



RICHARD B. RUSSELL served on the Georgia Court of Appeals 1907-1916 and on the Georgia Supreme Court 1922-1938. He was Chief Judge of the Appeals Court and Chief Justice of the Supreme Court. He was born in Cobb County, Georgia, near Marietta, April 27, 1861, and died December 3, 1938.

At age 18 he was graduated from the University of Georgia and the following year from the Law Department of this university. He served on the Board of Trustees, for 13 years as Chairman of the Board. He was admitted to the Bar in 1880.

He married Minnie L. Tyler of Barnesville, Georgia, who died three years later. Three children were born, but none survived infancy. On June 24, 1891, he married Ina Dilliard of Oglethorpe County, Georgia. Fifteen children were born of this union. See the memorial dated September 5, 1939, in 188 Georgia Reports, pages 869-895 for details. One of his sons became Governor and later a U. S. Senator; another a Presbyterian minister; and a daughter married a U. S. Congressman. At age 21 he was elected to the Georgia Legislature, served six years, and authored bills establishing the Athens public schools and the Georgia State College for Women; elected Solicitor-General and later Judge of the Western Circuit; was one of the first three judges elected to the Georgia Court of Appeals. He is the only Judge elected to head both courts. While on the Court of Appeals he would study and leave many important cases on his desk until the final ten days of the deadline or the end of the term.

He would then begin dictating to relays of stenographers over 20 hours each day, then sleep on the couch in his office three to four hours, and then go on again. While on the court he made an unsuccessful race for Governor. Among other words of praise some have called him "a fine companion, a devoted husband and father, an orator of surpassing eloquence, a superb scholar in both law and literature." He possessed "erudition, acumen for technical skill. ..A passion for justice made him an ideal Judge."

IN MEMORIAM

SUPREME COURT OF GEORGIA, SEPTEMBER 5, 1939.

CHIEF JUSTICE RICHARD BREVARD RUSSELL.

REPORT OF THE COMMITTEE.

May it please Your Honor:

The phrase "Died in the harness" and similar phrases in popular and in classic speech carry connotations of a feeling that is instinctive in most men. In the heart and mind of almost every one there is a hope that his usefulness shall not end before the days of his life end. There is pride, as well as hope, in the thought.

In Second Maccabees we find the author saying, "Nikanor lay dead in his harness." Neil Lyons, the South African writer, in his poem, "Drums," does homage to Ned, one of his characters, saying:

"He's called, he's killed.

Him and his drum lies in the rain, lies where they stood
When they was stilled."

Macbeth, when he saw his doom approaching, as Birnam Wood came to Dunsinane, met his fate with the prideful cry:

"Blow wind! Come wrack!

At least we'll die with harness on our back."

The thought is in Robert Louis Stevenson's "Requiem," now the epitaph on his tomb:

"Home is the sailor, home from the sea,
And the hunter home from the hill."

When on December 4, 1938, it became known that on the day before the great and beloved Chief Justice of Georgia had spent the day at the Capitol, laboring with his associates on the final work of a closing term, had cleared his desk of all cases then to be decided, had gone home, and, as if merely resting from a day's work, had lain down upon his bed and quietly passed away into the sleep of death, the grief of his friends was tinged with pride in the thought that he had died, as he would like to have died—in the harness.

As he lay in state,

"He lay like a warrior taking his rest."

The pride that the members of this committee feel in having been selected to present this memorial is overshadowed by the feeling that in none of us nor in all of us is there the skill and competency to pay adequate tribute to him whom we are this day called upon to memorialize.

Richard Brevard Russell was an extraordinary person and led an extraordinary life. We may be able to commit to writing some of his achievements which give testimony to his greatness, but there was in him and in his life a vastness that evades definition and defeats delineation—vastness of heart and of mind and of personality.

Upon the appointment of this committee, the chairman wrote each member and asked for suggestions; and the replies were unusually numerous. Upon these suggestions, this report is written.

The subject of this memorial was born in Cobb County, Georgia, near the City of Marietta, on April 27, 1861. His father was William J. and his mother Rebecca Harriet Russell; his mother being a member of the Brumby family so prominent in that section of the State.

When he was eighteen years old he was graduated from the University of Georgia with the degrees of A.B. and B.Ph. The next year he was graduated from the law department of the same school. Throughout the rest of his life he was devoted to his Alma Mater. He was a member of the Board of Trustees of that institution, with the exception of a comparatively short interval, from the time he was twenty-six years old till after he was seventy. From 1920 to 1933 he was Chairman of the Board. In one of his opinions (Regents of the University System v. Trust Co., 186 Ga. 498) he refers to his long and strong affection for the University.

Three colleges honored him with the degree of LL.D.: the University of Georgia in 1924; Oglethorpe University in 1929; the Atlanta Law School in 1936.

He was admitted to the bar in 1880 in the Superior Court of Clarke County at Athens, where he began the practice.

At the age of twenty-one he was elected representative from Clarke County and served three consecutive terms; that is, from 1882 to 1888. In two bills of which he was the author he took a lifelong pride. In 1884, against considerable local opposition, he put through the act by which the system of public schools was established in Athens. In 1887 he was the author of the bill creating the Georgia State College for Women. He was President of the Board of Trustees of that college from 1918 to 1933. Last fall the alumni and friends of the college erected a magnificent bronze bust of Judge Russell on the lawn in front of the Ing Dillard Russell Library Building—named of course for Judge Russell's wife.

In 1888 he was elected Solicitor-General of the Western Circuit and served in this capacity till 1897, when he was elected the Judge of the Superior Court of that Circuit, a position he held with great distinction till 1906, when he resigned to enter the heated gubernatorial race of that year. There were five prominent candidates in the race. Hon. Hoke Smith was elected, but Judge Russell ran second.

Later in 1906, the Constitutional Amendment was adopted creating the Court of Appeals. He declined to become a candidate, but certain of his friends entered his name and he led the ticket, with sixteen in the field, and thus became one of the three first judges of that Court. He remained on that Court for ten years, having been reelected without opposition. He was the Chief Judge of that Court from October, 1913, till June, 1916, when he resigned to return to the practice of law and to take care of his

personal interests. Between 1916 and 1922 he enjoyed a very successful law practice. His long service on the bench had not diminished his powers as an advocate. On the contrary, it soon developed that his judicial experience had equipped him with a knowledge of the law such as but few men have ever possessed and that he knew how to use it in the preparation and trial of cases.

In 1922 he was elected Chief Justice of the State, a position he held till the time of his death—sixteen years of most distinguished service.

In 1911, while he was on the Court of Appeals, he made an unsuccessful campaign for Governor in a three-cornered race in which he and Hon. Pope Brown and Hon. Joseph M. Brown were candidates. A remarkable thing about that race was that by a change of less than 100 votes he would have been elected.

Despite the fact that so much of his life was devoted to legal and judicial pursuits, he was throughout it all an active business man and a developer of his section of the State. When he was twenty-three years old he was on the editorial staff of the Athens Daily Banner. From 1890-93 he was the editor of the Athens Daily Ledger. In 1896, we find him as one of the organizers of the Athens Street Railway Company, and in 1897 of the Athens Savings Bank, and then in 1894 of the North Georgia Telephone Company.

He moved to Russell, in 1897, and this was his home for the rest of his life. He loved land; he loved growing crops and the harvesting of them; he kept adding to his farm till at the time of his death his farm was one of the largest in that section of the State. He was President of the first American College of Agriculture in 1929.

He took a great interest in fraternal organizations. He was a member of the Masons, the Odd Fellows, the Knights of Pythias; and the Royal Arcanum; and, from time to time, was honored with high positions in these respective orders. His other club connections were numerous, among them the Atlanta Athletic, Capital City, Druid Hills, Masonic, Burns and the Kiwanis. In college he became a member of the S. A. E. Fraternity, and later of the honorary fraternities, Phi Beta Kappa and Delta Kappa Sigma.

He was a member of the Georgia Bar Association; and of the American Bar Association, and was quite active in the American Law Institute.

He was indeed a many-sided man. Nature had endowed him with a robustness and a power of endurance that enabled him, throughout his long life, to carry on prominently and successfully in practically every line of thought and endeavor. His life work began in his teens and continued without let down or abatement beyond the three score years and ten which the Psalmist gives as the years of a man's life; yes, even almost till the four score given by reason of strength in the Biblical formula.

He was ever ambitious. He was a man of pride, of pride in himself and his family, pride of position and pride of attainment. Yet pride did not spoil him; for his love of his fellowmen was such that he chose his friends and associates from every walk of life. There was no man so high, nor any man so low; no man so rich nor any man so poor; no man so prominent nor any man so obscure, that Judge Russell could not fraternize with him on terms of equality. He had a genius for friend-

ship that drew men to him and held them. Few men have ever had so many true friends.

Judge Russell never fawned upon the rich or the prominent, but he recognized their worth and appreciated their friendship. But it was as a friend of the poor, of the underdog, of the man that needed help that most men think of him. He had a dime for the bum, a word of cheer to some poor fellow out of luck, a smile for him who needed it, a timely suggestion for the struggling young lawyer who had a good point in his case but was not able to present it.

He admitted many a young man to the bar, when he was a judge of the Superior Court. (As Athens was in his judicial circuit, he admitted most of the graduates from the law school of the State University.) With him it was not merely a formal ceremony. His kindly counsels, the friendly interests he manifested, thus tied to him in bonds of lasting friendship hundreds of young lawyers, many of whom are now prominent members of the bar.

Many think of him as a politician; and he was. But he was no demagogue. He was not one of those who are all things to all men. He had the courage of his convictions, and he never hesitated to express them boldly. As a campaign speaker, he had but few equals. He caught the multitude because he could speak their language, knew their feelings, yea, even felt their feelings, and because he spoke with a lack of pretentiousness that carried a conviction of the sincerity with which his words were uttered. His appreciation of the efforts of those who supported him never abated, no matter what the outcome of the campaign, whether victory or defeat.

From more than one member of the committee came the suggestion that this memorial should be an effort to portray his personal life, rather than to boast of his greatness as a jurist. We all realize that his decisions, set down in the official volumes of the Reports of this Court and of the Court of Appeals, will testify to coming generations of lawyers and of jurists, of the length, breadth and greatness of his judicial work with a permanence and a verity that no memorial such as this could hope to illuminate or materially aid. There is a greatness in these opinions that will endure and magnify him, when all else he has done will long since have been forgotten.

