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# THE NORTH CAROLINA STATE BAR

## Meeting of the Council of the North Carolina State Bar

January 14, 1949

The regular quarterly meeting of the Council of the North Carolina State Bar was held on January 14, 1949, Justice Building, Raleigh, North Carolina, with the following officers and members present:

### *Officers:*

Thomas P. Pruitt, President, Hickory  
J. B. James, First Vice-President, Greenville  
A. W. Sapp, Second Vice-President, Greensboro  
Edward L. Cannon, Secretary-Treasurer, Raleigh

### *Councillors:*

Junius D. Grimes, First District, Washington  
Z. V. Norman, Second District, Plymouth  
D. H. Bland, Fourth District, Goldsboro  
Albion Dunn, Fifth District, Greenville  
John D. Warlick, Sixth District, Jacksonville  
I. M. Bailey, Seventh District, Raleigh  
Louis J. Poisson, Eighth District, Wilmington  
Dickson McLean, Ninth District, Lumberton  
R. P. Reade, Tenth District, Durham  
G. H. Hastings, Eleventh District, Winston-Salem  
J. F. Spruill, Twelfth District, Lexington  
W. L. Mann, Thirteenth District, Albemarle  
H. M. Robins, Fifteenth District, Asheboro  
B. F. Williams, Sixteenth District, Lenoir  
Kyle Hayes, Seventeenth District, N. Wilkesboro  
R. W. Proctor, Eighteenth District, Marion  
Kester Walton, Nineteenth District, Asheville  
John Queen, Twentieth District, Waynesville

The President introduced Mr. R. W. Proctor, of Marion, newly elected Councillor from the Eighteenth District, who replaced Mr. Hutchins of Burnsville. The President introduced Mr. H. M. Robins, of Asheboro, from the Fifteenth District, who replaced Mr. Scott of Statesville.

The President called for the minutes of the October, 1948, meeting which were read by the Secretary. Upon motion, the said minutes were corrected to include the schedule of fees submitted by the Special Committee to Confer with the Industrial Commission. Motion was made to further correct the minutes to indicate approval by the Council of the recommendations of the Membership Committee. Upon motion the minutes were approved, as amended.

The President called for the report of the Executive Committee which was made by Judge Bland, Chairman. The Committee reported that it had checked the receipts and disbursements for the quarter and approved the same. The Committee reported that the Secretary had submitted certain items as follows: (1) That arrangements had been suggested for cooperation with the Board of Law Examiners as to contributing to certain expenses of the operation of the office. The Committee recommended that this matter be carried over until a later meeting. (2) The Secretary requested authority to destroy certain form correspondence dealing solely with the matter of dues and letters transmitting the same. The Committee recommended that the Secretary be authorized to destroy such items in view of the lack of storage space. (3) The Secretary reported on his attempts to secure certain information and data relative to the availability of a law student to assist in investigations. The Committee recommended that study be continued and the matter given further consideration. (4) Letter of Mrs. J. M. Jones, of Edenton, relative to the purchase of the home of Judge James Iredell. The Committee recommended no action. (5) The Secretary reported it is his opinion that at this time the State Bar could not afford to grant him any increase in compensation. The Committee recommended no action be taken. Motion was made that the report and recommendations of the Committee be adopted. Motion carried.

The Council discussed the question of delinquent dues. Mr. Hayes moved that his original motion relative to the employment of some person to assist the Secretary in investigations be broadened to include any young lawyer or law student. Motion was adopted. Motion was offered to direct the Legislative Committee to prepare an amendment to the State Bar Act providing for the suspension of members who are in arrears for more than 6 months in their dues. Amendment was offered to authorize the Legislative Committee to act on the matter. A substitute motion was offered by Mr. Walton for the appointment of a committee to present proper resolutions to send to Judges of the Superior Court requesting cooperation and assistance in dealing with members who are delinquent. Motion was seconded by Mr. Norman. Following discussion, an amendment was offered to provide that the Executive Committee draw such a resolution and report the same following the noon recess. Upon motion, the substitute motion of Mr. Walton was unanimously adopted.

