

In Memoriam

M. S. Bonnitfield

PROCEEDINGS

IN THE

Supreme Court of the State of Nevada

MONDAY, October 6, 1913.

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 by the Court to draft appropriate resolutions expressing the sentiments of the Court and Bar upon the death of Honorable M. S. BONNIFIELD, formerly a Justice and Chief Justice of this Court, presented the following:

MEMORIAL

M. S. BONNIFIELD was born in West Virginia on the 14th day of September, 1832, and was consequently nearly eighty-one years of age at the time of his death.

He was admitted to the bar in the State of Kansas in 1856, and was soon identified as one of the leading attorneys of that State. He soon thereafter became interested in politics, allied himself with the Free-Soil Party, and was twice elected to the State Senate.

He crossed the plains in 1861, arriving at Red Bluff, California, and remained there until the summer of 1862, when he removed to Nevada, locating at Unionville, Humboldt County, the then county-seat of that county, where he opened a law office, and during the years of his residence there enjoyed a large and lucrative practice. With the decline of Unionville with the construction of the railroad, he removed to Winnemucca, where he continued to reside up to the time of his death.

He was elected to the State Senate from Humboldt County in 1869, and by energy, wisdom, and ability made himself a leading factor in that body, on all occasions

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displaying a patriotic interest, not only on behalf of his constituents and locality, but for the entire State.

In 1892 he was chosen by the people of Nevada as a Presidential Elector, and by that body was selected to and did carry the electoral votes of this State to Washington.

In 1894 he was chosen a Justice of the Supreme Court and served a full term of six years, with honor to himself and the highest credit to the State.

He was married in 1855 at Meadville, Pennsylvania, to Miss Laura Ames, and three daughters, the issue of said marriage, survive him, all of whom were at his bedside at the time of his death. Mrs. Bonnifield died in 1887, and in 1889 he married Mrs. Nellie Lovelock, widow of the late George Lovelock, Jr., whose father was the founder of the town of Lovelock, who survives him.

His entire life was one of industrious and unusual activity, not confined to his legal business alone, but identified with every industry of our State. He was an able writer, and contributed greatly to literature touching the subjects of paramount interest to our State. He brought to the discharge of his judicial functions a profound knowledge of the law, a clear, calm, and analyzing intellect, unbiased by fear or favor.

Recognizing the full worth of the deceased, and fully appreciating the great loss sustained by the bench and bar and the people of this State, and by those who were near and dear to him, we recommend the adoption of the following resolution:

Resolved, That in the death of Judge BONNIFIELD, the bench, the bar, the people, the State, and his kindred and relatives have sustained a great loss.

Be It Further Resolved, That our sympathies are extended to his relatives in their sad bereavement, and in respect to his memory that this Court stand adjourned.

Respectfully submitted,

W. A. MASSEY,
BENJAMIN CURLER,
T. A. BRANDON.

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After the presentation of the resolutions, Judge MASSEY spoke as follows:

"I cannot at this time forbear making a short statement concerning Judge BONNIFIELD as I knew him, and I presume that there is no practitioner at the bar of this State at this time, perhaps with one or two exceptions, who knew Judge BONNIFIELD as intimately and as well as I knew him during the last years of his life. For four years he and I occupied the adjoining chambers in the discharge of official duties as members of this Court; and, while I had an acquaintance with him extending many years prior to that time, those four years of association developed three big traits of character dominating his life that the younger members of the profession and the people who did not know him could well emulate.

"The first big trait of character that Judge BONNIFIELD impressed upon my mind as a controlling factor in his life was his unbounded charity. I do not mean, if your Honors please, the charity that gives from the purse, because he was liberal in that way, but a broader charity—that Christian charity spoken of in the New Testament. No matter what was said; no matter how bitter the saying was—and in those days there were some bitter things said—Judge BONNIFIELD never complained, and when his attention was called to unkind criticisms and unkind things that were said and done, with a smile he stated that life was too short to be annoyed or to suffer annoyance with matters of so little importance as those things were. I never heard him, during the four years of intimate acquaintance I had with him, as close perhaps as that of any other in my life, utter an unkind word of anybody. If he could not say something commendatory of the person about whom he was speaking, Judge BONNIFIELD had the magnificent character to remain silent and say nothing.

"The second characteristic impressed upon my mind, during the association to which I have referred, was Judge BONNIFIELD'S constant application to the discharge of every duty that he was called upon to perform. He

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was early to his office; he was late to leave his office during those four years; and, there being nothing but a door between his chambers and my chambers, I saw him nearly every hour of the day; and I have tried since this Court honored me with the position on this committee to remember an occasion when Judge BONNIFIELD was idle in his chambers, and I am unable at this time to recall a single instance when I have entered those chambers, either on business or in a social way, and did not find Judge BONNIFIELD bringing to the discharge of the duties of the high office of a Justice of this Court his constant time and his constant energy.

"There was one other feature of his life and character with which I was impressed, and that was his clear, clean, analytical mind. He started into the decision of a question without prejudice either in one way or another, and it seemed to me that he started in for the purpose of ascertaining what the truth was; that it was his endeavor to solve the question that came before the Court upon the theory of right—upon that broad idea of right that is narrowed sometimes in the decisions of courts upon a technical construction of statutes and the law. And as a result he has left in the reports of this State a monument of clear analytical decisions that is not surpassed by any of the States of the Union, taking into consideration the results accomplished. He and I did not at all times agree; and yet in any disagreement as to the discharge of our official duties there never was, so far as he was concerned—and I speak from what I know—there never was at any time the slightest feeling or the slightest desire to criticize me or any other person who disagreed with him.

"Judge BONNIFIELD lived to a ripe old age. I knew him intimately during the years that I have mentioned, and, as I stated to your Honors a few moments ago, I could not forbear at this time adding to what has been stated in the resolution these words of commendation of a man who went through life with the broadest charity, with a clear mind and with a constant effort, even when in distress, to discharge every duty that he owed to the

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State in an official capacity, and every duty that he owed to the State and Government as a citizen, faithfully and well. And I believe this Court could no more fittingly honor the deceased than by adjourning out of respect to his memory."

BENJAMIN CURLER and PRINCE A. HAWKINS also delivered short tributes to the memory of Justice BONNIFIELD.

The CHIEF JUSTICE responded:

"The bench joins the bar in deploring the loss of this distinguished jurist, who formerly presided over this Court. He was one of those bold and adventurous spirits who left the comforts of home while young to face the dangers and undergo the hardships incident to a new country. He possessed not only exceptional ability, but a pleasing appearance, poise, and dignity to an unusual degree. He was so strong that these good qualities were not lessened by rough experiences. With his sturdy character and robust constitution, after enduring the privations of a pioneer, he lived far beyond the average life allotted to mortal man. His was the exceptional honor of having delivered two Fourth-of-July orations in the same town, Unionville, fifty years apart. Notwithstanding the good age to which he survived, we are never ready to part with men so distinguished and useful.

"The Court thanks the committee for the appropriate resolutions, and the addresses are appreciated. The resolutions will be spread upon the minutes and will be published in the next volume of decisions of the Court. A copy of the resolutions will be sent to the family of the deceased, and the Court will adjourn for the day out of respect to his memory."
