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Document No. 296

April, 1945

**THE MARITIME LAW ASSOCIATION
OF THE UNITED STATES**

MEMORIALS

OF

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MEMORIAL OF JOHN P. NIELDS

BY JOSEPH W. HENDERSON

Judge John P. Nields was born in Wilmington, Delaware, on August 4, 1868. He attended Haverford College; from there he went to Harvard University, receiving his A.B. degree in 1889, and graduated from Harvard Law School in 1892. He entered practice at Wilmington, Delaware, his home, in 1892 and in 1903 was appointed United States Attorney for the District of Delaware by President Theodore Roosevelt and was reappointed in 1907 and then again by President William Howard Taft in 1912. In 1930, he was appointed United States District Judge of the District of Delaware and remained on the bench until he retired in 1941. During the last war he was a Captain in the Infantry of the United States Army where he served with distinction. Judge Nields died on August 26, 1943, and left his wife and one daughter surviving him. He was one of the distinguished men who honored the Bench of the District Court of the United States for the District of Delaware.

Judge Nields was the eighth Judge to hold that office, having been preceded by Judges Bedford, Fisher, Hall, Bradford, the Elder, Wales, Bradford, the Younger, and Judge Morris, all of whom have now passed on except Judge Morris.

George Washington, in transmitting to a predecessor of Judge Nields his commission as the first United States District Judge for the District of Delaware, said:

“In my nomination of persons to fill offices in the Judicial Department I have been guided by the importance of the object. Considering it as of the first magnitude and as the pillar upon which our political fabric must rest I have endeavored to bring into the high offices of its administration such characters as will give stability and dignity to our national government.”

Judge Nields had in his mind that same realization of the importance of his office. He constantly endeavored to so administer that office as to give stability and dignity to our national government. He presided for about eleven years over the District Court in Delaware and during that period acquired a high repu-

tation as a jurist in patent causes. He was known generally as an able and upright Judge and added to the great tradition of that Court.

Judge Niels was calm, dignified, patient, and always possessed with unflinching courtesy and, in addition, had an odd, quizzical humor that came out sometimes so unexpectedly. He had the education, the knowledge of the law, the courage, the dignity, common sense and human kindness that was bound to make him the successful Judge. His loyalty and devotion to his country was shown by his admirable addresses to the foreign-born who came before him for admission as American citizens, and during his term of office he made a record of which any man and any man's family might very well be proud. He had little of self-acclaim; his modesty amounted to shyness, and in his contacts with members of the Bar he was ever patient and always courteous, especially towards younger men who had occasion to present matters before him.

As his successor Honorable Paul Leahy, has so aptly stated, "the spirit of Judge Niels was an aristocratic spirit in the true sense in which that word should be used. I remember one late afternoon he came to my chambers to discuss an opinion, which later it proved was the last he ever wrote, and as he discussed the case of the injured seaman I could not help but think of a few words of Holmes, I quote:

'Only when you have worked alone—when you have felt around you a black gulf of solitude more isolating than that which surrounds the dying man, and in hope and in despair have trusted to your unshaken will—then only will you have achieved.'

And as my Brother Niels walked from my chambers that afternoon I thought how grandly he had heeded the admonition which Holmes had directed to all us judges, to see as far as one may the great forces which lurk behind every detail, to hammer out as compact and solid a piece of work as one can, to try to make it first-rate, and to leave it go unadvertised."

Judge Niels shall long be remembered for his love of justice and the American way of life.

MEMORIAL OF GLENN J. FAIRBROOK

BY LANE SUMMERS

In the Pacific Northwest it is still comparatively rare to find a lawyer who was born, raised and educated in the same state where he lived and died in his profession. Glenn J. Fairbrook was such a man, his whole life effort being in the State of Washington. He was born in 1887 at Yakima in the apple country. He died in 1943 at Seattle on Puget Sound.

After receiving his LL.B. from the University of Washington in 1914 and his admission to the Bar in 1915, he was promptly made an assistant to the State Attorney General, on whose staff he rendered efficient service until 1920, when he entered the general practice at Seattle.

Although young for the honor, in 1930 he was elected President of the Washington State Bar, later serving the American Bar Association as a member of its Executive Committee during the period from 1931 to 1934.

It was through Mr. Fairbrook's former partnership with the Honorable John S. Robinson, now a Justice of the Washington Supreme Court, that he was first drawn into shipping litigation as attorney for the "Port of Seattle". Thus developed his interest and membership in The Maritime Law Association of the United States, which he joined in 1940.

Upon his death Glenn J. Fairbrook left a widow, two daughters, one son in the Navy, sincere friends, and a worthy personal and professional record.

MEMORIAL OF JAMES A. HATCH

BY CARVER W. WOLFE

James Arthur Hatch was born on November 22, 1879, in the Village of Chittenango, New York. He died on July 25, 1944, in New York City.

Of English descent his first ancestor in this country settled in Barnstable, Mass., in 1641. His forebears fought in the various wars in which the Colonies and the United States were engaged, including the Civil War on the Union side. He himself volunteered to serve in the Spanish-American War.

In 1910, he married Myra D. Greene of Waterloo, Ontario, and subsequently in 1922 Freda Blum of New York. There was no issue of either marriage.