The President called for the report of the Legislative Committee made by Mr. Poisson, Chairman, as follows: (1) Proposed bill to amend the General Statutes adding the Board of Law Examiners to those agencies receiving copies of the Supreme Court Reports. The

Committee recommended that the advisability of introducing this bill be left in the discretion of the Committee. Motion was made to accept this recommendation and motion was adopted. (2) The Chairman advised the Council that none of the bills being prepared by the Commission for Improving the Administration of Justice had been finally drafted and therefore none of these bills could be presented to the Council for consideration. (3) The Chairman requested instructions from the Council relative to action regarding resolution previously adopted calling for increases in salaries of the Supreme and Superior Court Judges. (4) The Chairman referred to the previous suggestion requesting the Secretary of State to require certain certificates on legal instruments filed with his office to the effect that the same had been prepared by counsel. The Committee recommended that this proposal be deferred for consideration as to possible legislation. The recommendation of the Committee was adopted. Mr. Poisson made a statement to the Council relative to the work of the Commission for Improving the Administration of Justice.

Motion was made to adjourn and reconvene at 2 P.M. Motion was adopted.

The President called for the report of the Grievance Committee which was made by Judge Hastings, Chairman. The Committee suggested recommendations in 5 cases.

The President called for the report of the Ethics Committee made by Mr. Grimes, Chairman. The Committee reported that it had received copy of letter from the Comptroller General of the United States advising the Secretary of the Army that in the light of the law in this State and the rules of the Council that prior rulings calling for competitive bids on abstract and title work would not apply to the State of North Carolina. The Committee presented this communication to the Council as information. (2) Inquiry from attorney requesting the opinion of the Committee as to the following: Is it proper for a Judge Pro Tem of a Domestic Relations Court to appear in the civil and criminal courts of his county other than in the Domestic Relations Court only in cases outside the jurisdiction of the Domestic Relations Court and not having their origin in said court. The Committee recommended that said attorney be advised that it was their opinion that he could not practice in any of the criminal courts in the county. Upon motion the recommendation of the Committee was adopted. (3) The Committee recommended addition to Canon E of the Canons of Ethics, said addition to follow as an additional sentence at the end of the present Canon to read as follows: "It shall likewise be deemed unethical and improper for any attorney to represent any party in any civil action where such attorney or a member of his family has personally signed

any cost or other bond with or without compensation." Motion was made that the recommendation of the Committee be adopted and that the said addition to Canon E be and the same is adopted by the Council and the Secretary is instructed to certify the same to the Supreme Court. Motion was seconded and duly adopted.

The President called for the report of the Committee on Unauthorized Practice made by Mr. Reade, Chairman. The same is as follows: (1) The Committee called the attention of the Council to communication from Mr. Charles A. Burrus, the immediate past president of the Cleveland County Bar advising that the Union Trust Company ran due correction in the press as to its previous advertisements relating to wills. (2) In the matter of D. A. Hutto, of Hildebran, the Committee reported that action in this matter was pending and further report would be made at a later date. (3) The Committee called attention of the Council to further correspondence in connection with bidding on title work on the Buggs Island project. The Committee recommended that the Secretary undertake to discover the activities of attorneys in Virginia and their employment of North Carolina attorneys and that the matter be further retained by the Committee until a later meeting of the Council. Motion was made that the recommendation of the Committee be adopted. Motion carried. Motion was made that the report of the Committee be adopted. Motion carried.

The President advised the Council of the fact that it was necessary to elect a member of the Board of Law Examiners to replace W. F. Taylor, resigned, and that the unexpired term of Mr. Taylor was for a period of two years. The President declared nominations in order for election of a member of the Board of Law Examiners. Charles R. Jonas, of Lincolnton, was nominated and the nomination was duly seconded. Mr. W. A. Dees, of Goldsboro, was nominated and the nomination was duly seconded. The President called for written ballots and upon the counting of the votes cast, the President declared Charles R. Jonas, of Lincolnton, duly elected.

The President called for the report of the Membership Committee made by Mr. Bailey, Chairman. The Committee made the following recommendations: (1) Archie C. Walker—Approved. (2) J. Bryan Grimes—Petition retained for further information. (3) E. E. Crutchfield—The Secretary to advise petitioner to furnish further facts to the Committee. (4) D. E. Scarborough—Denied. (5) Walter Royall—The Secretary to advise petitioner to file proper petition. (6) J. S. Stell—Approved. The Chairman of the Committee read a letter from Mr. Ivey of Lumberton as information to the Council. Upon motion the report and recommendations of the Committee were approved.

