

In Memoriam

Edward A. Ducker

PROCEEDINGS
IN THE
SUPREME COURT OF THE STATE OF NEVADA

FRIDAY, November 1, 1946.

Present—HON. E. J. L. TABER, Chief Justice;
HON. CHAS. LEE HORSEY, Associate Justice;
HON. EDGAR EATHER, Associate Justice;

Committee, 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 EDWARD A. DUCKER, late Chief Justice and Justice of this Court, through its chairman, Wm. J. Forman, presented the following:

MEMORIAL

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

This Honorable Court has previously appointed this committee to draft and present suitable resolutions, expressing the high esteem in which the late Justice DUCKER of this Court was universally held, and the sorrow of the members of the State Bar of Nevada because of his passing.

At this time we desire to present to the Court the following expression of the Bar of the State of Nevada on the demise of Justice DUCKER, and the high regard and affection in which he was held by all of the people of the State of Nevada.

HONORABLE EDWARD A. DUCKER

Justice EDWARD A. DUCKER was born February 26, 1870, at Visalia, California. At the age of seventeen he came to Nevada, and, except for one very brief period thereafter, continuously remained a resident of Nevada. In his youthful years and until he became

engaged in the intensive study of law, he followed the typically western occupation of cowboy and range rider. Prior to 1902, he studied law in the office of Clarence VanDuzer, of Winnemucca, Nevada, and completed his preparatory legal study in the office of the late Judge W. S. Bonnifield, of the same place. He was admitted to the Nevada Bar on January 20, 1902. In the year 1903 he was married to Miss Dollie B. Guthrie. Only shortly more than two years after his admission to practice, he was elected District Attorney of Humboldt County, in which office he served three consecutive two-year terms. In 1910 he was, by election of the people, elevated to the office of Judge of the District Court of that district, in which office he served for eight years. In 1918 he was elected Justice of this Court, and was successively thereafter, without opposition, elected to that office, until the date of his death, on August 14, 1946.

He is survived by his widow, Mrs. Dollie Guthrie Ducker, and his three children, Edward A. Ducker, Jr., Robert Varian Ducker, and Mrs. Merian Ducker Edwards.

During his lifetime he occupied a prominent place in the Masonic Order of Nevada. He was Grand Master of the Nevada Grand Lodge of Masons in 1924-1925. He was Grand High Priest of the Grand Chapter of Royal Arch Masons in 1927-1928; Grand Commander of the Grand Commandery of Knights Templar in 1940-1941, member of Kerak Temple of the Shrine, Knights of Constantine, Eastern Star, Knights of Pythias, and Fraternal Order of Eagles.

Throughout Justice DUCKER'S life, he was a profound student. The remarkableness of his scholastic achievements is aptly stated in a resolution adopted by the Forty-first Session of the Legislature of the State of Nevada. In this memorial to Justice DUCKER on the occasion of his seventy-third birthday, the following appears:

The early years of Judge DUCKER'S life were spent with saddle and reata riding the great

cattle ranges of Nevada, a youth among those stalwart men who had even then established the great herds of livestock upon which the prosperity of our State so much depends, all of which instilled in him the rugged virtues of the pioneers' code of law;

During his lonely vigils in the silence of mountain and desert he became imbued with the ambition to study and to be admitted to the practice of law, which ambition he pursued with unswerving directness until the ambition became an accomplished fact;

The achievements of Judge DUCKER are the more outstanding when one appreciates that his alma mater was the buckaroo camp and cattle trail, his desk a creaking saddle, and his campus the limitless stretch of sage and pine.

Throughout his life he was a lover of the outdoors and was an ardent follower of the outdoor sports of fishing and hunting.

While born in the State of California, it was the State of Nevada he claimed by adoption. It was here, by choice, that he established his home and raised his family. It was here he spent the greater part of his life, and it is upon the records of this Court that the most enduring monument of his labor is inscribed.

His long career of judicial service to the people of Nevada was marked by a devotion to his public duty, the justice of his decisions, and his keen insight of the legal principles involved in the many cases in which he participated as the final arbiter of justice in this State. His long term on the Bench is in itself a monument of his fitness and of his personal and judicial character.