Many great decisions bear his name, but there is one rendered while he was on the Court of Appeals, into which he put so much of his real self, as to justify special mention—*Rossi v. The State, Ga. App. 732.*

Rossi was a young foreigner with a young wife. He and his wife ran a small restaurant in Rome and lived in the rear of it. He was a poor man, without personal or political influence, could not even vote, and at that time there was considerable prejudice against foreigners in that city. A labor leader with friends and following came into the restaurant in the temporary absence of Rossi and made an indecent proposal to the young wife, which she resented; and she ordered the man to leave. He persisted, and Rossi came in while he was pursuing the young wife around the room. He demanded to know what was the matter and his wife told him.

The intruder then stated what he had proposed to Mrs. Rossi and defied

Rossi's interference. Rossi claimed that the other man also made a physical assault on him, but this was denied. At any rate, Rossi managed to reach a pistol he kept in a drawer, and to kill the intruder with it. Rossi was indicted and convicted of voluntary manslaughter and sentenced to a term in the penitentiary. Judge Russell's opinion, in which he set forth not only the right, but the necessity and duty of a man, not under any unwritten law but under our law as written, to protect his home and his family, howsoever humble, from the acts of one who attempts by seduction or violence to invade the chastity of a female member of his family, is a masterpiece. The reasoning is judicial, the language is carefully guarded, yet through it all one can catch glimpses of the emotions that he felt as he wrote—of the sympathy that he felt for this poor, friendless alien.

No man can truly say that Judge Russell, in his judicial work, was ever influenced by any bias or friendship between one suitor or another. If his decisions were ever swayed, and perhaps sometimes they were, from the straight and narrow course of cold judicial logic, it was due to his idealogy of mercy, and of sympathy for the poor, the helpless, the unprotected and the underprivileged.

We now speak of the subject nearest his heart—the one thing in which he found his greatest pride and joy—his family. Early in his life he married Miss Minnie L. Tyler of Barnesville, Georgia, who died three years later. There were three children of this marriage, but none of them survived infancy. On June 24, 1891, he married Miss Ina Dillard of Oglethorpe County, Georgia, the very remarkable woman who now survives him. Of this marriage fifteen children were born, of which thirteen survive: Mary Willie (now Mrs. Gordon Green), Ina D. (now Mrs. Jean Stacy), Frances Marguerite (now Mrs. James H. Bowden), Richard Brevard Jr., (once Governor and now our U. S. Senator), Harriette Brumby (now Mrs. Ralph Sharpton), Robert Lee, Patience Elizabeth (now Mrs. Hugh Peterson), Walter Brown, William John, Fielding Dillard, Henry Edward, Alexander Brevard, and Carolyn Lewis. Two, Susan Way and Lewis Carolyn, died in infancy.

He knew the fullness of the joy expressed by the Psalmist (Psalm CXXVII) "Lo, children are the heritage of the Lord. . . Happy is the man who hath his quiver full of them."

He was a great father, but the credit for this magnificent family of children of which he was so justly proud is not his alone, for Mrs. Russell is a wonderful mother.

Those of us who attended Judge Russell's funeral, as we looked to the pews in which the family sat, were filled with admiration, with the thought that our friend lives on in his children and in his children's children. Around the widow, who, despite her years, still has retained much of her beauty and grace of person and dignity of manner, were grouped such an assemblage of outstanding sons and daughters as to challenge universal comment. Each and all of them bore the marks of intelligence in their faces, and of manhood or womanhood in their respective mien and bearings. All were leading successful, useful lives.

All his other achievements were as nothing to him as compared with his family. Here was the chief pride of his life. In Steele's striking words:

"The survivorship of a worthy man in his sons is a pleasure scarce inferior to the hopes of the continuance of his own life."

On Tuesday, December 6th, at the Baptist Church in Winder, the funeral exercises were held. Present was one of the largest concourses of men, of every walk of life, ever seen on such an occasion. On all lips were words of mourning and of loss. All recognized the great public loss; but each felt keenly the loss of a cherished friend. The remains were laid away in the family burial plat in the home at Russell.

Thus passed one who was a friend of man; one who had well served throughout a long and active life his State and his country; one who was a good citizen, an honest statesman, an able lawyer, and a distinguished jurist; one who was universally loved by all who knew him, and, as he would have deemed most important, a devoted husband and father. History will write him down as one of the greatest men of this era. His achievements were such that the hand of time will not lightly erase them.

Respectfully submitted,

ARTHUR G. POWELL, *Chairman*

A. A. LAWRENCE	BEN P. GAILLARD
A. C. CORBETT	JOHN I. KELLEY
W. E. PERRY	WM. G. McRAE
PEMBERTON COOLEY	WM. SCHLEY HOWARD
CLIFFORD PRATT	JOHN A. BOYKIN
G. A. JOHNS	J. H. FELKER
JOE QUILLIAN	W. W. STARR
HENRY H. WEST	J. B. G. LOGAN
HENRY C. TUCK	EDGAR B. DUNLAP
LEON A. WILSON	BOYD SLOAN
FRANK M. SCARBETT	J. A. PERRY
MARION H. ALLEN	A. PRATT ADAMS
PAUL F. AKIN	WILLIAM BUTT
C. J. PERRYMAN	C. M. HOUSEE
GEORGE P. MUNRO	W. F. SLATER
G. B. WALKER	R. G. DICKERSON
F. A. IRWIN	GEORGE WESTMORELAND
E. W. MAYNARD	WALTER McEDRATH
REMBERT MARSHALL	JULIAN HATRIDGE
I. S. PEEBLES, JR.	HENRY C. HAMMOND

ADDITIONAL REMARKS BY ARTHUR G. POWELL, CHAIRMAN

The committee's formal report has been shortened somewhat, because in the order of the court appointing the committee informal remarks by members of the committee, as well as other members of the bar, were invited. So many members of the committee expressed an intention of being present to pay tribute to our departed friend, that the formal memorial was condensed and abbreviated to make room for these informal responses within permissible limits of time.

In addition to what I have said for the committee, may I say this for myself:

Judge Russell, Judge Benjamin Hill and I were chosen as the judges who organized the Court of Appeals and who occupied its bench for the first several years. It was thus I came to know Judge Russell and it was thus that a mutual and lasting friendship between him and me began; it was thus I learned to respect him as a judge and as a man.

At the time we organized the Court, I hardly knew him. I, in no wise, appreciated him for what he was, as a man or as a judge. It was not long, however, before I began to see him in a different light. You could not sit with him in the conference room for five years, as I did, without seeing not only that he was a great lawyer and a great judge, but that his judgments were never swayed by anything but his honest, unbiased conviction of the law of the case. I have seen him phrase an opinion to lessen the blow of an adverse decision upon some friend he had to decide against; but he never let that interfere with his deciding the case according to the law as he saw it. He was never assentitious. If he disagreed with the other two judges and his mind was not changed by the discussions, he did not hesitate to dissent. I have seen him dissent when, if he had been moved by political expediency, he would have concurred. I have seen him concur when he could have served a friend or made political capital by dissenting and plausibly could have sustained his dissent.

His mental methods of doing judicial work differed from those of any other man I have ever known. His knowledge of the law was great enough that in many cases his mind came to a prompt decision and he could immediately dictate an opinion that satisfied him. But his doubtful cases, cases that troubled him, he would hold for months, mentally mulling over them in the meantime. Till we learned to know him and the way in which his mind worked, he gave Judge Hill and me many an anxious moment, by allowing the end of the term to approach with a number of important cases on his desk on which apparently he had not done a lick of work. Then we saw this remarkable phenomenon: Ten days or two weeks before the time was up, he would provide himself with extra stenographic help, and with relays of stenographers, would begin dictating at seven or eight o'clock in the morning, and dictate steadily through till four o'clock the next morning. He would lie down on a couch in his office and sleep for three or four hours and then go at it for twenty hours more; and thus for a week at the time; or longer if necessary to get the work done. Seeing this, Judge Hill and I were apprehensive of the quality of the work being done. Remarkable as it may seem, it was thus that his best work was done.

When the ice was once broken between him and me, we became devoted friends, and my love for him was accompanied by greatest respect for his talents; for his remarkable genius, for his intellectual greatness; for the way he loved his friends, for his devotion to his family; and for the basic honesty of mind and soul that was ever his.

I thank the court for the opportunity of paying this personal tribute to him.

ADDRESS BY MR. PAUL F. AKIN.

May it please the Court: The splendid report by the Chairman of the Committee makes superfluous any words on the remarkable career of this distinguished son of Georgia whose life we memorialize today. Therefore, I wish to say a personal word.

My admiration of him, yea, my fondness of him, is of long standing. His evident interest in the occasion of the commemoration of the one hundred years of the practice of the law by my father, my two brothers and me, touched me deeply.

The last time I ever saw Judge Russell in a few minutes talk with him he reminded me that the Russells and the Akins had been friends for many, many years.

His sudden passing was a shock to me, but I was glad he passed from this earthly sphere while retaining his mental and physical vigor, and that he did not suffer a long illness. He literally fell on sleep,—gently, peacefully and quietly as a child falls into its slumber on its mother's breast.

"So fades a summer cloud away;
So sinks the gale when storms are o'er;
So gently shuts the eye of day;
So dies a wave along the shore."

I have thought of him so often as, perhaps, saying to himself as the shadows of his years lengthened toward the coming Dawn:

"Life, we've been long together,
Through pleasant and through cloudy weather;
'Tis hard to part when friends are dear;
Perhaps 'twill cost a sigh, a tear;
Then steal away, give little warning;
Choose thine own time;
Say not good-night but in some brighter elime
Bid me, good morning."

Our friend is dead. To them who loved him, his death brought grief and sorrow; to him, it was the release from all pain. To them, it was the end of his earthly day; to him, it was the dawn of the Celestial Morn. To them, it brought the "night of death"; to him, it brought the glory of the Everlasting Day. But to them who loved him, "in the night of death hope sees a star and listening love can hear the rustle of a wing." What star? The Star of Bethlehem. What wing? The wing of that Celestial Messenger who on Judæa's fields proclaimed,—"Glory to God in the highest, on earth, peace, good will toward men."

Our friend is gone and these earthly paths wherein he walked and wrought shall know him not again. But it is my hope, it is my belief, it is my creed, that sometime, somewhere, "in a manner whereof our flesh bound minds have no apprehension," I shall see his face again, I shall hear the sound of his voice, I shall feel the clasp of the hand of my friend, and then indeed shall I realize that life is not in vain, that death has lost its venomous sting, and the grave hath won no victory.

Peace, peace to his ashes; revered be his name; beloved be his memory.

