

PROCEEDINGS

IN THE

Supreme Court of the State of Nevada

MONDAY, September 17, 1914.

Present—Hon. G. F. TALBOT, Chief Justice,
Hon. F. H. NORCROSS, } Associate Justices,
Hon. P. A. MCCARRAN, }

and Officers of the Court.

The committee heretofore appointed to draft appropriate resolutions expressing the sorrow of the Court and Bar due to the death of Honorable WILLIAM H. BEATTY, formerly a Chief Justice of this Court, presented the following memorial:

WILLIAM HENRY BEATTY

On August 4, 1915, at his home in San Francisco, died WILLIAM HENRY BEATTY, who, in the early part of his distinguished career, had been a District Judge of the State of Nevada, and a little later, Chief Justice of our Supreme Court, and who was at the time of his death Chief Justice of the State of California.

Your committee appointed to draft a suitable page to his memory finds that he was born in the State of Ohio, in the village of Monclova, Lucas County, near Toledo, in the year 1838. When about two years old he was taken by his parents to Kentucky, the native State of his father, where was passed a part of the boyhood of the subject of this memorial. In 1853 he accompanied his parents to California, traveling by way of the Isthmus of Panama, and settled in the city of Sacramento, where his father took up the practice of law.

WILLIAM H. BEATTY came to California when he was fifteen and remained there two years, then returning East

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for academic and university education. He entered the University of Virginia, in which institution of learning he studied for two years, but did not graduate, going back to Sacramento and becoming an apprentice in the office of his father, under whom he studied until the year 1861, when he was admitted to the bar. Nevada was then in the height of the fame of its marvelous mining discoveries, and drew men from all parts of the world. Young BEATTY crossed the Sierras in 1863 and settled at Austin, then one of the thriving cities of the State. He was elected City Attorney of Austin the following year. When Nevada was formally admitted into the Union in 1864, he was elected District Judge for the Seventh Judicial District of Nevada and served as such during the years 1865 and 1866, and as District Judge of the Sixth Judicial District during 1867 and 1868. It is noteworthy that at the first election held in the State of Nevada, at the time when WILLIAM H. BEATTY was elected District Judge, his father, Henry Oscar Beatty, who also had moved to this State, was elected a Justice of our Supreme Court. About the time of the mining excitement at Hamilton, Nevada, WILLIAM H. BEATTY was elected District Judge of the Eighth Judicial District, White Pine County, in 1869, and served in that capacity from the year 1870 to 1874, inclusive. He was elected Justice of the Supreme Court of Nevada in November, 1874, and took his seat on the first Monday of January, 1875, serving thereafter for six years upon the Supreme Bench, during the last two years of which he served as Chief Justice.

Shortly after the expiration of his term as Justice of the Supreme Court of Nevada, he returned to California and again entered the practice of law. In 1889 he was elected Chief Justice of the Supreme Court of California, and was reelected again and again and filled that position continuously up to the time of his death.

His long service as Chief Justice of California added to the fame already won as a jurist in the State of Nevada.

William Henry Beatty

It was during his service in our own State that his remarkable ability as an analyst of the law first attracted attention. He made for himself a splendid reputation as an authority on mining law. Many of his decisions, both in Nevada and California, have had a lasting effect on the history of the two States. His decision, reported in the 84th Cal., as to the rights of stockholders in corporations, became famous in the litigation that arose in the matter of the American Sugar Refining Company.

His repeated elections as Chief Justice of the Supreme Court of California indicated the great confidence in his ability and character entertained for him by the people of his adopted State. No other man has had the distinction of being the Chief Justice of the highest courts of the States of California and Nevada. The Bench and Bar of Nevada, as they learned of the honors heaped upon him in a sister State, took pride in the fact that this State first recognized and honored his high abilities both as a lawyer and a judge.

Judge BEATTY always retained a warm affection for the people of this State, and would often turn aside from official labors to greet residents of this State and make warm and affectionate inquiry regarding old friends here.

When Judge BEATTY passed away, a full and useful life was ended and the warm expressions of grief and tributes of respect paid by his fellow citizens affixed the final seal of commendation to a long and honorable career. His industry kept pace with his capacity, and his integrity was never questioned. Possessed in a high degree of the judicial temperament and that impartiality which holds the scales of justice in equal poise, his decisions were always rendered with a view to the right and to the advancement of the welfare and happiness of his fellow men. The greatness of Chief Justice BEATTY was a greatness attainable in kind, if not in degree, by any man, for it was the greatness of goodness, of integrity, and of zeal to do right. After the years of honor, he went to rest, leaving behind him a record which should be an

William Henry Beatty

example and an inspiration to men of his profession and a guide to good citizenship.

BENJ. CURLER,
GEO. S. BROWN,
P. B. ELLIS,
WILLIAM WOODBURN,
W. S. BONNIFIELD.

The resolutions were approved by the Court, ordered spread upon the minutes and published in the next Supreme Court Report, and the Clerk directed to forward copies to the family of the deceased.

As a further mark of honor and respect the Court adjourned for the day.
