

# LIFE SKETCHES

OF

# EMINENT LAWYERS,

AMERICAN, ENGLISH AND CANADIAN,

TO WHICH IS ADDED

THOUGHTS, FACTS AND FACETIÆ.

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IN TWO VOLUMES.

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BY  
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## MORRISON REMICK WAITE, OHIO.

(1816-1888.)

Fourteen years Chief Justice of the United States. Born at Lyme, Connecticut, November 29, 1816, died in Washington, March 23, 1888, aged seventy-one. He graduated at Yale with William M. Evarts, Benjamin Silliman, Samuel J. Tilden and Edwards Pierrepont, as classmates. Read law with his father, Chief Justice Henry M. Waite, of Connecticut; traveled extensively, and while Mr. Evarts located in New York city, Mr. Waite struck out for the West, locating in Ohio, where he completed his legal studies; was admitted in 1839, and settled in Toledo, in 1850. He became in a certain sense a leader of the Ohio bar, a position he maintained for thirty years. He refused a candidacy for Congress and twice a Justice-ship on the Supreme Bench of Ohio. In 1872 he represented, with William M. Evarts and Caleb Cushing, the United States in the Geneva Arbitration, at the selection of President Grant. His reply to Sir Roundell Palmer before that international tribunal, established England's liability for permitting Confederate

cruisers to coal in British ports during the war, and won him great reputation for its clear, logical and convincing presentation of the facts. He was made a delegate to the Ohio constitutional convention by both political parties. President Grant called him to the Chief Justiceship of the Nation, January 19, 1874.

He drew his conclusions before the reasons on which they rested were consciously recognized. While Chief Justice, industrial development made the chief demand upon the attention of the court. He was a great dispatcher of business and an untiring worker—his last case (an elaborate opinion in the Bell telephone cases, being read by another but four days before his death) fills one entire volume of the United States reports. Out of his 633 decisions (19 Wall. 126 U. S.), more in number than decided by any other judge on the Supreme Bench, but exceeded in amount of work by Mr. Justice Miller, are included but twenty-two dissents. He was dignified, firm and kind; clear, terse, and wanting in ornament and illustration.

## Fourteenth Amendment.

“The Fourteenth Amendment does not add to the privileges and immunities of American citizens, but simply adds guarantees for the protection of privileges theretofore existing.”—Minor’s case, 1874.

## The Period When Chief Justice.

“The period of service covered by Judge Waite’s term was more fraught with difficulties, more full of new responsibilities, and demanded more labor, learning and ability than in any previous period of our history. \* \* \* He was a true gentleman, an upright citizen, a sincere patriot, and a Christian judge.”—John Randolph Tucker, upon the death of Judge Waite, 1888.

## Estimate of as a Judge.

“Mr. Waite was trained in the ways of the law and of the courts; his opinions do not convey the impression of a commanding intellect, but they are clear, terse, vigorous and judicial. He was absorbed in the obligations and responsibilities of his office, having no ambition beyond it. He was in manner plain, unattractive and unostentatious; his genial and social nature combined with admirable courtesy, endeared him to the members of the bar. He was an upright and impartial judge, a good man and a pious Christian.”—Extract from address: The Supreme Court of the United States, by Thomas J. Semmes,