The President called for the report of the committee designated at the morning session to draft a resolution to be sent to the judges of the Superior Court relative to attorneys delinquent in their dues. Resolution presented by the committee was as follows :

WHEREAS, the records of the Council of the North Carolina State Bar disclose that numerous members of the State Bar are delinquent in the payment of their dues to the State Bar, and that such delinquent fees amount in the aggregate to a considerable sum.

WHEREAS, the Statute provides that the Secretary of the State Bar shall furnish to each Clerk of the Superior Court a list of delinquent members of the Bars of the several counties, and that the Clerks shall lay such list upon the desk of the Court; and

WHEREAS, the Statute provides that the Court shall take such action thereon, as it may deem necessary and proper.

NOW, THEREFORE, BE IT RESOLVED: that the Court, upon the presentation of such a list, after due notice to such delinquents, and upon the failure of the delinquent to pay said dues by a day certain, enter an order suspending such delinquent attorney from further practice of the law until said dues are paid.

RESOLVED, FURTHER: that to the end that the Presiding Judges may be informed as to the delinquent attorneys, the Secretary of the State Bar is directed to forthwith forward to the several Judges of the State of North Carolina a copy of this resolution together with a list of the delinquent attorneys in the several districts.

Motion was made that the resolution be adopted. Motion unanimously carried. Motion was made that copy of the resolution together with the lists of delinquent members be sent to Judges of the Superior Court and that the same include the lists both for the home district of the said Judge and the district in which he might be holding court. Motion was duly adopted.

The President called for the report of the Special Committee to Confer with the Industrial Commission. Mr. Spruill, the Chairman, reported that they would like instructions on procedure as to taking up proposed schedule of fees with the Industrial Commission. Mr. Bailey moved that the Committee be instructed to confer and take up with the Industrial Commission this matter, and that the Committee also confer with the Commission relative to the question of the Superior Court setting the fees in cases appealed from the Commission. Motion was seconded and duly adopted.

The President called for the report of the Committee on Post War Work. Mr. Norman, Chairman, reported that Mr. J. C. Pamplin, Acting Director of the Veterans Commission, had submitted certain condensed material on veterans laws and desired to print sufficient copies

to send to members of the Bar for their information and convenience. Upon consideration, the Secretary was advised that it would be satisfactory to send out this material to members of the Bar.

The Secretary made a statement to the Council relative to his activity and résumé of some of the work done in the last ten years and recommended that Miss Hellon Bray be designated as assistant. Following discussion, motion was made that Miss Hellon Bray be elected as assistant to the Secretary. Motion was adopted.

The President recommended election of committees for the year and upon motion made and seconded, the following committees of the Council were elected for 1949:

NORTH CAROLINA STATE BAR COMMITTEES—1949

*Executive Committee*

D. H. Bland, Chairman, Goldsboro  
J. Laurence Jones, Charlotte  
W. L. Mann, Albemarle  
J. D. Warlick, Jacksonville  
J. B. James, Greenville

*Grievance Committee*

R. P. Reade, Chairman, Durham  
Z. V. Norman, Plymouth  
J. E. Banzet, Warrenton  
W. L. Mann, Albemarle  
Armistead W. Sapp, Greensboro

*Ethics Committee*

G. H. Hastings, Chairman,  
Winston-Salem  
Albion Dunn, Greenville  
L. J. Poisson, Chairman, Wilmington  
Dickson McLean, Lumberton  
B. F. Williams, Lenoir

*Legislative Committee*

L. J. Poisson, Chairman, Wilmington  
I. M. Bailey, Raleigh  
P. W. Glidewell, Reidsville  
Kester Walton, Asheville  
Kyle Hayes, North Wilkesboro

*Unauthorized Practice Committee*

J. D. Grimes, Chairman, Washington  
P. W. Glidewell, Reidsville  
Albion Dunn, Greenville  
R. P. Reade, Durham  
Kyle Hayes, North Wilkesboro  
J. B. James, Greenville  
R. W. Proctor, Marion

*Membership Committee*

B. F. Williams, Chairman, Lenoir  
I. M. Bailey, Raleigh  
Dickson McLean, Lumberton  
J. E. Banzet, Warrenton  
J. F. Spruill, Lexington  
John M. Queen, Waynesville  
H. M. Robins, Asheboro

*Solicitation of Litigation*

J. Laurence Jones, Chairman,  
Charlotte  
Kester Walton, Asheville  
G. H. Hastings, Winston-Salem  
J. D. Grimes, Washington

*Post War Work Committee*

Z. V. Norman, Chairman, Plymouth  
John M. Queen, Waynesville  
D. H. Bland, Goldsboro  
R. W. Proctor, Marion

*Special Committee to Confer with  
Industrial Commission*

J. F. Spruill, Chairman, Lexington  
J. D. Warlick, Jacksonville  
H. M. Robins, Asheboro  
Armistead W. Sapp, Greensboro

No further business appearing, the Council adjourned at 3:30 P.M.

