

[July 1896]

Gentlemen of the Bar :

Your Committee appointed to submit a report touching the death of our late fellow-member, Alexander R. Lawton, Esq., realize fully their inability to do justice either to the subject or to your esteem for him in a report as brief as this must be.

Alexander Robert Lawton was born in St. Peter's Parish, Beaufort District, South Carolina, on the 4th. day of November 1818 and departed this life on the first day of July 1896, having nearly completed his seventy-eighth year. He was ^{the} son of Alexander James Lawton and Martha Mosse. He was born upon the plantation purchased by his grandfather, Joseph Lawton, in March 1776. His lineage was a proud one, and he worthily bore his name.

General Lawton became a member of this Bar in January 1843 and so continued until his death, although, for some time before his decease, he had withdrawn from active practice. To the last, however, he was a member of our profession, took a lively interest in all that concerned it, and died the President of the Savannah Bar Association. His professional life in this City may, therefore, be said to have continued (the late war excepted) for more than fifty years. While he served his State and country in the Legislature, in the field, as the Quartermaster General of the Confederacy, in the Constitutional Convention, and as a Foreign Minister, yet he was always a lawyer and cheerfully gave his full homage to the calling of his choice and affection, recognized always as a "jealous mistress".

It is not our province to speak of his career in public office, where fidelity to duty, singleness of purpose and intelligent appreciation of responsibility characterized him; of his career as a soldier, signalized by calm, unflinching courage and devotion to the cause which he had espoused, but rather to call attention to those traits which distinguished him as a lawyer.

The first and most important thought in connection with his career is, that he illustrated, as so many others have done, that a man can be an eminently successful lawyer and yet a rigidly honest, candid and truthful man. General Lawton met with conspicuous success in his profession. He enjoyed more than a State reputation. He was in the front rank of the South's lawyers. For many years he did a large and lucrative practice, and, tested by any standard, he enjoyed the full measure of success. And yet the most cynical and uncharitable could never question the absolute rectitude of his conduct and his speech. He was always and everywhere the high-minded, dignified, truth-loving gentleman, the soul of honor, despising every form of sham, dishonesty and deceit. No man, we confidently assert, has ever lived in this community who enjoyed, or deserved, more fully than he did the confidence of our people. No matter how sharp the differences in judgment and opinion, no one who knew him could ever question the honesty or purity of his purpose. With him "duty" was always "the sublimest word in the language", and in every emergency he fully answered its most exacting demands. This was illustrated in his professional life. He was never unmindful of his duty to a client, to the Court, or to his fellow lawyers.

We have never had in Georgia any member of our profession who more carefully or consistently observed and enforced its ethics and its best traditions. He scorned the thought, now unhappily finding expression in conduct if not in spoken avowal, that the law was a mere money-making trade. With him it was always a profession, high and honorable, demanding for its proper pursuit, not only attainments of learning and mind, but also a high sense of honor and propriety, the best qualities of a gentleman. Unprofessional methods, such as seeking business - drumming for patronage - were as foreign to his life and purpose as the filching of his neighbor's goods. He utterly scorned such conduct, and would express indignation whenever he would learn of a member of the profession

which he loved and sought to magnify, disgracing it by such conduct.

He practiced only in the court house. He argued his cases there only. He did not discuss them in the newspapers, or seek their applause. He did not regard them as of such interest to the public as to make it his duty to impress the representatives of the Press with their importance and their desirability as news items, particularly when the decisions of the courts were in his favor. He never sought, directly or indirectly, newspaper advertisement of his professional achievements, or a newspaper reputation. At the same time, he fully appreciated kind and pleasant allusions to him in the press, which were unsought and unsolicited, and came like other recognitions of his merit. In these days, where there are so many unworthy members of our profession, when the ideal lawyer, like General Lawton, has not as many followers as he had only a few years ago, let us pause to heed the protest of his life against these cheap, unworthy methods, and let us by conduct and speech discountenance and discredit them. What a sad commentary it is that the solicitation of business and the encouragement of suits have become so common in Georgia that a recent Legislature of our State has found it necessary to pass a law making such conduct in lawyers a crime and cause for disbarment, as it ought to be. What a contrast between creatures guilty of such practices and lawyers like General Lawton! It is not easy to think of them as members of the same calling.

General Lawton's mental characteristics were strong, clear common-sense; the ability to grasp quickly, even intuitively, the salient points of a case, and to press them home with singular clearness and cogency. His speeches were short, pointed and pithy. He wasted no words, went at once to the heart of his subject, never floundered or wandered, and, when he was through, realized that he was, and sat down. Even in the most important cases, involving large amounts, he never made what might be termed a long speech. He simply could not discuss trifling or immaterial points, and confined his entire thought and effort to the salient and controlling features of his cause. He used in his arguments very

few law books. This does not mean that he did not consult a great many, if necessary, but that he selected the best and used only them. He loved to argue from reason and principle, and was not a slave to mere precedent. He was not a case lawyer, but one well-grounded in the fundamental maxims of the law and he used most those books which dealt in these basic principles. In these days of digests and ready-made briefs when the merest tyro, without any learning or, perhaps, the capacity to learn, can make a show of erudition by citing innumerable decisions without really having read or understood any of them, this plan, so successfully pursued by General Lawton, is worthy of special mention.