The many opinions written by Justice DUCKER as a member of this Court show lucidity of thought and ability of expression in simple and concise language.

There is never doubt as to what Justice DUCKER intended to say; there is also clarity disclosing complete honesty of thought. He was brief and sententious in his statement of facts and in the application of judicial

principles, and yet his decisions clearly and concisely discussed and applied the necessary facts and legal principles for a proper solution of the issues involved. In a word, he possessed the faculty of condensation.

The loss to the Bar and the people of the State of Nevada in his passing can only be consoled by the thoughts of their good fortune in having the benefits of his talents for such a long period of time.

Dated this 1st day of November, 1946.

WM. J. FORMAN,	JOHN R. ROSS,
A. L. HAIGHT,	ALAN BIBLE,
M. A. DISKIN,	MERWYN H. BROWN.

Chairman Wm. J. Forman, on behalf of the committee, moved that the memorial be spread upon the minutes of the Court, and that a copy thereof be forwarded to the family of Justice DUCKER. It was so ordered.

It was also ordered that the following memorial adopted by the White Pine County Bar Association and joined in by the members of the Lincoln County Bar, be spread upon the minutes of the Court:

MEMORIAL

To the Honorable, the Seventh Judicial District Court of the State of Nevada, and the Honorable Harry M. Watson, Judge thereof:

The undersigned, the present members of the White Pine County Bar Association, other than Your Honor, named by the Court at a special session held August 19, 1946, to prepare a resolution of respect in memory of the late Chief Justice and Justice of the Supreme Court of Nevada, EDWARD A. DUCKER, with the undersigned secretary of the Association to draft such resolution, which was to be joined in by Messrs. A. L. Scott and Jo G. Martin of the Lincoln County Bar, present at that session, report as follows:

Judge DUCKER was seemingly not one given to publicity as to his life story. A brief sketch and portrait appear in the History of the Bench and Bar of Nevada,

published in 1913. In the little over one hundred words there we find most of the definite details of his early life and background. The remainder of this memorial is collected from various sources.

EDWARD AUGUSTUS DUCKER was born February 26, 1870, at Visalia, California, the son of Benjamin F. and Augusta Woodward Ducker. He was educated in the public schools of Modesto, California. He moved to Nevada in 1887, and studied law in the office of C. D. VanDuzer, of Winnemucca, and, later, in the office of Judge W. S. Bonnifield, of the same place. He was admitted to the Bar of Nevada January 20, 1902. He was married March 30, 1903, to Dollie B. Guthrie. He was District Attorney of Humboldt County from 1905 to 1911, and Judge of the Sixth Judicial District Court to the date of that publication—actually until his election to the Supreme Court in November, 1918. These facts and his fraternal affiliations and political faith comprise the entire autobiographical details.

Volume 55 of Nevada Reports, issued in 1935, has an appendix called "Members of the Nevada Bar," the roll of attorneys and dates of their admission to the Supreme Court of Nevada, arranged alphabetically and in chronological order. Apparently it covered both the living and the dead, going back to June 2, 1862. A rough count of the entire list shows that Judge DUCKER was the 523d in order of seniority. Presumably many, if not most, of his then living seniors in service have since obeyed the last summons and passed into the presence of the Highest Tribunal. Any future chronicler of the annals of our Bench and Bar must emblazon the name of EDWARD A. DUCKER on many a page.

In our Court session first mentioned there were talks by those who had known him and prized him as a friend for from twelve to thirty-eight years. We heard of his youth and early manhood, coming up the hard way through the diversified occupations of the time to his seat upon the Supreme Bench, in January 1919. He first served as Chief Justice in 1923-1924, again in 1929-1930, and last in 1935-1936. It was said in our

session that, according to Brother Scott's recollection, Judge DUCKER had never been opposed for reelection through all the years.

JUDGE DUCKER died in harness at Carson City, on August 14, 1946. What seems to be his last official published opinion was in *Koyen et al. v. Lincoln Mines, Inc.*, given June 26, 1946. (L 71 Pac. 2d). He is survived by his widow and two sons, Edward A., Jr. and Robert Varian, and a daughter, Merian, one of whom, Edward A. Ducker, Jr., follows his illustrious father's footsteps in the paths of the law.