ADDRESS BY MR. JAMES A. PERRY.

I enjoyed an intimate acquaintanceship with Chief Justice Russell covering about forty-five years. I shall speak only personally, since to say anything other than what has been so appropriately and correctly stated in the paper read by Judge Powell would be useless elaboration. Out of this acquaintanceship, if I understood one of the many outstanding characteristics of the deceased, to whom we now pay just tribute, it was gratitude. I have known no man that exerted himself with greater physical effort to carry out his high ideas as a citizen and as a public official; a man of a very tender heart. I have seen him grow emotional at times in defeat; and if those of our departed friends and loved ones know of the happenings in this world, and I for one believe they do, I know that out of that great heart of gratitude and appreciation, there is joy in heaven today.

Judge Russell was truly a great man. I don't remember any man more conversant with more subjects than the man of whom we speak. Truly, it may be said that this Court lost one of its very greatest members, and our State one of our outstanding citizens. So appropriate, the reference in the paper read by Judge Powell, that at all times you found him on the side of the oppressed; a responsive, sympathetic heart in one who believed that among the weakest of men they are worthy of the very best in the best of men.

ADDRESS BY MR. WILLIAM BUTT.

May it please this Honorable Court:

Immediately upon the death of Chief Justice Russell, Judge Hawkins of the Blue Ridge Circuit, appointed a committee to draft resolutions, and I was named as chairman of the committee.

As stated by Judge Powell this morning, Judge Russell was born in Cobb County, which is one of the counties in the Blue Ridge Circuit.

I believe that the resolution which was adopted by the Blue Ridge Circuit Bar Association presents in a very composite, yet simple, way our love, respect and admiration for this great man. I desire, therefore, with the permission of this Court, to read this short resolution:

"To the Blue Ridge Circuit Bar Association:

"We, your committee, appointed to draft resolutions on the death of Chief Justice Richard Brevard Russell, Sr., of the Supreme Court of Georgia, beg leave to submit the following report:

"The Bar of the Blue Ridge Circuit is inexpressibly saddened by the death of Richard Brevard Russell, Sr., Chief Justice of the Supreme Court of Georgia; and in his passing we mourn with the other judicial circuits of this State in the death of this great jurist.

"The death of Judge Russell brings to a close a useful and illustrious life which has affected our State and her institutions to a marked degree; and the future historian will enroll his name high upon the scroll of fame as one of the truly great men of Georgia.

"He was a fine companion, a devoted husband and father, an orator of surpassing eloquence, a superb scholar in both law and literature; and as Chief Justice Hughes of the Supreme Court of the United States has

recently said of Justice Cardozo, so can it truthfully be said of him: 'His erudition, acumen and technical skill, combined with a philosophic outlook and a passion for justice, made him an ideal judge, and the wide range of his cultural interests, his modesty and personal charm, made fellowship with him a most precious privilege.' The simplicity of his life became for him a passion; and to a superlative degree he loved his fellow-man; and in the political arena he was unlagging and militant in fighting the battles of the common people of this State; and while wearing the judicial ermine he was most exacting and meticulous in protecting the rights and liberties of the poor and unfortunate. Some of his dissenting opinions are outstanding and learned in this respect.

"Therefore, Be it Resolved, that we extend to the members of Judge Russell's family our deepest sympathy in the death of this distinguished husband and father.

"Resolved further, that a copy of these resolutions be transmitted to the family of Judge Russell, and copies furnished to the press for publication."

In conclusion I think what Prentiss said of the immortal Clay can be truthfully said of Judge Russell:

"His civil rewards will not yield in splendor

To the brightest helmet that ever bloomed upon a martyr's brow."

ADDRESS BY JUDGE W. W. STARK.

If your honors please, I appreciated the report as made by Judge Powell. I want to state that I was familiar with and a close associate of Judge Russell for half a century; since 1888 when he was first elected Solicitor-General of the Western Circuit.

It was my pleasure to be very closely associated with him. We have traveled together; we have ridden in the old horse and buggy together; we have used the same room in the hotel for weeks at a time together, and I feel that I not only knew Judge Russell intimately, and I could in a limited extent appreciate his great ability as a lawyer and as a citizen of Georgia.

I remember on one occasion riding in the buggy with him from Carnesville for some twenty miles; we had just gone through the trial of a case; I was a young man and he was a young man, and the case was a difficult one: coming along he turned around and hit me on the shoulder, and said: "Bill, when I am in doubt I try to do what is right," and continuing he said, "And I think that was one."

I don't know if any one of the Supreme Court ever gets in doubt, but if he was in doubt one of the things he wanted to do was that which was right.

Having been as I say for a long time connected in a small way with the law and the practice of law, I come more and more to appreciate what he stated to me on that occasion.

We not only have been friends and associates, but I am well acquainted with and know his distinguished family. I was much pleased that Judge Powell referred to that in his long and delightful report. I don't think there has been a family in the South that has had a more distinguished father, and I don't think there is a father in the South that had a more distinguished family; we know that Benjamin Franklin was of a large

family, and other people all down the ages, but coming to this family and what it means to the State and Nation, it is comparable to the distinguished Adams family of Massachusetts; and his whole career not only demonstrated his devotion to his family, and the family's devotion to him. So I just wanted to speak these words as they come to me, and of his passing I am reminded of the words of William Cullen Bryant, if I can paraphrase them: He so lived that when the summons came to join the innumerable caravan that moves to the pale realm of shade where each shall take his chamber in the silent hall of death, he went not like the quarry slave at night scourged to his dungeon, but sustained and soothed by an unfaltering trust, he approached his grave like one who wraps the drapery of his couch about him and lies down to pleasant dreams.

ADDRESS BY MR. JOHN I. KELLEY.

I first knew Judge Russell when he was Judge of the Western Circuit of Georgia and as such presided in the Superior Court of the county in which I lived. As a boy I often heard those who attended sessions of the court relate incidents which spoke of the quality of justice which dwelt in his great heart. Later, following his retirement from the Court of Appeals, I came to know him as a lawyer.

As a young and inconspicuous member of the bar, one of the first cases in which I participated was as associate counsel with Judge Russell. In that and all subsequent associations I found him always considerate and mindful of the young and struggling members of the bar—qualities which were characteristic of him—evidenced on many occasions when young lawyers, seeking to properly present a just cause but hampered on account of inexperience, were extended a helping hand, enabling them to present their cause as it should have been presented in the interest of justice.

When he became a member of this Court, I occasionally rode with him on the train, as he came from his home in Winder to his duties as Chief Justice. On these occasions it was my privilege to discuss with him not only legal matters, but other matters of importance in the minds of the people of the State. To have known the unusual intellect that was his was indeed a privilege.

As a student of the law, he delved deep into the records of the past, lived with the learned of all ages and from the tomes of history and legal commentaries, he discovered and preserved for posterity priceless jewels of human liberty. This great intellect, kept watch over by a great heart, always championed the cause of the defenseless and helpless and was ever mindful of the forgotten man. Judge Russell has left an indelible imprint upon the history of our State and Nation through the lucid opinions which he rendered. His entire life is decorated with public service and his name will be remembered, not on account of the offices which he held, but because of the manner in which he performed the duties of those offices.

Those of us who have made pilgrimages to Monticello, the home of Thomas Jefferson, recalling the words written by him and afterwards inscribed upon his tomb, are impressed by the fact that Jefferson, looking back over his life, desired to be remembered by his accomplishments, rather than by the offices which he held. He wished to be remembered as the founder of the University of Virginia, as having revised the statutes of

Virginia, and as the author of the Declaration of Independence. He was willing for his fame to rest upon the labors which he performed. And so does the fame of Judge Russell rest.

It has been said that he was a man of ambition, but his was an ambition to serve, to occupy positions of public trust in order to render service. His fame rests upon the fact that he blazed anew trails which will be followed by those who love and cherish our free institutions. He held aloft the torch of human liberty and brought just laws and principles to play in the administration of justice. In his opinions, he applied and established sound judicial precedents as a guide for those following him, thus vouchsafing justice to those coming before the courts for the protection of their rights.

Because of the difference in our ages, I knew Judge Russell only a short period of his long and useful life. I am glad to have known him during the time he labored in the field of public service.

I love the memory of Judge Russell. No greater tribute can be paid him than he paid himself in faithfully performing the duties which devolved upon him while he was with us.

ADDRESS BY JUDGE R. GLENN DICKERSON.

If you will trace the history of the Russell family back in England you will find among other things, they were noted for mental bravery. Chief Justice Russell, in my opinion, was a living definition of mental bravery. He was a good man, he was a good husband, he was a good father; he was my friend; he loved me. I was his friend, and I loved him.

ADDRESS BY MR. ALEX A. LAWRENCE.

May it please your Honors, more than a full generation separated Judge Russell from myself, and I can scarcely be supposed to speak of the achievements and life of this truly eminent man with the authority of those who were more nearly his contemporaries, like Judge Stark and Judge Munro, to whom I have listened with great pleasure; and yet I would be less than grateful if I did not appear here today and add my voice to the splendid tributes that have been given Judge Russell.

I know that I am deeply grateful to him for the many courtesies which he showed to me on my every appearance before this Court, which was but characteristic of his relationship with members of the bar. Certainly I sincerely appreciate the rapt attention with which he seemed to listen, on the two or three occasions on which I argued before him, to my non-sequiturs and erroneous arguments, which I attributed at the time to his entire concurrence with what I said.

I would also be remiss if I did not say a few words concerning Judge Russell's friendship toward my father, and my father's friendship toward him. It was deep, and grew up at a time when friendships were, I think, stronger than they are now, for in those days, it was perhaps true, that the simple virtues which men practiced conduced to more lasting friendships.

Your Honors, Odysseus has gone upon his wanderings and there is none left in Ithaca who can draw his bow.

ADDRESS BY MR. A. C. CORBETT.

Soon after Judge Russell retired from the Court of Appeals, I became associated with him in the practice of law. Prior to that time I thought I knew him intimately, but I soon learned that I had previously gained only a superficial knowledge of his high character. Few men are good lawyers both in the office and in the courtroom. Judge Russell was one of the few. He was just as expert in preparing his opinions as he was in interrogating witnesses and in arguing to a jury. But I was impressed more with something else, on account of my association with him. I was impressed with his absolute honesty. He was honest with his clients; he was honest with opposing counsel. He was honest with his associates. And most of all, he was always honest with the Court. He needed no written contract with his clients. It was not necessary for opposing counsel to reduce their agreements to writing, and I personally never had a dispute with him; and I never knew him to present a position to the Court which he felt was not well founded. In the passing of Judge Russell, the State of Georgia has lost a useful citizen and I personally have lost a friend.