## CHUCKLING JUDGE\*

DILLARD S. GARDNER\*\*

It was his laugh that introduced us—a rich, full-bodied laugh that rose from his toes, geysered upward through his body and finally flowed out upon the world in all its earthly good-humor and love of living. That laugh billowed up to the second floor of the Law Building, as I left a classroom. I looked inquiringly at a third-year student. A quiet smile relaxed his face and a twinkle came into his eyes, as he answered my unspoken question with, "Judge Brogden is back again." My curiosity needled me. I wanted to meet this man. When I reached the first floor, I saw him—a broad-shouldered, thick-chested, middle-aged man with a boyish curl of red-brown hair resting on his forehead. His expressive eyes danced in merriment as he regaled the worshipping throng of law students with some colorful tale of the law. He was no taller than the students, yet such an aura of magnetism hovered about him that the bystanders appeared as a neutral backdrop for his vital personality. Someone introduced us. Throwing his arm across my shoulders, as he continued to talk, he drew me into the circle. I had met Justice W. J. Brogden, of the North Carolina Supreme Court.

Master that he was of English, it was still in what he called "the vernacular of the jury" that he loved to talk—in his musical, twangy drawl. Here in the warm, live, vivid language of the streets he was able to draw closer to his fellowmen. He loved people and no man had a greater capacity for friendship and personal loyalty. One summer after he had taught a course in the University law school, he was chatting with "his boys." One of them lamented that the school refused to offer a review for the bar examination, that the Dean felt that if the boys had not learned enough law in the regular courses to pass the bar, they ought to fail. The Judge sympathetically replied, "You know, boys, the Dean knows so much law and he's known it so long that he has almost forgotten his student days. Let's see if we can figure something out. I don't have any plans for the summer and I don't even have anything to do until the Fall Term. Suppose I come over here a couple of afternoons a week until the exam; we can chat about the subjects you feel shaky on." He was as good as his word. Two or three afternoons each week, he came. We chose the topics; he reviewed us, in masterly fashion. Only one or two of the large group failed the Bar exam that

\* Mr. Gardner has herein collected some of the unusual experiences and stories of the beloved Justice Brogden which he thought should be preserved for those who knew him. The State Bar Editor and the LAW REVIEW Editor agreed that these recollections would be of interest to North Carolina lawyers.—Ed.

\*\* A.B. 1928, LL.B. 1929, University of North Carolina. Supreme Court Librarian and Marshal.

summer—and every man in the crowd will carry to his grave a warm spot in his heart reserved for the memory of Judge Brogden, a real friend.

As a teacher, he stripped law to fundamentals, bringing these out with whimsical comments and humorous anecdotes. On his class in Domestic Relations one morning a student suggested that the rule requiring the father to support his small children seemed vague and asked the Judge to clarify it. He answered, twirling his tortoise-rimmed spectacles in his hand as he talked, "Well, it's like this. If the old man is rolling in mazooka, the law makes him fed his children the best—stuff with a lot of my-o-nez and these buckshot in axel-grease called caviar. But, if the pappy is a working man who has to scuffle like the Devil to keep vittles in the house, all he's got to do is to provide plenty of hawg jowl, turnip greens, and pot-licker—and the law says that's enough."

He enjoyed giving a personal touch to his little jokes, but he laughed "with you" instead of "at you" and no one ever took offense. One of his "boys" was an excellent student, the son of an outstanding judge of the Superior Court. Judge put this problem: If the husband and wife owned property by the entirety and the husband killed the wife, would he take the property as surviving owner? The student gave a clear-cut, well-reasoned opinion that he would. Whereupon, the Judge replied with a chuckle, "Yes, that's what your daddy thought—but the Supreme Court thought otherwise." The problem was an actual case and the Judge had purposely set a trap for the son (though when we located the case in the Reports—*Bryant v. Bryant*, 193 N. C. 372—we found that the student's father had not been the trial judge).