Your committee feel that, more fittingly than by any words of theirs, the life and character of Judge DUCKER can be characterized by applying to them excerpts from his own words in the memorial to the late Chief Justice and Justice BENJAMIN W. COLEMAN some seven and a half years ago (58 Nev. 495-497), paraphrased slightly only when necessary:

He devoted many years of his life to the service of this State and died in that service. They were years that were effective and fruitful in intellectual achievement. * * * The bright history of our Supreme Court has been greatly enriched by reason of the faithful and intelligent service he rendered here during a long period of over twenty-seven years. His judicial opinions rank very high in the legal world. They are couched in simple and very forceful language, denoting clearly what was intended and decided. They bear the impress of a trained intellect.

* * * * *

His private character, like his public character, was one of stern integrity. He was a man of principle, purpose, and will, impulsive by nature, yet withall kindly and considerate in disposition. The rich humanity of his character, the charitable impulses of his heart, were manifested by many generous acts. His rare conversational powers and altogether

charming personality made him a delightful companion in private and social circles. He was devoted to his family, to whom he leaves the rich heritage of a spotless name. He was deeply interested in the welfare of his neighbors and the people generally. * * * He died in the fullness of his fame, leaving no unfinished work of his for others to do. Justice DUCKER kept faith and finished the course in a courageous, manly, and forthright manner. He has taken his place in the temple of memory, beside the former great jurists who have adorned this Bench.

* * * Nothing low or mean ever came near the mind or heart of Justice DUCKER. He lived well. He laughed freely. He thought deeply, and he worked hard. He died * * * rich in the golden opinions of those he served.

In addition to the above memorials, members of the Bar and of the Court addressed the Court as follows:

M. A. Diskin, Esq.:

On an occasion of this kind, words are a poor vehicle to express either the sadness we feel at the passing of Justice EDWARD A. DUCKER, or the tribute to his memory we wish to have inscribed on the records of this Court.

I first met Judge DUCKER in Esmeralda County in the year 1913 when he was called there to preside in a criminal case which I was prosecuting as District Attorney.

I was, as a young man, greatly impressed with his ability, fairness, and impartiality in the trial of this case. So much so that I closely followed his public life for the past thirty-three years, and was an ardent admirer of the progressive stages of his advancement.

Few men in public life enjoyed the confidence of the people of this State as did Judge DUCKER. His repeated elections as a member of this Court, many times without opposition, is a glowing tribute of their confidence in his ability and fairness. He devoted the greater part of his

life to the service of this State, and died in that service.

He possessed a demeanor which commanded respect for the Court. He had the ability of expressing his conclusions in simple and forceful language; a knowledge of the law which commanded respect for his rulings; a judicial temperament, which gave him the godly attribute of deciding impartially—these qualities he developed to a remarkable extent.

His well acquired success emphasizes forceably to the young men what may be accomplished by right living, self-denial, close application, and honest endeavor, and the success he attained emphasizes the opportunity that is afforded under this great Government of ours.

In his passing the judiciary of this State has lost its dean; the Bar has lost an able advocate; the people of this State have suffered the loss of one of its loyal and outstanding citizens; his family, a loving and devoted husband and father.

His spirit will always remain with us. He leaves behind an everlasting monument recorded in the pages of the judicial records of this Court that will serve to guide the coming generation in the sound principles of justice and equity. To his family he leaves the rich inheritance of a spotless name.

Hon. Merwyn H. Brown, Judge of the Sixth Judicial District Court:

Your Honors, first I want you to know how much I appreciate your kindness and the honor you have conferred upon me by my appointment as a member of the committee to present this resolution as a memorial to Honorable EDWARD A. DUCKER, especially so, on account of the fact that he came from the county in which I was born and in which I have so far lived.

We always considered him a native. It was there that he began his career in life, studied law, and was admitted to practice. It was there that he commenced his work as a public servant and demonstrated his ability as such while serving as District Attorney and District Judge. The people of Humboldt County were proud of him and the people of the State of Nevada

evidenced their faith in him by elevating him to this high office as a member of the Supreme Court, which office he held for so many years without opposition.