ADDRESS BY MR. E. W. MAYNARD.

May it please your Honor, I have known Judge Russell for thirty-three years. I first became acquainted with him in 1906, when he was then campaigning for the governorship of the State of Georgia. I first saw him at Macon and heard him speak there, and I thought then, and I think now that he made a wonderful campaign speech. His mind seemed to me like it flashed like the noonday sun. He was a brilliant orator; he had a lot of wit and humor in what he said; he had a large crowd there, and everyone of them he held for about an hour and a half, and very few, if any, left that auditorium that night. Our friendship dated from that time on.

Later he became Judge of the Court of Appeals. He was defeated in that campaign but immediately he ran for the Judgeship of the Court of Appeals and was elected, and in coming to the capitol I rarely ever came here but what I stopped by to see him. He was never too busy to talk with you. I don't like to talk to a Judge when he is busy, but he would just insist on you sitting down and talking with you any way. He was a great conversationalist. His brain seemed to be a great storehouse of information. I could sit there and talk with him hours at a time and never grow tired of listening to him. He never seemed to grope for a word; the words seemed to flow from his lips as freely as a spring springing from the mountainside. He had a splendid education. He seemed to know a great deal about Latin, and other foreign languages.

He was a man that was sincere; he was honest; his heart cried out for the poor and oppressed and the underdog. In all of his political speaking there was a vein running through his speech for the forgotten man. He always wanted to help those who could not help themselves.

I admired him from the first time I met him and we were great friends as the years went by. He was not only a true friend, but he was a splendid lawyer, a great Judge, and a Christian gentleman. He had a deep in-

tellect and he had a heart of gold. He is dead; he is gone; God has called him home, but his memory still lives; he lives yet in the hearts of the people. That is his greatest monument. He has another monument which lingers in the Supreme Court reports and the reports of the Court of Appeals, which is an imperishable monument, which will live for years and years to come, and in his death, Georgia sustained a great loss and his friends a loss.

ADDRESS BY MR. FRANK M. SCARLETT.

Mr. Chairman, I did not have the honor of knowing Judge Russell for many years, like some of the older members of the Georgia Bar, but through all points of Judge Russell's achievements he never lost the common touch, and in a piece of poetry I remembered and thought of, I think expresses Judge Russell's life. [Read Kipling's "If."] I think that every one here, every one in the State of Georgia knows that Judge Russell lived and died a man.

ADDRESS BY MR. MARION ALLEN.

May it please the Court: Any effort on my part to elaborate upon the magnificent and comprehensive report which our Chairman has prepared and delivered would be but a feeble recapitulation of all that has been said of the splendid life and brilliant career of Chief Justice Richard Brevard Russell.

So, aside from his illuminating legal career and judicial eminence, his devotion to and conspicuous work in the fields of education, statesmanship, and many other phases of public service, it is Judge Russell the man and the friend that I pay this brief tribute to.

In the fall of 1913, when only a few months out of college, I became an attaché of the Court of Appeals of Georgia of which Judge Russell was the Chief Judge. It was then that I first felt the warmth of his friendly handshake. That meeting, notwithstanding his high office and my lowly position, soon ripened into a real friendship—one that has meant so much to me.

But, for that matter, he was a true friend to all young lawyers, always aiding their exertions, commending their efforts, urging them onward, and cheerfully extending a fostering hand for their support when difficulties surrounded and almost engulfed them.

During all the time I was connected with the Court, coming in daily contact with the Judge, I never knew him to be austere, dictatorial or overbearing in manner. On the contrary, I found him, at all times and even under trying circumstances, most courteous and considerate of the feelings of others—regardless of their station or position in life. These characteristics always predominated notwithstanding the brilliance of his mind and his greatness as a lawyer and jurist.

I remember so well that his office was always open to his legion of friends who came every few days from every section of Georgia to call upon, pay their respects and converse with this great and good man. It was also a haven for many who came seeking his wise counsel and generous assistance. They never went away disappointed.

He was one of the few men of whom I can truthfully say, that in his heart there was love for his family and friends so great that it excluded nearly all other feelings; and during all the days of his life there never was an hour when that great heart failed to beat to the transports of unselfish patriotic public service and was not full of compassion and sympathy for his fellowman—especially the weak, the downtrodden and the oppressed.

No wonder he was much admired and greatly beloved. No wonder he had a strong hold upon the affections of his many friends as well as upon the people whom he served so ably and faithfully; but I must confess that I had no idea of their feeling of esteem and devotion until I witnessed men and women, old and young, rich and poor, some clothed in finery and many in their everyday work clothes, enter this very chamber and solemnly and sorrowfully file by his bier to say a last fond good-bye. The scene was an unparalleled manifestation of affectionate esteem never to be forgotten.

That is to say, the work of man may perish, but the memory of man—especially a friend—shall, like time, endure forever. We know that the paper upon which these words are written will fade and finally crumble away, but we also know that our memory of Judge Russell shall not fade or fail. For life can take away every treasured thing except the memory of treasured things. And it is a well known fact that memory can be as living and real as the things, or persons, themselves ever were, only not subject to change, except that enhancement peculiar to recollection.

Some one has said, "Our memories are what we forget with." How utterly absurd, for the truest and best words on this subject were written by Barrie, who declared: "God gave us our memories so that we could have roses in December."

And that makes it necessary for us to live, as Judge Russell did, so that the memory of us may add to human progress and happiness. That is our debt in return for the benefits we today derive from the memory of this kind, considerate, gentle and lovable man. Every wise word he ever spoke, every kind act he ever did, is immortal. And that kind of immortality, through memory, becomes part of our heritage—part of our bent toward nobility.

Thus, I can truthfully say that we, his friends, will never "blackout" his memory.

Ofttimes occasions like this bring sadness; but I am sure he would want it otherwise. He would prefer that we today and forever think as Rossetti thought when the following lines were written:

"Remember me when no more day by day
You tell me of our future that you planned;
Only remember me; you understand
It will be too late to counsel then, or pray
Yet if you should forget me for awhile
And afterward remember, do not grieve;
For if the darkness and corruption leave
A vestige of the thought that once I had,
Better by far you should forget and smile
Than that you should remember and be sad."

ADDRESS BY MR. G. B. WALKER.

Honorable Court: I wish to endorse every word that our Honorable Chairman has spoken in behalf of my good friend, Judge Russell.

It was my pleasure to be intimately acquainted with him for quite a number of years. And all the other members have said about him I wish to endorse. He had a loving family, and he made a significant remark to me on one occasion that impressed me very much. He said, "Always hunt for the right and find it and do it right, regardless of the consequences."

I think his search for the right and doing the right tributes to his wonderful success in life.

ADDRESS BY JUDGE GEORGE A. JOHNS.

May it please the Court: What I shall say shall be short, and in phrases not set or studied.

I first saw Judge Russell and knew him by sight when he was Solicitor-General of the old Western Circuit, when I was a young man and went from Social Circle occasionally to the town of Monroe, trips of that nature then being events more than now.

Little did I think then that our lives would be thrown in such parallels. I preceded him by moving to Winder in 1890; he came there a little later; and from then on I was very closely associated with Judge Russell, and I imbibed from his spirit, from his greatness, a great deal.

Judge Powell, in this report, used the words in describing him that I never heard used in description of another man, and that was the term "vastness." Speaking of him with the word "vastness" as you would of a cave, something that would take you years to explore, and that word is very fitting and descriptive of Judge Russell.

He was a man you didn't know in a moment. He was a man whom you did not explore in a casual contact.

It was my privilege to practice law under him while he was Judge of the Western Circuit. It was again my privilege to have a few cases in the Court of Appeals while he was a Judge of that Court. It was my greater privilege to have personal contact with him as a practicing attorney, during the interim when he was off the Court of Appeals and before he became a member of this Court. And it was in the close contact with him as a practicing attorney, our offices being adjoining for several years, that I knew him better and better.

That word "vastness" strikes me as the most appropriate word that could have been used in describing him. He was great in many ways. I will not speak of his greatness as a lawyer for his judicial record has been made and is embalmed in the records of this Court and that of the Court of Appeals.

He was great also in the field of scholarship. He was great as a churchman, and I would pause here just a moment to speak of that. He was a teacher of the little Sunday School class—I was a member—in the Presbyterian Church. In time and turn of events, it became my privilege to be a teacher of my class, however insignificant the work I did, but I often think while he was teacher of the class, with his great learning and

erudition I don't think I ever saw equalled, when he became a pupil in the class with one less skilled than he was teaching, you would not have known by anything he said or did that he knew more or thought more or had grown any greater than the man who succeeded him.

I wish to say what few things I shall say, and if I trespass beyond the three minutes allowed, it was because I was thrown with him so closely and for so many years, purely of a personal nature, and I would not go into some of the intimacies that existed between him and myself and between his family and my family, but I would say a few of the things that grew out of that intimacy. One is the regard for the young; not only the young as a class, but for the young lawyers; and I remember one remark he made to me in that connection. He had appointed me as receiver in a case when a fee meant something. It was not large, as fees go, but it was worth a great deal to me as a struggling young lawyer. And after the work of that case had been concluded he remarked to me, "In giving you this appointment, I have done something for every young lawyer in my circuit; and I have determined when I become Judge, when I had something of that nature to give out to the lawyers of the bar, remembering my own struggle as a young lawyer, I would not give them to the lawyer who had become successful and prosperous, but I would help the young and struggling lawyer."

As I go along that remark and that act repeated many times what is typical of Judge Russell's attitude toward life, and I would not go further than to refer now to the final chapter.

The funeral at Winder on that occasion, there were the politically powerful and the financially prosperous present, but in larger number came trooping those who were without influence, without power, without riches. While the garlands and roses filled that church and covered the grave brought there by people who were able to buy roses in December already referred to, there were garlands of love woven by those who were not able to buy placed by them in with their tears on his grave.

Judge Russell was a great man. It was a great privilege for me to have been associated with him, and I mourn him and mourn his loss as that of a great friend.

ADDRESS BY MR. ISAAC S. PEBBLES.

May it please the Court: It can be truly said of Judge Russell, as a youth that he hitched his wagon to a star. That was illustrated by something Professor Morris told our law class over at Georgia back in 1904.

Judge Stark has told you of a part of Judge Russell's life during the horse and buggy period of his life, but this has to deal before the horse and buggy period in Judge Russell's life.