He was an unaffected and modest man, but his color and charm were revealed even in his confessions of his limitations. One day a student asked him whether a man could leave his property to his family for so long as any of his grandchildren remained alive. Quick as a flash came the Judge's answer, "Three things I don't know nothing about, ain't never known anything about, and hope I die ignorant of—undertaking and embalming, contingent remainders, and the statute against perpetuities." This genuine modesty appeared again when he met Professor, now Judge, Dobie, a distinguished visiting professor from Virginia. He greeted him with, "I'm proud to meet an F.F.V. I'm an R.O.M.; there are lots of us in North Carolina." Puzzled, Professor Dobie inquired, "What is an R.O.M., Judge?" "Oh," laughed Judge Brogden, "Just Run of Mine." This same freedom from pretension was reflected another time when he was discussing with a lawyer the names of certain famous ancestral homes in the State. He dropped this inci-

dental observation, "I named my house once. Called it 'Hawngry Neck.' But," he added as if in puzzlement, "for some reason my wife didn't like the name and I don't mention it any more." His conversation was peppered with these unexpected and colorful touches. On one occasion he had just returned from making an address, dedicating a church. The friend, who was something of a bird-hunter, inquired, "Mr. Brogden, did you lay them in the aisles?" "Well," drawled the Judge, "them I didn't kill, I crippled."

In his legal opinions the blend of a clear mind and a warm heart found expression through a happy faculty for writing strong, lucid prose. Though his service on the appellate bench was relatively short, the late Dean Wigmore of Northwestern School of Law in a survey-appraisal of appellate judges in the United States paid him the tribute of including him in a list of fewer than a dozen judges singled out by name for favorable comment. But, it was his characteristic light touch, in appropriate cases, that endeared him to the lawyers of his home state. In *Rector v. Coal Co.*, 192 N. C. 804, he dealt with an action to recover for a mule-kick; drawing on his early experience as a ploughboy, he laconically observed, "A mule is a melancholy creature. It is *nullius in illius* in the animal kingdom. It has been said that a mule has neither 'pride of ancestry or hope of posterity.' Josh Billings remarked that if he had to preach the funeral of a mule he would stand at his head. Men love and pet horses, dogs, cats, and lambs. These animals have found their way into literature. . . . But nobody loves or pets a mule. No poet has ever penned a sonnet or ode to him, and no prose writer has ever paid a tribute to his good qualities. . . . The idealist may dream of a day when the 'world is safe for democracy,' but this even will perhaps arrive long before the world will be safe from the heels of a mule."

In *Banks v. Maxwell*, 205 N. C. 233, the plaintiff had been gored by a bull. Judge Brogden opened his opinion with a tribute to the bull, "The ancestry and social standing of a bull antedates the pyramids of Egypt. Indeed, the written record reveals that in the first civilization along the stretches of the Nile a bull was a god." He continued with a discussion of the law of the case, then closed with these words, "It is true that a witness said that each morning when the bull was turned out of the pen, 'he would bellow, paw the ground, and burrow in the ground with his head.' Those bred to the soil perhaps know that such acts on the part of the normal bull constituted *per se* no more than boastful publicity or propaganda, doubtless designed by the animal to inform his bovine friends and admirers that he was arriving upon the scene." Lest it be thought that his sense of humor was confined to

pastoral subjects, we find him in *Everett v. Goodwin*, 201 N. C. 734 discussing the evidence in a case growing out of the urbane subject of a golf game, "the man who makes the lowest score is the man who has the honor of making the first play at the next hole. It does not appear who was the honor man at the 16th hole, but it is clear that the plaintiff had the 'honor' of having his knee cap broken by a ball driven by defendant, and it is obvious that thereafter all 'honors' ceased."

It is always embarrassing to a judge when lawyers so forget the proprieties as to ask his opinion on a legal matter which may come before him as judge; one day one of these bores was forcing the Judge to listen to his description of a case lost in the trial court. As he talked, the lawyer spread a number of photographic exhibits before the Judge, most of them showing a beautiful lady bystander. Earnestly, the lawyer inquired, "Judge, don't you think I should win this case on appeal?" The Judge answered instantly, without looking up from the photographs, "On sex appeal—yes." At times his good nature overflowed in sheer boyish and rambunctious mischief. One morning his attractive secretary, a prim and dainty Miss, had used just a hint of some new perfume; Judge snorted, "Miss Ella, you smell like a goat." In consternation, she gasped, turned in anger, and marched in a huff to her office. He sat grinning for several minutes, then called out softly, "Well you do, Miss Ella. Don't a goat smell with *his* nose, too?"