My first recollections of Judge DUCKER were gained when I was a student in school. Those impressions were that he was a man who enjoyed the highest respect and esteem of the people in the community. He was often referred to by them as a "good judge."

Later, after I commenced the practice of law I became associated with him professionally. He was a member of the Supreme Court at the time I was admitted to practice, and participated in the examinations. He was kind, considerate and understanding. But, above all, I learned to know him as a friend. As the years passed by there developed a close friendship between the two of us. He was a man in whom you could place implicit trust and faith. He was a man to whom you could go for counsel and advice with the assurance that you were welcome and that he had the time and the patience to listen to you. He was a person of sound judgment and one who had the courage to tell you and warn you if he believed you were wrong or that you were making a mistake.

He was a sportsman and loved the outdoor life. Every year he returned to Humboldt County for his deer hunting trip.

As a jurist the record of his opinions written while a Judge on this Court will stand as a permanent memorial as to his splendid legal ability and his fine sense of fairness and justice.

In his passing, I, personally, have lost a true and sincere friend. We, of the Bench and Bar, will ever remember him as an outstanding character and member of our profession, and the people of the State of Nevada will miss him as a faithful servant and a grand citizen.

A. L. Haight, Esq.:

I have nothing prepared for this occasion and I find it difficult to add to what has already been said concerning Judge DUCKER. Also, it seems to me that whatever we may say here may be more or less superfluous,

because the ability, the sincerity, the great simplicity, and the other outstanding characteristics of this fine man are so well recognized and understood, not only by all of us present, but also by the people generally throughout the State of Nevada.

I first knew Judge DUCKER in 1911, during the first year of his service upon the Bench of this State, and for thirty-five years after that I am sure that I enjoyed his friendship and confidence.

Judge DUCKER was a continuing inspiration to the ambitious youth of this State, and his enthusiasm for life set a pattern which we might all well emulate. He was an outstanding example of integrity and real virtue and personified our conception of what a public servant should be.

It is a common saying, and perhaps a somewhat trite expression, that no man is indispensable, yet it is my judgment that Judge DUCKER'S place on this Court, which attained its greatest eminence in the history of our State during the period of his service upon it, and his place in the public life of Nevada will remain unfilled, if not forever, at least for many years to come.

While we, of course, greatly deplore the passing of so splendid a man, I know that all of us, and many, many other people throughout the State, rejoice in the fact that they have had the opportunity, over a long period, to be associated with him, to enjoy his friendship and to benefit by his service.

Alan H. Bible, Attorney General of Nevada:

"Some men are born great; some achieve greatness, and others have greatness thrust upon them." It seems to me that Judge DUCKER'S greatness was achieved by hard work faithfully applied over a long road.

I first became acquainted with Judge DUCKER approximately twenty-five years ago, when we often hunted ducks and pheasants together in the Fallon area. I knew him as a splendid sportsman and lover of the outdoors. Later that acquaintanceship grew and ripened into a close friendship during the many times that he visited with his son at the University of Nevada.

We in the Attorney General's office have become very closely acquainted with the members of this Court, both in practicing before it and in our daily association with its members over these many years. Personally, I have visited Judge DUCKER almost daily over that period, and, through that association and through our practice before this Honorable Court, we came to esteem him as a great man, a great jurist, and a great friend. I think I know something of his philosophy of life. It was a philosophy of industry, personal integrity, and practical humanity. I have talked to him many, many times, and I would, if I could, pattern my own life after the great example which he has set—that of a loving and devoted husband and father, a man who put his God, his country, and his family first. I know of the effort he has made, at all times to discover and uphold the right, and I know of the work that he has done as a jurist on this Bench.

Mention was made by the previous speaker of the inspiration he gave to young men. I know of many occasions on which Judge DUCKER has quietly helped a young man starting on his career in life. He would go out of his way to help a young man struggling alone, counselling him against the errors and pitfalls in the practice of law which he himself overcame and avoided only by unaided industry and determination.

As has been said, too, his memorial has been indelibly written in the Reports of this Court. They reveal him as a great jurist and a great man. It may be said of him: "Well done, thou good and faithful servant." This is the only reward he sought; the particular reward he earned, and the reward which all of us, who knew him and his work so well, now unite to bestow upon him.