Professor Morris said that he began as a young lawyer with Judge Russell over in Athens, and when court convened over in Jefferson, eighteen miles distant, they used to walk over there. He said they could have gotten a horse and buggy for a dollar and a half, but they didn't have a dollar and a half; consequently they walked over to court, eighteen miles distance, and he said upon one occasion Judge Russell said to him, "Silvey, some of these days I am going to be either Governor of Georgia or Chief Justice of the Supreme Court of the State. He became the Chief

Justice of the State. He developed into a wonderful Judge, and we all know that his place is secure in the judicial history of this State as a Judge. But somehow or other, we who knew him think not so much of him as a Judge, but as a devoted friend.

I can never forget back there at Athens in 1904 when our class was admitted on our diplomas without having to stand examination, how Judge Russell came down and put his arm around my shoulder and asked me about my father and lots of my friends down in Glascock County; and then when we were up here at our beloved friend Logan Bleckley's memorial exercise, the last time I saw him, he put his arm around me in the same way, the same sort of way, that same sort of magnetism he did over at Athens.

The younger and older lawyers of the State in days gone by have looked back to Toombs, Hill, Cobb and Stephens for inspiration for their own life, but I predict to the younger lawyer of Georgia from now on, when they really study and fully comprehend the life of Judge Russell they will add to that great spirit the name of that great Judge.

ADDRESS BY MR. HENRY H. WEST.

May it please the Court: My friendship with Judge Russell was an inherited friendship, a bond of friendship formed between my father and Judge Russell when they were both young men. A bond of friendship that was cemented when Judge Russell acted as the best man at the marriage between my father and my mother. That friendship has been handed down to another generation, and with great pleasure, myself and my sister enjoy the friendship with the members of Judge Russell's family.

My distinguished brethren have told you of his illustrious career, as a great jurist and lawyer. I have the privilege of occupying the office as Solicitor-General, where he made a record that has been a shining star; that other men that have since followed have aimed at and tried to reach, but today I don't want to talk about his career. I want to call to your attention that which I think was his greatest virtue, the relation between Judge Russell and his family. It was my privilege as a little boy to visit in that home, and I have watched the fashion in which he worked out the problems of the members of the family. I have watched the careful patience with which he adjusted the childhood differences, and I have listened to the advice and counsel that he gave his own boys and girls, and I have adopted that advice as my own. Which to summarize this great virtue, the one that I consider the greatest of all his virtues, I would do it in these words, that next to my own, I consider him the finest father that I have ever known.

BY PRESIDING JUSTICE SAMUEL C. ATKINSON.

Conceptions of some qualities and characteristics of the late Chief Justice Richard B. Russell.

Justly proud of ancestral lineage, he did not boastfully proclaim. Dearest love and reverence of immediate parents he sincerely enjoyed. Inherited strength of mind and character he fully illustrated. All of these qualities he implanted in his remarkable family of children. Remarkable

not alone by inheritance from him but by combined inheritance and the training and solicitude of a wonderful mother of sound practical judgment, then and yet living her Christian religion. He was broadly learned. He was of positive and aggressive type. His mind was constantly alert. He regarded the past, looked to the future and determined his course of action. Persistence in what he conceived to be right was probably his most characteristic quality. Seldom if ever would he retrogress or retract. On the Supreme Court bench his ability to comprehend the legal propositions in the case at hand and understand the principles of law that should be applied was bound to be recognized. His trend of decision was more on principle than on precedent. If satisfied on principle he would yield to adverse precedent provided he deemed the precedent absolute, but if he did not so regard it he would adhere to his conception of the principle. On this account mainly he frequently dissented from decisions by the majority. These are some of my conceptions based on close associations and cordial relations with this remarkable man who held my affection and whose memory will be revered.

ADDRESS BY JUDGE H. J. MACINTYRE OF THE COURT OF APPEALS.

May it please your Honors: I was peculiarly gratified when I was designated as the Judge of the Court of Appeals of Georgia to appear in behalf of that Court in these memorial exercises to the late Chief Justice of the Supreme Court of Georgia, Richard Brevard Russell, who had formerly served not only as a Judge but also as Chief Judge of the Court of Appeals, of which I am now a member,—he being the only man who has ever served both as Chief Judge of the Court of Appeals and as Chief Justice of the Supreme Court of Georgia. It is difficult in these kinds of exercises not to repeat much of what has already been said. I shall endeavor to repeat as little as possible.

It so happened that when I was appointed a member of the Court of Appeals, Judge Russell and I were thrown into intimate contact. This may perhaps be accounted for in part by the fact that I was appointed by his distinguished son, Richard B. Russell, Jr., then Governor of Georgia. I was frequently in both Judge Russell's office and in his home. I learned through this contact many of the interesting details of his life. I was amazed to find that he was one of the most profound Bible students I had ever met. Although he was a brilliant scholar and a man of great mental power, he was also an humble follower of the Lord and never undertook to match his opinion against the teachings of the Ruler of the Universe. When he once ascertained what those teachings were, he accepted them with childlike faith.

Throughout history, the stories of the lives of many of the great men have been fascinating reading. Some years ago, at a meeting of many of the great educators and scholars of this country, the question arose as to what was the greatest short story ever written in either religious or secular literature. Over eighty per cent. of that body voted that the story of Joseph was the greatest short story ever written. As the greatness of Joseph can be traced directly to the sincerity of the humble faith which he learned in boyhood, so the greatness of him whom we honor today can be explained only by reference to the Christian home in which he was reared.

On April 27, 1861, there was born in Georgia a boy of sturdy, Presbyterian stock whose parents were devoutly religious and who unswervingly believed in education. His was a scholarly and religious ancestry. Some of the very best blood in Georgia and the Carolinas flowed in his veins. His father came from that liberty-loving stock who worshiped God in old Mid-Way Church in Liberty County, Georgia, from whose congregation came the only two signers of the Declaration of Independence from Georgia. His grandfather on his father's side was a graduate of Rugby, the celebrated British Academy, and of Oxford, and was a gentleman farmer and large land owner of this State. His grandmother on his father's side was the daughter of William Way, a ruling elder in the old Mid-Way Church in Liberty County for twenty-two years and is buried in this Church cemetery beside Daniel Stewart, the grandfather of Theodore Roosevelt. His mother, Rebecca Harriett Brumby, was a daughter of Professor Richard T. Brumby and was born in the ancestral home of her grandfather Alexander Brevard in Lincoln, North Carolina. She was a very devout woman and conceived the idea of setting apart this boy, her eldest son Richard, to the Lord and making of him a Presbyterian preacher. She sought to dedicate him to the Lord as Hannah of old had done her son Samuel, who became the great prophet of Israel. This boy's mother, in order to shield and protect him from the wicked influence of the world, refused to send him to the community schools but taught and trained him herself and with the exception of about six months prior to his entering the sophomore class of the University of Georgia (during which time his uncle was assisting in preparing him for college), he had been taught by no one save his mother who undertook to educate him in such a manner as she deemed a boy dedicated to God should be educated.

At seven years of age, his mother had him reading Caesar and at the time of his graduation at the University, he stood first in five languages. At the age of fourteen, he was reading aloud the Bible twice through each year to her. At this same age, when Alexander H. Stephens came to visit Athens, Georgia, he was told by the Presbyterian preacher there that in his congregation he had a fourteen year old boy who could recite perfectly both the shorter and larger catechisms. This was such an unusual feat that the great Stephens sent for the boy and after hearing him so do, invited him to spend two weeks with him in Crawfordville at his home, Liberty Hall. At the expiration of this visit, when the boy was about to depart, Stephens, who was then a semi-invalid, called the boy to his cot and said: "Richard, the same worm that eats the pauper eats the prince." This made a profound impression upon the boy and he often quoted it in after life. This no doubt, in after years, greatly influenced his conduct towards his fellow man, for so far as his treatment of them was concerned, he showed no difference between the "prince and the pauper." After taking the required examination he entered the University of Georgia and was graduated from this institution in 1879 with a degree of Bachelor of Arts and a degree of Bachelor of Philosophy, the only member of his class who took two degrees.

But now came the saddest moment of his life. He was forced to tell his mother that he did not feel that he was called to preach the Gospel and therefore could not do so but had selected as his life's work the pro-

fession of Law. Accordingly, the next year he was graduated from the legal department of the University of Georgia and received a degree of Bachelor of Laws. Such was the background and education of this boy as he entered the battle of life.

Shortly after receiving his Bachelor's Degree in law, he was elected, when only a few weeks over twenty-one years of age, to the General Assembly of Georgia from Clarke County, whose county site was the Classic City of Athens, Georgia, in which was located the great university of his native State. However, in his upward climb to the Supreme Court of Georgia, he was not always successful in his political campaigns. On several occasions, on account of peculiar circumstances, he was defeated, but on each occasion he came back with renewed confidence and vigor and was again and again rewarded with high political offices. He was finally elected to the highest judicial office within the gift of the people of his State, that of Chief Justice of the State's Supreme Court, which exalted position he held continuously for the sixteen years immediately preceding his death. What was the reason this boy's defeats were only temporary? It was because his whole life was built upon the firm foundation of those Christian principles which were taught him by his mother and which he never forgot. There was within this foundation no shifting sand which would undermine and cause the structure of his achievements to come tumbling down and destroy him in the wreckage as is so often the case with the faithless and the "doublecrossing." As I knew him as Chief Justice, he held in his hand, along with his associate justices, great power over the lives, liberty, and property of others. This he exercised with rare wisdom. He was humble in his relations with his God, reverent and submissive to His will, yet, in relation with his fellow man, he would constantly rebel against wrong and oppression. In his life and decisions, he looked to substance rather than form, and while some of his real friends referred to him as "plain Dick Russell," they meant by this that he was unostentatious in dress and demeanor, easily approached by the humblest citizen in all the State, quick to give them a sympathetic hearing and champion their cause if they were in the right. Thus when the body of the Chief Justice was brought to lie in state in the Supreme Court room in the Capitol of Georgia, a great crowd had assembled at the State Capitol, some in the lowly, some in the higher, some in the highest walks of life, but by far the greater number from among the farmers, the men in overalls, and others who are what are generally called the "common people." Practically none of them were curiosity seekers but nearly all had had some kind of personal contact with the Chief Justice, even if it had been but a casual conversation or kind words of sympathy and encouragement, and here they stood with bowed heads and sympathetic hearts to take a last, long, lingering look at the earthly form of him whom they justly considered their true friend. Such a tribute to the dead was an inspiration to the living to be kind and considerate to the less fortunate of his fellow men. If perchance on occasions his mind was so absorbed that he may have been somewhat careless in his dress, yet it behooves any "elegant nothing," whose predominating thoughts are always upon the manner of his own dress, to pause and consider ere he criticize the great Chief Justice. In the courthouse and on the political

husting, he was like a lion in action, but in the presence of his God, he was as humble as a trusting lamb in the presence of and under the known protection of his shepherd.

