION.

Sketches of the Men Who Have Presided Over the Supreme Court of the United States—Their Distinctive Traits.

When the centenary of the United States Supreme Court is celebrated in New York on to-morrow there will be much of historical reminiscence for each member of the occasion to tell the present generation. There is a peculiar note of the Supreme Court and its honored dignity which is even greater than the respect paid to Presidents. The President is elected, and to secure his office he mingles among politicians and is one of the people. But the Supreme Justice is like a prelate of the Church who claims to be chosen by God as his vice regent, and any American citizen feels freer in approaching the creator of the Supreme Court Justice than the justice himself. The history of the Supreme Court is the legal and political history of the nation for a century, but there was more political importance attached to the Court and its members at the beginning of the century than there is now, when the Supreme bench is considered the throne sought for by the lawyer, rather than by the scheming, ambitious politician.

There have been but seven Chief Justices of the United States not including William Cushing, who was appointed, but declined the honor. The first was John Jay, and to the student of American history it seems useless to tell of John Jay and his valuable services to the nation in the hours when strong men were needed to make firm the foundations of a Government regarded the world over as but a dangerous experiment. John Jay was born in New York, of Dutch ancestry, in 1751, with a trace of French Huguenot blood in his veins. He was an aristocrat from the start, and became an eminent lawyer. He was a conspicuous figure in the Colonial Congress, and trusted by Washington, who, 100 years ago, made him the first Chief Justice. But for a young man like Jay the dull routine of the law in times when men of action were needed to hold up and build up a new and struggling nation was irksome, and he gladly resigned to become Minister to France, with which nation some important diplomatic relations were being discussed.

ADDITIONS TO THE PRESIDENT. When, to the satisfaction of his country, Jay's services at the French capital were ended he returned, and was yet a young man in his prime. He had an ambition to be President, but he could not afford to neglect the political schemers, who had been busy in his absence. Later on he was sent to Spain as envoy, and was also Governor of New York. He retired from political life when he was 60 years old, and declined to join in the jealous quarrels of politicians. He was happy in his marriage with a daughter of William Livingston and proud of his family. He lived out his remaining years in quietude at Bedford, N. Y., and died of palsy in 1829. He left directions as to his funeral, and desired no "coffin trimmings" as he wrote it, asking instead that \$200 be given to some deserving widow or orphan of the village.

Throughout life Jay was a Christian, and his favorite books were the Bible and Cicero. It has been written by one of his admirers: "He ascended to the temple of honor through the temple of virtue." When Jay resigned to become Envoy to France Washington promoted John Marshall to the position of Chief Justice. Marshall, S. C., born in 1753, and was not only a good lawyer and local judge, but an active politician in the South. However, his appointment was very objectionable to the dominant faction in control of the United States Senate, and although he took the robe of office during a recess, the Senate failed to confirm, and he returned to his South Carolina home, where he served as a brain-ager tainted with insanity, caused by overwork and mental worry.

DIED A HELPLESS LUNATIC. In a few years his mind faded and he died a helpless lunatic. Washington was not pleased with the rejection of Rutledge. Among the senators who voted against the confirmation was Oliver Ellsworth of Connecticut, who was one of the brilliant men of Congress. To the great surprise of the Senate and Ellsworth himself, Washington appointed him Chief Justice and the Senate lost no time in confirming the appointment. He was born in 1745, and was given a classical education at Yale.

GOOD MEN WERE NOT TO BE HAD. It seems that good men were scarce in the early days of our Government, and while still on the bench Chief Justice Ellsworth took off his robe and became Envoy to France, and that his successor, Jay. However, he did not resign at once and held the office until his return. He reached Paris at a time the "five kings" of the Directory had been driven from the Luxembourg and when a private citizen of Connecticut. He had married in early life Abigail Wolcott, the daughter of a Governor and Judge of the State Court. But his old neighbors would not let the distinguished priest and his daughter, in private life, and he thought it no abuse of pride to serve as Judge of the State Court of Errors, which place he held at his death in 1807, when he was 63 years old.

JOHN MARSHALL. Every American lawyer has always looked upon John Marshall as the greatest figure in our judicial history. He has been called the American Mansfield, worthy of the compliments bestowed upon the great English Judge by an admirer, who said that he was always remembered as "an awful form and figure of justice." Justice Mansfield served on the Queen's bench for thirty-two years, while John Marshall served thirty-four years, from 1801 until 1835, and he is the only Chief Justice honored by a statue in Washington. It is a magnificent bronze figure, representing him in judicial robes, sitting on the bench with his uplifted, giving an opinion. It is in front of the Capitol, looking over the new part of Washington toward the White House and Treasury. John Marshall was born in Germantown, Va., in 1755, and was a fellow student-in-law of James Monroe. He left Blackstone to become, at 19, a soldier of the revolution under Washington, beginning there the friendship which continued throughout Washington's life.

After service in the State Legislature and in Congress, John Marshall was called to the Supreme bench as Chief Justice in 1801 and gained a name as one of the greatest jurists of the world. He retained his seat until his death at the age of 85. Until a short time before his death his brain was still vigorous and his eyes bright, but he was shocked by the death of his son, a bright young lawyer, who had been

deceased a member of the Virginia Legislature. He was killed by lightning in Richmond. "Volumes have been written of Marshall, and it has been said of him, 'none but himself can be his parallel.' His intimate friend on the bench, Judge Story, wrote his life and also the following to be inscribed on a centenary: "To Marshall, reared, the great, the good, the noble, the just, the true, the brave, the firm, for all ages, honored in all skies."

There is much of interest in the career of Roger B. Taney, who succeeded Marshall as Chief Justice. He was born in Calvert County, Maryland, in 1777, of Welsh ancestry. Although his parents were Catholics, he was educated at Dickinson College at Carlisle, Pa. He became the leading lawyer of Baltimore and was appointed Attorney General by Jackson. He exchanged this for the Treasury portfolio, but the Senate refused to confirm. Then Jackson appointed him an Associate Justice of the Supreme Court. The Senate again refused confirmation and Taney went back to Baltimore. His fellow citizens received him with a triumphal procession and banquet. When a short time later Chief Justice Marshall died, the stubborn and persistent Jackson sent in the name of Roger B. Taney to be Chief Justice. Again the autocratic Senate objected and consideration of the appointment was indefinitely postponed. However, a reconsideration resulted in gratification. Justice Taney lived through the exciting years of the war and his decision in the Dred-Scott case made him hated by all Northern men, as he was unquestionably swayed by his Southern sympathies. He was 90 years old when he died and should have retired years before, as should be done by the older men now on the bench, who hold on merely to retain a social position for their families.

The history of Samuel Portland Chase, who decided the fate of the succession of ambitious triumphs, and he died a disappointed man because he did not become President. He was born and brought up an aristocrat, and when in the Dred-Scott case, Bishop Philander Chase, the famous Episcopalian bishop, who founded Kenyon College, Ohio. In the early days of the State young Chase studied law in Cincinnati, and became an eminent lawyer. He was a conspicuous figure in the Colonial Congress, and trusted by Washington, who, 100 years ago, made him the first Chief Justice. But for a young man like Jay the dull routine of the law in times when men of action were needed to hold up and build up a new and struggling nation was irksome, and he gladly resigned to become Minister to France, with which nation some important diplomatic relations were being discussed.

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