The offices of the justices of the North Carolina Supreme Court stretch along a single corridor; in the court-room oil portraits of deceased justices line the walls. Whimsically advertent to these facts, Justice Brogden commented one day, "They incarcerate us in Death Row while we are alive, and hang us in effigy when we are dead."

When he was sitting with the Court hearing arguments, he was noticeably silent, although the other justices frequently questioned the lawyers. This was generally noted. A lawyer asked him why he never asked questions from the bench. Back came a typical blend of wisdom and humor as he chuckled, "Well, I learned long ago that you can keep your mouth shut and be thought a fool, or open it and eliminate all doubt. But," he added in a confidential tone, "You know I sit up there in mortal fear all the time. I'm like the half-wit boy who went to town with his pa on a load of potatoes. The old man left him to watch the load, but warned him not to talk to strangers. 'If you do, they'll find out you are a fool.' Soon a fellow came by, asked him how much he wanted for his 'tatoes. The boy shook his head. The stranger repeated the question. The boy silently shook his head. Disgusted, the stranger turned away, muttering, 'You are just a durn fool.' About that time the boy saw his old man coming. Unable to wait, he shouted to him,

'I did like you said pa, kept my mouth shut, but he found out anyway.'

Judge Brogden began as a school-teacher. It was there he learned that "you don't have problems, just people with troubles." He stayed close to people and drew warmth from them. Through the years, his boys and girls became men and women and he moved from the school-room to the courtroom, but still there were no problems, just neighbors in trouble. As his sympathies broadened and his insight deepened, he grew until—as few men I have ever known—he could look upon the human heart itself with compassion and understanding. One night he was chatting with a group of students at a law fraternity. Words came alive for him and danced upon his lips. That night they flowed in effortless sincerity with a limpid purity and lyric rhythm touching his prose with the brush-tip of poetry. He was speaking of the practice of law: "The life of a community flows in a turgid stream through the lawyer's office. Rarely is it clear, for life, like truth, is rarely simple. Even more rarely is it calm, for life is conflict and the human heart is the battleground. Sometimes, from the quiet pools in darkened shadows, there arises a miasma and a stench, for this watershed of life drains not only the sunny hillsides but the cesspools of hidden alleys as well." He paused, then continued with a quiet earnestness of conviction, "But, life sometimes soils without tainting. Muddy waters are not always polluted. Always remember, my boys, that the stream at its source is pure." Like every good judge, he was first a good man. He was not so naïve as to be blind to evil, but he was sure that most of it stemmed from the frailty of the flesh. He forever looked upon his neighbor and found much that is good. He did not conceitedly harangue the passers-by in the certitude that he alone had laid hold of truth. He was too tolerant to be a crusader, but too allergic to injustice to remain silent in its presence. He was so much a part of his fellowmen that he felt their sufferings and aspirations as his own.

When the following lines were written a few years ago, a vision of Judge Brogden was not far from me:

The great judge is like a river-bed  
Over which life's waters are forever tumbling,  
Leaving tiny, golden flecks of truth.  
Like the river-bed, too,  
He catches the gold of the moment  
And stores them with the nuggets of the past.  
In the hands of a great judge  
The details of the commonplace  
Take on a warm and vital glow  
And they become alive and phosphorescent;  
Eternal truth shines through the tawdry circumstance  
And that which is universal takes on meaning

As the fleeting and transitory is cast aside.  
Thus, little things take on a new perspective  
And little lives reveal important dreams;  
By the alchemy of the great-souled judge  
That which is familiar, ordinary, trite  
Becomes immortal, deathless.

When Judge Brogden died, Chief Justice Stacy paid this tribute: "The Commonwealth is richer that he lived and labored in it; it is poorer that he is gone. He was a noble fellow—a great-hearted fighter for the right. The lives of many have been enriched by the rare charm of his friendship, and in the hearts of those who knew him best, his immortality will abide." That was fourteen years ago. We will not see his like again. Truly, "in the hearts of those who knew him best, his immortality will abide."