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NORTH CAROLINA LAW REVIEW

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Volume 30 | Number 1

Article 4

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12-1-1951

# Chief Justice Walter Parker Stacy

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## Recommended Citation

William A. Devin, *Chief Justice Walter Parker Stacy*, 30 N.C. L. REV. 1 (1951).

Available at: <http://scholarship.law.unc.edu/nclr/vol30/iss1/4>

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*This issue is respectfully dedicated to the memory of  
Chief Justice Walter Parker Stacy, in appreciation of  
long and distinguished service.*

## CHIEF JUSTICE WALTER PARKER STACY

HON. WILLIAM A. DEVIN\*

The death of Chief Justice Walter Parker Stacy September 13, 1951, closed a service of more than thirty years as a member of the Supreme Court of North Carolina, over which he presided as Chief Justice for twenty-six years, the longest in the annals of the Court. And now in the lengthening shadow of his great life, we pause to contemplate the magnitude of the man who served the State so long in this high office, and to pay deserved tribute to his memory.

His roots were typically American. Born in a parsonage, the son of a Methodist minister, one of twelve children, he grew up in a home purified by piety and faith. Early struggles to gain an education and to achieve strengthened and developed his character. He pursued his studies at the University of North Carolina where he earned degrees both in letters and in law. His fame as a student still lingers in Chapel Hill where he excelled as a debater and in student councils. There he was honored by being tapped for the Golden Fleece. Coming to the bar in 1909, he chose to practice his profession in Wilmington. He served in the Legislature of 1915 where his poise, good judgment and ability to state a question clearly and pointedly singled him out, and won him appointment as Superior Court Judge at the age of 31. Five years later he was chosen by a vote of the people of the State to serve as a member of the Supreme Court, thus beginning a career which has illumined the judicial annals of the State and in which he rendered to the State a service in the administration of justice unsurpassed in its history.

Those who knew Judge Stacy best and who have observed the development of his powers through the years, who have had opportunity to perceive the unusual coordination of legal learning and sound judgment in its application, with the gift of clear and accurate statement of the law, who have studied his opinions written in flawless English,

\* Chief Justice of the Supreme Court of the State of North Carolina.

and noted the manner in which with the hand of a master craftsman he has disposed of causes wisely and justly, without waste of time, must conclude with me that no greater Chief Justice in North Carolina has ever held unshaken the balances of human justice in this high office.

So well balanced was his mind, so diversified his gifts, so much did he excel in all that makes a great judge, that it is difficult to seize upon any one quality or excellence that outshone the rest as typical of the man.

His legal opinions written for the Court will constitute his most enduring monument. He wrote 1500 opinions and they extend through fifty-three volumes of the North Carolina Supreme Court reports. These opinions give the measure and the quality of his thoughts and reveal as nothing else could do the strength and variety of his powers in the field in which he truly served the State. It may be said of him as was said of another great Chief Justice, "He had the gift to state in terms of law the meaning of life in action." His choice of words in stating the decisions of the Court demonstrated the extensiveness of the vocabulary which his wide reading had made available for his use. His many apt expressions show his understanding of the springs of human action. He had the happy faculty of choosing the right word to express the exact meaning he wished to convey, and he could puncture an unsound argument with a single phrase. But always he fashioned the forms of judicial decision to achieve the ends of justice. All else, in his words, was *brutum fulmen*.

There were those who considered him to be conservative, but, if so, his was the conservatism that builds on sure foundation, and refuses to be led astray in search of false gods. He had few diversions and no hobbies. To him the law was a jealous mistress and to her he paid constant court. He loved books. He lived with them and in them. They were the tools with which he fashioned the rules of justice according to law.

His extra-judicial services in the field of national labor disputes earned for him the grateful commendation of four Presidents of the United States.

For thirty years Chief Justice Stacy seemed to personify the Supreme Court, in dignity, in character, in learning, in human sympathy. No embryo lawyer with shaking knees ever addressed the Court for the first time without a kindly smile of encouragement from the Chief.

He was a staunch defender of the Constitution as the basis upon which democratic action must find support. When a proposed amendment to the Constitution was defeated by vote of the people, and an attempt was later made to accomplish the same result by legislative

action, he adjudicated the controversy in a single sentence: "The voice of the people is the voice of finality." This dictum expressed his political philosophy.

Characteristically he was reserved in personal expression, but for sixteen years I had the privilege of sitting beside him on the bench and in conference, and felt the warmth of his feeling for his associates, his respect for their views, his kindly helpfulness, and the value of his judgment on difficult problems. He won and held the affectionate regard and sincere loyalty of those who served with him. Beneath his reserve his feelings ran deep.

Chief Justice Stacy's influence on law and the procedure for the administration of justice while not spectacular was profound and will endure. A hundred years from now his words will still be quoted as the most concise and accurate statements of the law, and will serve as the basis for sound judicial thinking. The labors which will give him enduring fame were rendered within the circumference of the Supreme Court of which for a quarter of a century he was the leader and spokesman. These have served to strengthen respect for the judicial powers conferred upon the Court by the Constitution.

To his associates he was a friend, a companion, a great judge, but he was more. He seemed in our eyes the symbol of the supremacy of law, of the dignity of obedience, of the calm neutrality of justice, but always with an underlying touch of sympathy and human kindness.

We shall see his like no more.