None but a God fearing, home loving man, aided by a good, fine, home making wife, whose poise and intellect had an influence upon them equally as great as that of the husband himself, could have reared a family of thirteen children who have attained eminence in the various professions and walks of life in which they chose to engage. Not one of them has brought shame or disgrace upon their Christian parents.

Judge Russell was once asked if he was not proud of his eldest son and namesake who was then Governor and who had just been nominated by the Democratic Party as United States Senator from Georgia. He replied: "Yes, I am proud of all of my children. They are all Christian men and women, but I am proudest of my son Edward who is a young Presbyterian minister of the Gospel, for he took my place relative to the wishes of my mother because he has done what she so earnestly wished that I might have done by serving God, the Father of us all, as a minister of His Gospel."

A few months before his death, I was in his office and the question of the various kinds of death came up. He said he had told his doctors and family that he was not afraid to die, but hoped that he could die in the bosom of his family and with as little pain and suffering as possible. This wish was granted by the great Father that he served and trusted. He apparently fell asleep and died so peacefully and quietly that his faithful wife, who sat beside his bed to the end, was not immediately aware of his going and in the thought of that old hymn, "When They Ring the Golden Bells," I can imagine that:

When his days knew their number,
When in death he sweetly slumbered,
He could hear the angels singing,
In that far-off sweet forever,
Just beyond the shining river,
Where the golden bells for him
Were ringing, ringing, ringing.

This remarkable boy, this Christian gentleman, this able lawyer, this great judge, this devoted husband, this successful father, whose life's story is almost as fascinating as the story of Samuel or of Joseph, is none other than the late Chief Justice of the Supreme Court of Georgia, Richard Brevard Russell.

RESPONSE FOR THE COURT BY MR. JUSTICE BELL.

If this response should repeat to some extent the eulogies which have already been spoken, I still cannot refrain from endorsing in behalf of the Court, and in particularity, much that has been said regarding the life and character of Chief Justice Russell.

About the middle of November, or a little later, an observant member of the Court called my attention to the fact that a great calm had apparently enveloped the Chief Justice, in that his bearing was more dignified and serene, his active participation in the round table discussions had

practically ceased, he seemed content to reason within himself, merely expressing his views, leaving debate to others. Not that he failed to interest himself in the proper decision of cases, nor that his strength appeared to be signally waning,—just an aloofness which my observant and discerning friend noticed with concern, thought was portentous, and so stated to me. I was unable to appreciate the significance of the manifestation, as no particular change was noticeable in the privacy of our conversations as consulting mates; but when afterwards came the time of retrospection, it seemed perfectly clear that the spirit had simply poised for its long and momentous flight.

And so he finished his work and slipped away from us with no other warning, and none of us except the one had seemed to note that.

Although it was only in the later years of his life that I came to know him intimately, it was my great privilege to serve with him here for about six and a half years next before his death. During this period I was honored to be his consulting mate continuously for several years, and this afforded me an opportunity to learn something of the qualities that made him the great man and the great judge that he was.

As the chief officer of the court, he was so kind and considerate as to enable me, the freshman of the court, to lay aside embarrassment and to feel at home in his presence and with the court. He did not assert authority as one conscious of higher rank, but served always as a mere companion and fellow worker.

His passing brought to a close truly a remarkable life, one full of years and full of usefulness. For more than half a century he served the people of his State in responsible position; and considering what was done by him directly, together with the forces he influenced, few, if any, other men have left or will ever leave such an imprint on the life of this State.

He gave not only of his own life, but along with the good and faithful wife to whom he was always so devoted, he reared for the people of this State and country, worthy sons and daughters who are now serving with usefulness and distinction in numerous branches of human endeavor, notably in law and in government, in the ministry, in medicine, in commerce, farming, teaching. The success of all of these young men and young women, and their value to the world, must come as a heritage from these parents, and be accredited in part to the life of him whose memory we honor on this occasion.

As one has just said in this presence, Judge Russell was the Great Commoner of his generation. He fought his own rugged way, and in doing so was fighting always for the common man. Perhaps no other man ever knew well and personally so many people in this State. Is there a village or even a home, in the entire State, where his name is not a familiar term, where he is not known for his humanly qualities as well as for his official acts? Men of high rank and low were all the same to him, and his universal human sympathy and understanding, limited by no race or creed, were among his outstanding personal qualities. Pauper and millionaire had equal entrée into his presence and received the same courtesy and consideration. This is not a mere figure of speech, but times and occasions could be specified. These personal attributes naturally affected his judicial thinking, and often gave color to his official utterances.

In a just and honorable sense he regarded every man as his equal, but none as his superior, and conducted himself accordingly.

His services as Solicitor-General in the early days of his public career evidently accentuated his natural appreciation of the right of personal liberty and schooled him in the great principles as well as the fine points of the law designed to protect it. His experience as a prosecuting officer tended not in the slightest degree to render his sensibilities callous, but on the contrary, tempered his point of view as a public officer and made him, as it were, a constant and vigilant watchman for fair and impartial trial in all cases in which he was concerned, whether as prosecutor, defender or judge, where life or liberty was involved. As an appellate court judge, he insisted on trial without error, and we might say almost without suspicion of error, before affirming a conviction by which life or liberty would be taken. Detesting crime and criminal tendencies as vehemently as any one, yet, as was generally known, he was more ready to reverse a conviction for slight error than most of those with whom he was associated. Why was this true? The answer is plain to those who really knew him. It was because of his deep conviction that before any person may be deprived of the liberty which the law would seek to forfeit in a criminal case, the law ought to give to the accused a trial without fault or blemish, such as it is *capable* of giving. He could hardly recognize harmless or unsubstantial error in such cases. His attitude was simply one of extreme caution to see that no individual, whoever or whatever he might be, should be deprived of life or liberty without a fair and impartial trial, one so clearly fair and impartial that there could be no doubt or question about it.

In the realm of equity, his genius as a judge found its most congenial atmosphere. It was here that the courts could approach most nearly to the ideal of natural justice. Indeed, it might be said that to him equity's real aim was natural justice, and he so employed it, unless restrained by the plainest limit of its office or function.

The books are full of cases in which he insisted that equity should take jurisdiction where others thought there was an adequate remedy at law. The cases are few, where the question was raised, in which he did not feel that equity could give a more adequate and efficient remedy. More than this, equity was an element always to be infused into the law, leavening its purpose and purifying its justice.

Of course, being the great jurist that he was, he understood the rules of law and of equity together with their boundaries; but both his decisions and his dissenting opinions will show a consistent disposition to look upon the facts of each particular case, under adherence to the view that there is no law without facts. To him there was no Procrustean rule, but law and equity, especially the latter, were growing principles, shaping their functions to meet the exigencies of life and new facts and conditions arising.

What has just been said refers not only to the bent of his legal mind, but they illustrate the heart of the man. It may be well doubted that any judge ever wrote many opinions without committing some errors. If errors were committed by Judge Russell, it is safe to say that they were usually if not always, on the side of mercy.

He prepared for the court hundreds and hundreds of decisions, many of them cases of outstanding importance, and filed many dissenting opinions. His influence upon the administration of the law by this court and by the other courts of this State, will live as long as the courts themselves shall last.

He chafed at technicalities and swept them aside wherever possible. He made the law itself more law-abiding, and equity more equitable.

Two classes for whose rights he was especially jealous within the law were widows and orphans. How many times have we who had the privilege of serving with him observed the manner and tone of his voice when he spoke of the widow's right of year's support in cases involving that right in the administration of estates?

Remarkable it is that the last decision written by him was a suit by a widow. *Grice v. U. S. F. & G. Co.*, 187 Ga. 259. The opinion was delivered on Friday, December 2nd, before his death on Saturday, December 3rd. By his decision the widow lost in this court, but it must have been a satisfaction to him that, according to the decision, the widow's rights were not foreclosed. It was merely ruled that whatever claim she had should be filed in the first instance with the Department of Industrial Relations, instead of being presented by original petition to the Superior Court.

So it is, also, that the very last case in the decision of which he *participated*, not writing the opinion, was a suit in which the rights of orphans were involved, *Gore v. Georgia Industrial Home*, 187 Ga. 368. The record does not show that he participated at all in the decision of the latter case, but the writer remembers well that the decision was read en banc some time before it was finally handed down, and Chief Justice Russell concurred, with affirmative comment and expression of approval. The decision was not delivered, however, until November 19, 1938, when he was absent because of illness and was correctly so marked on the record. Motion for a rehearing was filed, and this came on for consideration on December 3rd. The writer discussed the case in the light of the motion, with the Chief Justice in his office at the Capitol about 2 o'clock in the afternoon. After a consideration of the law and the facts, he stated to me that under the terms of the will and the facts appearing he thought the fund in controversy ought to go in trust to some orphanage, as desired by the testator, and that the motion for rehearing should be denied. Such was the effect of the decision as then being considered, and such was the final determination. The death of the Chief Justice, however, came before the motion for rehearing was formally passed upon and denied by the court as a whole, on December 8, 1938. As stated, this was the last case considered by him, death having severed his legal relation to this court about six hours afterwards. The first decision prepared by Chief Justice Russell after he became a member of this court was in *Georgian Company v. Jones*, 154 Ga. 762, a case which involved liability of sureties, and which came to the Supreme Court on questions certified by the Court of Appeals.

At the time of his death and to the present time, he was the only man ever elected Chief Justice by the people, without previous appointment. The man that he defeated was a most able and illustrious jurist, and it was not for any fault on his part that he was displaced by Judge Russell. The reason was, the proved and recognized ability of Judge Russell,

coupled with a spirited though laudable ambition, and a resolute determination to succeed. Decisions later delivered by Chief Justice Russell are proof of the fact that he himself had the greatest respect for the person and the ability of his predecessor, for he many times quoted with evident pleasure and confidence decisions prepared by the former Chief Justice. This one circumstance tends to show the real bigness of the man.