But, Gentlemen of the Bar, the necessary brevity of this report prevents us from saying much that we would like to say. We think of General Lawton to-day not so much as the conspicuous citizen, or as the eminent lawyer to whom came honors like that of the Presidency of the American Bar Association, and a distinguished career, but rather as a member of our own, the Savannah, Bar, which is indebted to his stainless life in our midst for wholesome and ennobling lessons, for the honor his connection with us has done us, and for the rich legacy of his example. Let us gratefully cherish our proud recollections of him and let us be stimulated by his career to a truer appreciation of the duties and dignity of our calling and of our obligation to its demands and responsibilities. Let us never disgrace it by conduct or word, and let us, as he did, "magnify our office."

We submit the following resolutions :

1. That this Bar recognizes that in the death of Gen. Lawton our profession has lost one of its real ornaments whose long and illustrious career has shed honor upon our profession and made it his grateful debtor.

2. That a copy of this report and of these resolutions be spread upon the minutes of our Superior Court, and another be sent by our Secretary to the family of General Lawton.

3. That the Superior and City Court Rooms be draped in mourning for thirty days, and that the Judge of the Superior Court be requested to adjourn his Court in honor of General Lawton's memory.

Saml. B. Adams

Wm. Garrison.

Pope Brissot.

Walter S. Charlton.

P. W. Meldreiss.

Committee.

Nathl. C. Hurdick,
Secretary.

Alexander Robert Lawton, one of the ten founders of The American Bar Association and its President in 1882-3, departed this life July 2, 1896, in the seventy eighth year of his age. He was a native of South Carolina, having been born in St. Peter's Parish, Beaufort District in that State, November 4, 1818. His grand-father was an officer in the Continental Army. His father was a Southern planter in the palmy days of that well nigh vanished civilization, of which the Southern Planter was the capstone. His boyhood was spent at his home and the education of his boyhood was acquired in the private schools, which were supported by the planters for the benefit of their children. At sixteen he went, as a cadet from South Carolina, to the Military Academy at West Point, where he graduated in 1839 with a standing in his class which assigned him to the artillery arm of the service with the rank of second lieutenant. In his class and graduating with him were Halleck, Canby, Gilmer and others who attained distinction and high rank on one or other side in the Great War between the States. He resigned from the army in [Dec 1840] 1841 and entered the Law School of Harvard University. After his admission to the Bar, he made Savannah, Georgia, his home. Here he lived during the remainder of his long and useful life, and here his mortal remains repose in honor. All of his manhood life, except his short service in the United States Army, belonged to Georgia. His services were given to her. She trusted him and relied on him living and cherishes his memory dead.

Except during the four years of the Great War, in which General Lawton attained the rank of Brigadier General, acquired honorable distinction by his conduct on the field in several of the great battles between the armies of the Potomac and of Northern Virginia, received a dangerous and long time disabling wound at Sharpsburg and became Quartermaster General of the Confederate Army -- except during this period his life for over forty years was devoted to the practice of law. If as a public spirited citizen he at times participated in making laws for his State, or in furthering important material enterprises; or, as a man of

culture and an orator, he was called on for addresses on great occasions, these were but incidents, episodes, and were not allowed to draw him away from his life work, the practice of his profession.

In 1885 President Cleveland nominated him for the Russian Mission. When the nomination came before the Senate, the technical objection was made that he was ineligible by reason of his participation in the War between the States. Though in the opinion, subsequently given, of the Attorney General, the objection was not sustainable, it was characteristic of the man, so responsive to unselfish and chivalric feelings, promptly to relieve the President from all embarrassment by declining the appointment. By subsequent unanimous action of both houses of Congress, whatever doubt might remain as to General Lawton's eligibility was dispelled, and the President appointed him Minister to Austria Hungary. He accepted this appointment and was at his post when President Harrison was inaugurated. Previous to this event, however, he had placed his resignation in the hands of the Secretary of State; but, by request, he delayed his return home until the arrival of his successor.

General Lawton did not again resume the practice of his profession, but spent the remainder of his life in well earned comfort and repose, in the ample enjoyment of

"That which should accompany old age,

As honor, love, obedience, troops of friends."

It will be seen even from this imperfect sketch that in every walk of citizenship General Lawton served his country - in civil and in military life, in public and private life, as soldier, legislator, diplomatist. He wrought in all these fields: he had honorable success in all. Valuable as were his services in strictly public careers, perhaps most to be prized of all was his quasi public life of lawyer. What an example did it present of wisdom, learning, fidelity, painstaking preparation, forceful presentation and, over and above all, absolute fairness, scrupulous cultivation of the best traditions of the profession, stainless observance of its best methods. An exemplar was he and a guide to

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those who would keep the profession on a high plane and save it from threatened degeneracy.

The writer of this sketch had the great good fortune to be the recipient of General Lawton's friendship, to be associated with him not infrequently in important causes, to profit by his greater age and superior learning, to enjoy his charming social gifts and to observe at close quarters what manner of man he was. The writer knows, therefore, whereof he speaks when he registers this opinion of General Lawton, viz: Rarely is there found in the ranks of men one so symmetrical in mind and character, one so sound in judgment, so unerring in moral perception, so faithful to every duty, so loyal to the right.

It were unreasonable and ungrateful and in defiance of natural laws to complain of the departure of such a man, after Providence had given him to his fellowmen for nearly four score years. Yet, seeing how rare such men are, the regret will not down that it is not in the order of Nature that such as he should abide even longer among the living.