John R. Ross, Esq.:

One cannot help but feel at times such as this that words are rather futile things with which to portray the emotion they are called upon to express. Yet the expression of warm and sincere appreciation and admiration for the late Justice DUCKER, perpetuated in the printed page, will stand an imperishable monument to

the memory of this man we mourn long after we who are present today will have been called from the Courtroom of Life.

We are reminded on occasions such as this that the span of life is of brief duration. Quietly we come, tarry but a moment, then quietly depart. The greatness of men is not arrived at from the richness and grandeur of their possessions, but rather on the basis of what they may have contributed to their fellows by way of courage, loyalty, sincerity, and an adherence to that way of life so simply expressed in the Golden Rule. Justice DUCKER was sincere, honest, and courageous. These rugged virtues made of him a great man, whose philosophy, expressed in the opinions of this Court over a period of more than a quarter of a century, is a rich inheritance to the men and women of this State of Nevada.

In the remarks that have been prepared by your committee there was set out a paragraph from a memorial resolution passed by the Forty-first Session of the Nevada Legislature. As bill drafter for the Senate during that legislative session I prepared that resolution. Every word came from my heart and was based on my personal knowledge of this man and of his long life of service to the people and the Bench and Bar of Nevada. I join in the thought expressed by one of my colleagues, that no more fitting epitaph could be inscribed above Justice DUCKER'S grave than these words—"Well done, good and faithful servant."

It will be many years before I can stand before this Bench without, in memory, seeing the stern, yet kindly, face of Justice DUCKER—who was my friend.

Wm. J. Forman, President of Nevada State Bar:

My first acquaintanceship with Justice DUCKER was on the occasion when I applied for admission to the State Bar of Nevada. He sat as a member of this Court, which at that time conducted the bar examinations. The first case in which I ever participated was in this Court and over which he then presided as Chief Justice.

I always deeply appreciated the courtesies he extended to me and to other new practitioners and the sympathy with which he viewed our struggles. In the following years I appeared before Justice DUCKER on many occasions, and I too shared with all the other members of the Bar the highest respect and regard for his fairness, learning, and legal ability.

Some of my fondest memories of Justice DUCKER relate, however, to another phase of his active life. For a period of years, when I lived in Carson City, I had the privilege of enjoying his companionship for many happy hours along the fishing waters of this area. He was an expert fly fisherman. Between the months of May and October of each year, with his fly rod and creel, he was a familiar figure to every rancher and ranch hand of those ranches that border the trout streams of western Nevada. He enjoyed to the fullest extent these frequent fishing excursions and the companionable chats that he had with those he met upon these excursions.

He will be missed by many persons in many walks of life. To many of these persons he will be remembered, and I believe he would wish to be remembered, not alone for his long and distinguished career of public service, but also as a great outdoors man and nature lover, a true sportsman and a sincere friend.

George P. Annand, Deputy Attorney General of Nevada:

To this Honorable Court, may I say: One of the blessings of old age is fond memories. The privilege, I enjoyed, of a long-time friendship with Justice DUCKER, a noble gentleman and an eminent scholar, is outstanding as a cherished memory.

Homer Mooney, Deputy Attorney General:

I feel honored to be privileged to join in this tribute to the late Justice DUCKER. I knew him a long time, beginning when I was a newspaper man. As such I think I learned to know Justice DUCKER better than even in my modest experience as a lawyer.

It has been my experience with men in public life that

the greatest men are the simplest. Justice DUCKER was friendly, sincere, unpretentious, and his industry and scholarship are well revealed by his court opinions. I can testify that he never allowed any partisan or political considerations to color his conduct on the Bench.

His passing is a great loss to this State, his family and friends, which is compensated only by the high standard of living he set, as an example and inspiration to those who remain.

Justice Chas. Lee Horsey:

Although, during all the twenty-eight years of Justice DUCKER'S incumbency as Justice and Chief Justice of our Supreme Court, I have been sufficiently familiar with his services to be conscious of his splendid ability and noble character, it was only slightly more than one year ago that, upon becoming an Associate Justice of this Court, I became intimately associated with him. Justice DUCKER, upon my becoming a member of the Court, immediately extended to me the hand of sincere friendship, fellowship, and cooperation.