The subject of this response was independent always, both in thought and in action. Had he been a policy making officer, it is believed he would have voted his convictions on public questions, defending his action then or later, before his constituency; for, so far as related to the fields in which he did serve, he lived to shape public opinion instead of being shaped by it. While he was successful in popular appeal and demonstrated his prowess over and over again as a campaigner, he was not one to hold his ear to the ground, and was not a time server. Those who went with him followed; they may have given counsel, but they did not guide or direct him. Those who believed in him did so implicitly and without wavering, and this statement is true, not only of his friends among the laity, but also of his admirers among the legal profession. As evidence of the latter, only witness the fact that so many briefs coming to this court quote his statements by name, and that with apparent assurance that final and conclusive authority has been cited.

Gentle and quiet in time of peace, he was aggressive and formidable in time of war, and there *was* war, if need be, on every occasion when some principle of equity or law to which he was devoted was about to be, as he thought, trampled or violated.

It is not the purpose of this response to illustrate the late and lamented Chief Justice as a man of perfection. He was genuinely human, and could not have been immune from the frailties of flesh and blood, or of passion and sentiment. Any man is good whose virtues outweigh his faults. Character is determined by the good that remains after a balance has been struck. As in other matters, take into account assets and liabilities in determining value or insolvency. By this standard, Judge Russell was indeed a great and a good man. So eminent and outstanding is the net balance of good, that whatever faults he may have had are effaced and forgotten, and we can now only assume their existence because we know he was human.

In classifying the qualities of such a man, we cannot fail to note that he was a pioneer. He advanced the frontiers of every activity of life in which he concerned himself, and his interests were many,—principally, however, law and education. As you saw the casket containing his earthly body lowered into its last resting place, did it not occur to you that he was still a pioneer, even in death? For, does he not lie at a place chosen by himself at the top of a beautiful knoll, a few hundred yards from the family domicile, opened first for his own ashes, and thus christened, as it were, by himself after death, as a new family cemetery?

One cannot think of such a man without feeling that his spirit could not have been the growth and development of a single mortal life, even though lengthy, but is inclined to feel, as a famous speaker once said,

that "life is but a narrow vale between two eternities," or to muse with the poet:

"Our birth is but a sleep and a forgetting;
The soul that rises with us, our life's Star,
Hath had elsewhere its setting."

Whether these things be true in whole or in part only, the conviction would still hold, that as the life's Star of our friend had its setting here, it was at the same time rising in some greater and finer To-morrow.

By MR. CHIEF JUSTICE REID.

We notice there hangs on the wall of the court to-day a magnificent portrait, and I am instructed by the court to acknowledge receipt of it from the members of the late Chief Justice Russell's family. The portrait will be treasured and preserved as a possession of the court.

Now, with the record having been made of these proceedings, as a further mark of respect to the deceased jurist the court will stand adjourned until tomorrow morning.

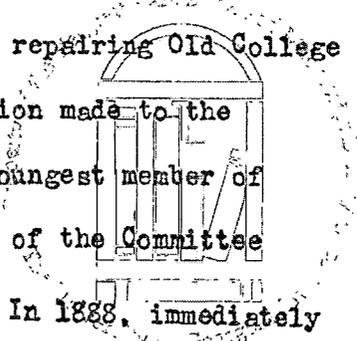
RICHARD BREVARD RUSSELL, SR

Richard B. Russell was born April 27, 1861, in Cobb County, near Marietta, Georgia, the son of William John and Rebecca Harriet (Brumby) Russell. He was of English ancestry, his people being among the earliest English settlers in this country. His father was a well-known manufacturer of cotton cloth and yarns in Georgia.

Young Russell did not go through the ordinary school preparation for college. He was prepared by his mother, a very talented woman, and his grandfather, Professor Richard T. Brumby. He entered the Sophomore Class by examination and was graduated from the University of Georgia with the degree of Bachelor of Arts in the Class of 1879. The next year he devoted to the study of law and graduated in July 1880 with the degree of Bachelor of Laws.

He started the practice of law in Athens. His father was amply able to give him support while he was getting a start in the legal profession, but that didn't suit the young lawyer. He told the writer that he made up his mind that he would sink or swim by himself and that he would not call on his father for one cent. He said that he kept that promise, that he rented him a room in Athens for five dollars per month, cooked his own meals for quite a while, some days was a little hungry but wouldn't tell anybody about it, and after a short while made enough money to live decently.

He was a young man of ambition. He made up his mind he would enter public life and a few months after his twenty-first birthday was elected as representative from Clarke County in the General Assembly of Georgia, a position he filled with credit for seven years. It was during this term of service that he succeeded in getting a bill through the legislature appropriating money for repairing Old College and other buildings on the campus, the first direct appropriation made to the University by the state in fifty years. Although he was the youngest member of the house of representatives, he served four years as chairman of the Committee on Rules, one of the highest ranking committees in that body. In 1888, immediately

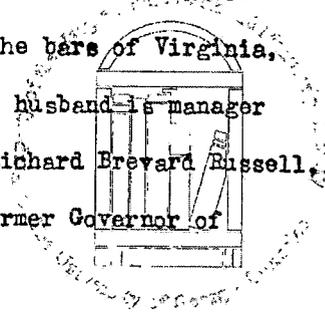


following his service in the legislature he was elected Solicitor General of the Western Circuit and filled that office eight years. In 1896 he resumed the practice of law, moving from Athens to Winder, Georgia. Two years later he was elected Judge of the Superior Courts of the Western Circuit and remained on the bench eight years until 1906, when he resigned to enter the race for Governor of Georgia. There were five entries in this race. Judge Russell ran second. The winner was Hon. Hoke Smith, afterwards United States Senator.

About this time the Court of Appeals was organized in Georgia. Without his knowledge some of Judge Russell's friends entered him as a candidate and he was elected by a large majority. He was re-elected without opposition. In 1916 he resigned though his term of office lacked several years of ending. After a few years in active practice, he decided to make the race for the position of Chief-Justice ^{of the Supreme Court of Georgia Chief Justice}. Fish was his opponent seeking re-election, but Judge Russell received a very large majority of the votes. In that office he served with distinction until his death in 1940, a period of eighteen years. He was a member of the American Bar Association, the American Law Institute, the Georgia Bar Association, the Atlanta Burns Club, Free and Accepted Masons and Independent Order of Odd Fellows, of which last order he was ^{once} ~~one~~ Grand Master.

Judge Russell was twice married. His first wife was Miss Marie Louise Tyler, of Barnesville, Georgia. She died in 1886, three years after their marriage.

In 1891 he married Miss Ina Dillard, daughter of Mr. and Mrs. Fielding Dillard, of Oglethorpe County. Mrs. Russell and thirteen children are still living. The thirteen children of Judge and Mrs. Russell are: Mrs. S. Gordon Greene, wife of Lt. Colonel S. Gordon Greene, U.S.A., Ina Dillard Russell, member of the bar of the Supreme Court of the District of Columbia and member of the bars of Virginia, Maryland, New Jersey and Georgia; Mrs. James H. Bowdon, whose husband is manager of the Savannah branch of the Atlanta Federal Reserve Bank; Richard Erevard Russell, Jr., now a member of the United States Senate from Georgia, former Governor of

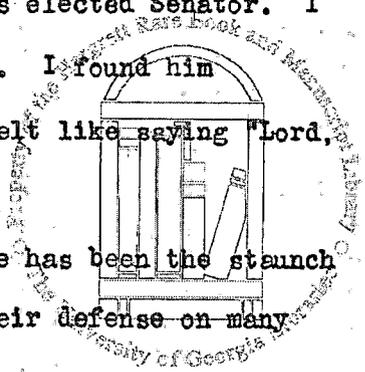


Georgia, and former Speaker of the Georgia house of representatives; Mrs. S. R. Sharpton, of Knoxville, Tennessee, whose husband is associated with the Reconstruction Finance Corporation; Walter Brown Russell, of Burlington, for several years superintendent of the Great Atlantic and Pacific Tea Company for North Carolina and South Carolina; Mrs. Hugh Peterson, whose husband ^{served} has been for several years as Congressman from the First District of Georgia; William John and Fielding Dillard Russell, twins, the former manager of the Great Atlantic and Pacific Tea Company in Sylva, North Carolina, the latter professor of English at the South Georgia Teachers College; Rev. Henry Edward Russell, Presbyterian minister; Alexander Brevard Russell, practicing physician, Winder, Georgia; and Mrs. Raymond Nelson, whose husband is a Presbyterian minister, who served as a chaplain in World War II.

Judge Russell had an ambition to occupy a seat in the United States Senate. He was convinced that the farmers were not getting a square deal and he wanted to try his hand in getting legislation through that would help them. The opportune time did not come for him to make the race and then, too, he was devoted to his work on the Supreme Bench.

But Fate had in store for him a rich compensation and when that came he was glad he was not in the Senate. In 1932 he drove over to my house in Athens and did me the honor to consult with me on the question as to whether his son, Richard B. Russell, Jr., should make the race for United States Senator against Hon. Charles R. Crisp. I told him to tell Dick to pitch his hat in the ring, that he had recently won the race for the governorship, that his organization was intact and everything was propitious. A few days later the announcement was forthcoming and in the election that followed Dick Russell, Jr. was elected Senator. I called on the Judge to congratulate him on his son's election. I found him wreathed in smiles. He expressed his happiness and said he felt like saying "Lord, now let thy servant depart in peace."

And Senator Russell has fulfilled his father's dream. He has been the staunch friend of the farmer and the underprivileged, has stood in their defense on many



occasions, has secured much legislation for their benefit and is there to speak for them in the critical days yet to come.

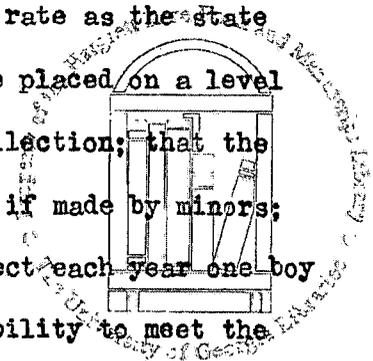
The writer is not a politician and perhaps what he said to Judge Russell had little or nothing to do with the announcement for the Senate, but the Judge always seemed to think I had good political judgment and he simply wanted to know what I thought about it. I appreciated his confidence, even though I recognized a lack of real ability to advise.

As Chief Justice of the Supreme Court of Georgia he rendered decisions in a large number of important cases. Some of his decisions rank alongside the best in the history of the American judiciary.

Judge Russell, throughout his long and useful life, was always deeply interested in education, from the elementary schools through the University. He maintained that a college education should be placed within the reach of every poor boy and every poor girl in the state whose mental achievements were such as to guarantee success in college, but who were deprived of that opportunity through lack of money with which to meet their necessary expenses.

