

PROCEEDINGS  
IN THE  
Supreme Court of the State of Nevada

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MONDAY, October 1, 1917.

Present—Hon. P. A. MCCARRAN, Chief Justice.

Hon. B. W. COLEMAN, } Associate Justices,  
Hon. J. A. SANDERS, }

and the Officers of the Court.

Hon. H. F. BARTINE, of the committee heretofore appointed to prepare appropriate resolutions upon the death of the Hon. JAMES G. SWEENEY, presented and read the following memorial:

**JAMES G. SWEENEY**

*To the Honorable, the Supreme Court of the State of Nevada:*

Your committee appointed to express the sentiments of the bench and bar of this State with reference to the Honorable JAMES G. SWEENEY, deceased, begs leave to submit the following:

On the 7th day of July, 1917, the Honorable JAMES G. SWEENEY, formerly a distinguished and honored member of this Court, fell into that final slumber from which no mortal ever awakes. For many months he had been in failing health, but, in view of his youth and natural physical vigor, few believed that he was stricken with a fatal ailment until a comparatively short time before the end came.

JAMES G. SWEENEY was a unique character. Ambitious for himself, he was at the same time absolutely true to his friends and was ever ready to go to all honorable lengths as an earnest of his friendship and

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James G. Sweeney

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fidelity. His open-hearted and open-handed generosity to those who deserved it—and even to some who, perhaps, did not—was almost without limit.

But it is to him as a public man, and to his record as such, that we are now paying tribute. He has gone from us forever, and his life's achievements will stand, an imperishable chapter in the history of our State and of the great Nation of which it forms a part. Brilliant to the point of being spectacular, it is doubtful if the purely civil history of any American State presents a parallel to the career of the man whose memory we honor today. Born in Carson City, Nevada, on the 24th day of January, 1877, he was elected a member of the Assembly to represent Ormsby County before he had attained the age of 24 years. While yet in his twenty-sixth year, he was elevated to the office of Attorney-General, and before he had reached the age of 30 years he was elected by a magnificent vote to the exalted position of Justice of this Court, the highest judicial office within the gift of Nevada's electorate. After serving two years as a member of the Legislature, four years as Attorney-General, and six years as Justice of the Supreme Court, the last two as Chief Justice, at the age of 36 years, an age at which most men are just beginning their official careers, he voluntarily retired to private life, and passed into the Great Beyond when his forty-first year was less than half spent.

All of this was done with no unusual advantages. He had no wealthy and influential relatives to aid him in his onward and upward march. His college education was a modest one, and in the legal profession, which was the grounding for his public work, he was essentially self-taught. In his every official position he made a shining mark. As a member of the Legislature, he was an acknowledged leader. As Attorney-General, his work was of high legal order. As a member of this Court, he was the author of decisions that will always give him a place of honor among the splendid jurists

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James G. Sweeney

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whose names glitter like stars upon the pages of our country's judicial history. What a record is this, and what volumes it speaks for the opportunities which this great republic of ours affords!

As a fitting concomitant of his official service, he was a natural politician. Always active, always aggressive, and, until the later years of his life, intense in his partisan feeling, he was an accepted leader and a recognized force in the party with which he affiliated from the year 1900 until his voluntary retirement in 1913.

Had he retained his health and strength, it is inconceivable that he would have remained long in private life. With his ability, his temperament, and his segregation from judicial environment, his reappearance in some public way was about as certain as anything in human affairs can be. Judging from what he had accomplished in the past, it is hard to place a limit upon what his achievements might have been had he lived the allotted years of man. But, in the full bloom of early middle age, he was taken from us, and the haunts and places in the midst of which he was born and which he loved so well shall know him no more forever.

To his surviving relatives—those who were so near and dear to him in life—we extend the full measure of our sympathy. They will miss him from the family circle. To them there will be a vacant chair; but it should be a comfort to them to know that he lived not in vain, and that he gave to the name of SWEENEY a place of honor in the annals of our State.

We, also, his associates of the bench and bar, shall miss him from our circle. We shall cherish his memory, feeling always that, through his untimely passing, the State has lost one of its most gifted, useful, and promising public men. Speaking to him personally as he sleeps, we can only say, in conclusion, "Fare thee well, our brother," and breathe a prayer that, far beyond the grave's dark shadow, in the realms of heavenly light, his soul has found a safe, a happy, and an eternal home.

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James G. Sweeney

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This is our tribute to our former friend and associate, and we ask that it be received and printed in the next published volume of the Nevada Reports.

F. H. NORCROSS,  
J. M. MCNAMARA,  
H. R. COOKE,  
JAMES T. BOYD,  
H. F. BARTINE.

The CHIEF JUSTICE :

The report will be received, filed, and incorporated in the minutes of the proceedings of the Court, and it is ordered that the memorial be printed in the next volume of the Nevada Reports. A copy of the resolution as presented will be delivered to the relatives of the deceased Chief Justice.

The Court is indebted to the committee for the splendid service which it has rendered. We bow in sorrow at the name and memory of the eminent jurist who has so indelibly written his name upon the pages of the history of Nevada. The name of Justice SWEENEY will stand with the names of the great men who in the past years occupied this tribunal.

Out of respect to the memory of the deceased Chief Justice, the Court then adjourned.