His humility and self-effacement were such that, even though my judicial experience was of short duration, compared to his long years of distinguished juristic service, he, most generously, invited my counsel and assistance concerning cases which had been assigned to him for the preparation of the opinions of the Court. I found our work together not only most congenial but, to me, it proved the source of much intellectual inspiration and enrichment, and the mutual friendship which had existed for many years was so strengthened and intensified by our companionship in judicial service upon the Court that to me it became one of my most precious possessions.

Justice DUCKER possessed, to an extraordinary degree, many of the noble qualities of human character. His early life upon the range brought him in close contact with the majestic mountains, the beautiful valleys, and the peaceful desert solitudes of his beloved Nevada. Often, like the shepherds of old, he slept in the open,

upon the bosom of Mother Earth for his bed, with a blanket for a pillow, and guarded only by the starry sentinels of the Heavens keeping watch over his temporary resting place. He dearly loved the great outdoors, and throughout the later years, when engaged in legal toil most of the time, his never failing means of diversion and recreation was hunting and fishing. It was only to be in a position affording the opportunity, power and influence which would enable him the more effectively to serve his State and his people, that Justice DUCKER made what, to him, was the great sacrifice of abandoning life in the great outdoors, which he loved so well, for the cloistered seclusion of the law. We may well believe it was while in repose, through the long vigil of some night, under the starry canopy of the skies, that Justice DUCKER first conceived the idea to use the law as the instrumentality by which he could best contribute to the welfare of mankind.

His laudable ambition to reach, by his own efforts, a position of greater usefulness and eminence, in spite of his very humble youthful beginnings as a shearer of sheep and as a cowboy upon the range, and his dauntless courage in making his dreams come true, to the everlasting glory of his State and the benefit of humanity, serves, not only now, but, throughout future years, will serve, as an unfailing demonstration, to deserving youth in humble circumstances, of the possibilities of worthwhile achievement in democratic America.

Indeed, Justice DUCKER'S record of high achievement under adverse circumstances is calculated to inspire, not alone the youthful, but, also, those of more mature years, to greater effort and more exalted service in behalf of humanity.

As a man, Justice DUCKER was kind, generous, and unselfish, to his family, his friends and all mankind.

As a citizen, he possessed a pure, exalted patriotism, and a sincere devotion and loyalty to his Nation and his State that is unexcelled.

As a diligent student of the law, he achieved scholarly attainment. For more than thirty-six years upon the

District and Supreme Courts of this State, Justice DUCKER'S splendid legal ability, his worthy ambition to accomplish, for the benefit of his fellow citizens, the most just and equitable results possible of human achievement, and his readiness to sacrifice ease and comfort to the proper discharge of his official duties, enabled him to reach a position of eminence, as a jurist and public servant, which only an exceptional few are able to attain.

His judicial opinions reveal the operative processes of a mind searching, amidst the multitude of intricacies and technicalities of the law, for the fundamental principles of simple truth and justice. Justice DUCKER'S conclusions and decisions reflect a high degree of success in achieving, in the administration of the law and its application to the concrete facts of the cases before the Court, his primary objective, which was to accomplish the highest measure of justice and equity possible in the human relations involved in such cases.

I feel I could do no better, in this humble attempt to pay tribute to a most able and eminent jurist, who was also a very great man and a real gentleman, than to quote, with slight paraphrasing and the modification necessary in substituting months for years as to the element of time, a portion of Justice DUCKER'S expressions upon the occasion of the memorial exercises to Justice BENJAMIN WILSON COLEMAN, held in this courtroom on March 28, 1939. The following words of Justice DUCKER, which he said of Justice COLEMAN on that occasion, I can correctly apply to my relationship with Justice DUCKER, and from the bottom of my heart, say:

The months we spent together in this Court were happy months of congenial employment—happy months of striving and cooperating towards the objectives of this Supreme Tribunal. They brought us into the closest friendship. I shall miss him in the daily round of life as one familiar and beloved. His figure in the moving crowd before my memory will always speak of that rare fellowship which I had the

precious privilege to enjoy. Nothing low or mean ever came near the mind or heart of Justice DUCKER. He lived well. He laughed freely. He thought deeply, and he worked hard. He died poor in worldly goods but rich in the golden opinions of those he served.