He once outlined a plan that he had in mind that was unique in its provisions. He had conceived this idea when he was a young man but had never been able to convince enough people of the soundness of the plan. Even up to old age he cherished the hope that something of this kind would be provided for by the state.

In brief Judge Russell's plan was this: that the state should issue one million dollars of bonds to be converted into a loan fund; that loans be made from that fund to Georgia boys and girls seeking a college education; that the loan notes taken from the borrowers should bear the same interest rate as the state might be called upon to pay on its bonds; that these notes be placed on a level with taxes and given the same priority and guaranty as to collection; that the notes become a lien against all property of the makers, even if made by minors; that the grand jury or board of education in each county select each year one boy and one girl graduate from high school who gave promise of ability to meet the

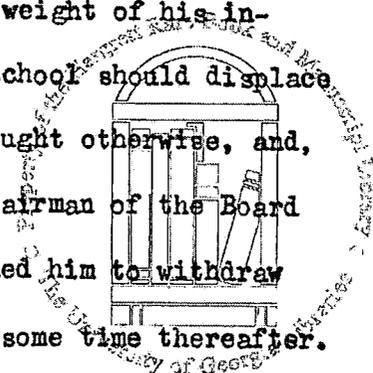


requirements of a college education; that the makers of the notes, within a reasonable time be required to make repayment and that the sum so repaid be deposited back in the loan fund to be lent to others from year to year.

In this way he believed that nothing except ill health or death could prevent the repayment of the notes and the preservation of the original fund intact. His plan, in simple language, was nothing more than the use of state credit, to secure the money with which to establish the fund. He believed that the interest repaid by the borrowers would eventually take care of the interest on the bonds and that the repayments, made as certain and secure as taxes, would protect the corpus of the fund, and that the state would come out without financial loss. Judge Russell was intensely interested and often expressed his conviction that the plan would some day be put into operation.

Judge Russell served a number of years as President of the Board of Trustees of the Georgia State College for Women at Milledgeville, Georgia, and by virtue of that office held membership on the Board of Trustees of the University of Georgia. Much of the advancing usefulness of those two institutions was due to his untiring labors.

He was devoted to his friends and would go full length in their behalf. He was a close friend of Judge George F. Gober, and was largely instrumental in electing him as President of the Lumpkin Law School. When the movement to reorganize the faculty of that school took shape and the proposition was made to secure a younger man to head the Law School, a man thoroughly conversant with the "case system" method of instruction, Judge Russell threw the weight of his influence against it. He did not think a new head of the law school should displace Judge Gober. He lost his fight, as the Board of Trustees thought otherwise, and, being greatly disappointed, he tendered his resignation as chairman of the Board of Trustees. His colleagues refused to accept it and persuaded him to withdraw it. Judge Gober remained as a member of the law faculty for some time thereafter.



Judge Russell served as chairman of the Board of Trustees from _____ to December 31, 1931. On that day the Board of Trustees went out of existence, and the Board of Regents, authorized under the act of the legislature to take charge of all the state supported institutions of higher learning in Georgia, began its work January 1, 1932. But Judge Russell was not through with his supervisory educational work. He had been appointed as a member of the new Board of Regents. He served on the Board several years.

Judge Russell made a close study of all the laws of the state touching the University from the day its charter was issued in 1785 and contributed to the Georgia Law Review in its issue of June 1928 an article on The Legal History of the University of Georgia which can be used authoritatively in any article written on that subject and on which in writing this story of the University the writer has in several instances relied.

While Judge Russell was a member of the Presbyterian church, he had often remarked that he wished no preacher to deliver a sermon at his funeral, but that any friend who had known him through life might say whatever he wished to say on that occasion. On the request of the family, conveyed to me by Senator Russell, the writer on that occasion paid sincere tribute to the dead jurist in the presence of hundreds of friends in the church at Winder.

From young boyhood when he was a student on the old campus, across many years until he faced the western hills, Richard B. Russell, Class of 1879, ranked among the ablest, most active and most faithful friends of the University of Georgia.



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Books



A Heart for Any Fate

The Biography of Richard Brevard Russell Sr.

Sally Russell

The first biography of the Patriarch of the Russell Family

Born in 1861, eldest in a white, middle-class Southern family that lost every-thing material in the American civil war, Richard Russell grew up consumed with ambition to make a name for himself. His dream was to found an out-standing family and to hold the three highest offices in Georgia: Chief Justice of the Supreme Court, Governor, and United States Senator. In striving for these ambitions, he married twice and ran for public office seventeen times. Although elected to lesser offices, he lost races for chief justice, governor, Congress, and the U.S. Senate. He was elected to the first Georgia Court of Appeals in 1906 and to the Supreme Court as chief justice in 1922.



His first wife, Minnie Tyler, died in childbirth in 1886, leaving him bereft, but five years later he married again. With Ina Dillard he formed an exemplary marriage relationship that produced fifteen children, thirteen of whom sur-vided to become responsible adults, credits to effective parenting. The eldest son, Richard Brevard Russell Jr., fulfilled the gubernatorial and senatorial dreams of his father, becoming governor of Georgia in 1931 and U.S. senator from Georgia in 1933, when he was thirty-five years old. He served thirty-seven years in the United States Senate and became Georgia's premier statesman of the twentieth century. Thanks to their father's emphasis on education and his willingness to pay for it, the Russell children studied law, medicine, the min-istry and teaching and became respected professionals in their careers. The glory and difficulty of patriarchy come clear in this story of social and familial structures that both restricted and strengthened conscientious middle and upper-class white men of the post-Civil War South.

Sally Russell, former associate professor of French and English at Gainesville College, now lives and writes in England. She is the editor of *Roots and Ever Green: The Selected Letters of Ina Dillard Russell* (Georgia 1999) and *Shatter Me with Dawn: A Celebration of Country Life* (Georgia 2001). She is a granddaughter of Richard Brevard Russell Sr.

November 2004

Biography

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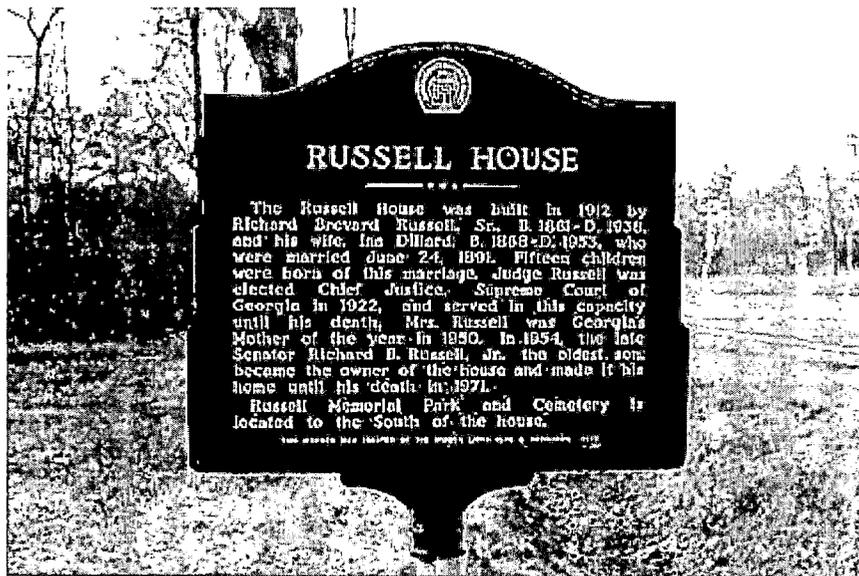
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Richard Russell House Historical Marker

Located on the Athens Highway (Ga. 53/Ga. 8), 5 Miles East of Winder, Ga.

(Text)

RUSSELL HOUSE

The Russell House was built in 1912 by Richard Brevard Russell, Sr., B. 1861 - D. 1838, and his wife, Ina Dillard, B. 1868 - D. 1953, who were married June 24, 1891. Fifteen children were born of this marriage. Judge Russell was elected Chief Justice, Supreme Court of Georgia in 1922, and served in this capacity until his death. Mrs. Russell was Georgia's Mother of the year in 1950. In 1954, the late Senator Richard B. Russell, Jr. the oldest son, became the owner of the house and made it his home until his death in 1971. Russell Memorial Park and Cemetery is located to the South of the house.

Senator Richard B. Russell, Jr., the oldest son,
became the owner of the house and made it his
home until his death in 1971.

Russell Memorial Park and Cemetery is
located to the South of the house.

THIS MARKER WAS ERECTED BY THE WINDER LIONS CLUB & AUXILIARY, 1977

Note: This marker has the seal of the Barrow County Historical Society.

Photo: Ed Jackson

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News and Events

Upcoming...

Tales from the Assassination Tapes: Why Johnson and Russell Doubted the Warren Report

A Book Talk by Max Holland, Author of *The Kennedy Assassination Tapes*.

**3:30 pm, Wednesday, September 29, 2004
The Chapel, University of Georgia**

Author and journalist Max Holland discusses research and findings from his recently published book, *The Kennedy Assassination Tapes*. This major documentary history gives a full chronicle of the presidential conversations of Lyndon Johnson regarding the Kennedy assassination and its aftermath. A leading scholar of the assassination, Holland transcribes and places in context the telephone calls President Johnson made and received as he sought to stabilize the country after November 22, 1963.

The event is free and open to the public. Reception and book signing follow in Demosthenian Hall. The Chapel is located on North Campus. Parking is available in the North Campus Parking Deck located on S. Jackson Street.

Generous support for this program is provided in part by the University of Georgia Alumni Association and the University of Georgia Libraries.

Please visit the Russell Library to view an exhibit focusing on Senator Richard B. Russell's participation in the Warren Commission.

A Russell Library 30th Anniversary Event

A Heart for Any Fate: The Biography of Richard Brevard Russell, Sr.

A Book Talk by Author Sally Russell.

**2:00-4:00 pm, Sunday, October 24, 2004
Russell Library**

→ Sally.RUSSE@aol.com

rreynolds@MindSpring.COM - after Friday

Author Sally Russell discusses researching and writing the first biography of her grandfather, the patriarch of the Russell family. Russell, Sr. served in the state legislature (1882-1887), as solicitor-general of the western circuit of the superior courts of Georgia (1888-1896), as judge of the superior court of the western circuit (1898-1902), on the first Georgia Court of Appeals (1906-1916), and as Chief Justice of the Georgia Supreme Court (1922-1938).



Reception will follow.

770-867-4936

A Russell Library 30th Anniversary Event

Read more about the book...

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