The foregoing beautiful sentences of Justice DUCKER, in speaking of Justice COLEMAN, reminds one of the words of wisdom contained in the first verse of the twenty-second chapter of the Proverbs of Solomon, which are:

A good name is rather to be chosen than great riches, and loving favour rather than silver and gold.

Those so dear to him, whom Justice DUCKER has been compelled to leave here upon this earth for a brief interlude, may well feel consoled in the thought that his honor and integrity were as immovable as the eternal hills to which he looked for inspiration. His family and relatives may take consolation, also, in the knowledge that Justice DUCKER, whose cherished memory we honor here today, left the priceless heritage of a good and illustrious name, and that he possessed, to an unusual degree, the trust and confidence of his fellow citizens, and their loving favor and affection.

Indeed, the facts of Justice DUCKER'S life, and his remarkable career, have contributed much to adorn the pages of the history of Nevada. The great privilege, afforded the members of the Bench and Bar of this State, of close association with our departed friend and brother, will always be enshrined in our hearts in loving memory.

Justice Edgar Eather:

I do not know that there is anything I can add to the splendid tribute which has been paid to Judge DUCKER, both in the resolutions and the remarks that have been presented here.

I will say, however, that the loss of Judge DUCKER

was a great loss to the State; it was a great loss to the profession; it was a great loss to his family; it was a great loss to his friends.

To me, he was an ideal man, an ideal citizen, an ideal judge.

The office of Justice of the Supreme Court came to Judge DUCKER covered with honor. He left it as honorable as he found it.

He rendered a great service to this Court and to this State. The Bench lost a great Justice, and we are proud of the record which he made for himself, for the Court, and for the State.

We shall miss him.

Chief Justice E. J. L. Taber:

I thank you all for the beautiful words of tribute that have been paid to our beloved late associate.

Judge DUCKER was a great man, a good man, and a good judge. I have known him for at least thirty-five years, and, as the years went by, a friendship grew up between us, and became greater and stronger as the years went by. I am proud of it, and will always be proud of it.

I have often wondered as to the remarkable memory of Judge DUCKER, who, without the benefit of a university education, mastered the English language to a much higher degree than a majority of those who go to all the colleges and all the schools and universities. He not only studied diligently, but memorized what he read, and often quoted, informally, from opinions of this Court decided many years ago, even before he came here. His memory of our State Constitution, of our statutes, and the decisions of this Court, was almost phenomenal.

We all know it was about this time every year he returned, or shortly had returned, from his annual deer hunt. In that connection, and in connection with his remarkable memory, I have often thought of the last line of that beautiful little poem entitled "Requiem," by Robert Louis Stevenson, one of Judge DUCKER'S favorite

literary compositions, which he often quoted. And I now, again, think of the last line of that poem:

“And the hunter home from the hill.”

Judge DUCKER was distinguished by his loyalty; loyalty to his country, his State, his family, and his friends, his loyalty to the legal profession and, particularly, to this Court. During this past summer, when I was visiting with him at his home, I know he did not, at that time, feel he would die. But we were talking about the business of this Court, and I have a distinct picture of Judge DUCKER, his fear he would not recover sufficient strength to continue his services in this Court, that he might have to retire. And while we were talking he betrayed emotion to me, for the first time, because he was a strong man; he was not over sentimental. And he said: “Judge TABER, please pardon me, but I am proud of our Court. I am proud of our Court.” And, Judge DUCKER, we are proud of you.

I believe it has already been ordered that the resolutions be spread upon the minutes of the Court, and that copies be sent to the family of the late Judge DUCKER. And may I thank the members of the family who have so kindly come to be present with us today. The Court further orders that the resolutions be published in the next volume of the official Nevada Reports.

And now, gentlemen of the committee, I extend the thanks of the Court to each and every one of you. It is hard to tell you how much we appreciate what you have done and what a fine resolution you have presented.

In further respect to the memory of the Honorable EDWARD A. DUCKER, late Justice and Chief Justice of this Court, the Court now stands adjourned.