After attending the Village School at Chittenango, he entered Phillips Academy and Williams College, where he was a member of Cap and Bells, the college dramatic society, Kappa Alpha Society, and Gargoyle, the senior honor society. He was also President of his class. Upon obtaining his degree from Williams College in 1903, he entered Albany Law School, from which he was graduated in 1905.

During his academic life he was keenly interested in sports. He was Captain of the football team at Williams College, and in 1904 became Head Football Coach at Colgate University. During the same year he served as Field Coach for Williams College football team, and in 1905 he was appointed Head Football Coach at Williams College.

In 1905 he came to New York City, was admitted to the Bar that year, and became Managing Clerk in the office of Joline, Larkin & Rathbone, where he remained until 1907. At this time, he entered the employ of Johnson & Higgins, insurance brokers, remaining there until October, 1908, when he became Secretary to Judge John Proctor Clarke of the Appellate Division, Supreme Court, First Department. In 1912, he returned to Johnson & Higgins as head of the Legal Department of the Club Depart-

ment, and later, in 1917, when the American Steamship Owners Mutual Protection & Indemnity Association was organized, the tremendous growth of the American Merchant Marine increased his already heavy responsibilities. To a large extent the passage of the law permitting the establishment of the American Steamship Owners Mutual Protection & Indemnity Association, the first of its kind to be established in the United States, was attributable to his efforts.

In addition to his duties at Johnson & Higgins, he was a member of the Draft Board, a member of the General Committee on Labor for the Council of National Defense, and a member of the Mayor's Committee on Receptions to Distinguished Guests.

Despite his onerous duties during the troublous war and post-war period, he continued his social and political activities, and yet maintained a fine sense of humor.

On April 1, 1924, he formed a partnership with Carver W. Wolfe under the firm name of Hatch & Wolfe, in which he continued until his death.

He was a member of the American Bar Association, the New York State Bar Association, the Bar Association of the City of New York, The Maritime Law Association of the United States, and the Association of Average Adjusters of the United States.

His interest encompassed more than the merely technical boundaries of the maritime law, and in furtherance of his desire to acquaint himself with the practical side of the maritime field, he joined the Maritime Exchange and the Propeller Club of the United States.

He assumed an active interest in politics soon after he came to New York and began his political career as an election district captain, eventually serving as a committeeman for the Republican County Committee of New York County, executive member of the Republican State Committee and President of the Tenth Assembly District Republican Club.

While he believed in organization politics and was of a pacific disposition, yet when aroused, he fought for any cause which he

thought was just, irrespective of party affiliations. For example— he led a successful fight to unseat an organization chairman of the New York County Republican Committee and, upon another occasion, an organization district leader.

He was a member of the National Republican Club, the New York Young Republican Club and served as a member of the Board of Aldermen of the City of New York from 1917 to 1919 and from 1927 to 1929. In January, 1934, Mayor LaGuardia appointed him Deputy Commissioner of Docks, which position he held until March, 1936, when he resigned to resume the practice of law. Even after he became seriously ill, he continued his interest in politics.

In addition to all these activities, he felt a deep responsibility for the welfare of the youth of the city, and gave unstintingly of his time to assist them. He was associated with the University Settlement on Eldridge Street and Greenwich House; was Vice-President of the Junior Naval Reserve, and Treasurer of the Alexander Battalion for Boys at Grace Church, New York City. He was, also, a member of the Washington Square Association and of the Greenwich Village Association, of which he was at one time Vice-President. The Citizens Union and the City Club, where he was a member of the Courts Committee, found in him a strong supporter.

Socially minded and heartily enjoying the companionship of others, he displayed this facet of his character in his membership in the University Club and the Williams Club.

Placid, unassuming, tolerant and humorous, loyal and kindly, a sound lawyer and a conscientious advocate, he lived a rich and generous life; and his death, as Markham said, "leaves a lonesome place against the sky".

MEMORIAL OF MARCUS B. CAMPBELL

BY ROBERT A. INCH

On August 3, 1944, Judge Campbell died at his home on Bedford Avenue, Brooklyn, N. Y.

Since 1923, he had been a United States District Court Judge, Eastern District of New York, and since 1925, he had been Senior Judge of that court.

He was born October 18, 1866, the son of Brigadier General Edward A. Campbell and the former Mary Kate Lynes of Catskill, New York. In 1891, he was admitted to the Bar of the State of New York after graduating from the New York University Law School.

In his early life he was active in political affairs, becoming a member of the Republican Executive Committee, Kings County, and later the Chairman of such committee.

In 1918, by appointment of Governor Whitman, he served for a year as County Judge of Kings County, and in 1919, he became attorney for the State Transfer Tax Department of the New York State Tax Commission by appointment of the then State Controller, Eugene Travis. He resigned from this position in December, 1922, in order to take his place on the Federal Bench, to which position he had been nominated by President Harding.

At his death he left surviving his widow, two sons, one of them Captain Campbell, U. S. N. R., two daughters and four grandchildren.

He was an active member of the Emanuel Episcopal Church, Sheepshead Bay, and also a member of Kedron Lodge 803, F. and A. M., Constellation Chapter Royal Arch, Franklin Lodge I. O. O. F., the Brooklyn Club, and the Union League Club. On September 12, 1940, he received the degree of Doctor of Laws from the Brooklyn Law School, St. Lawrence University.

From the time he ascended the Federal Bench until his death, Judge Campbell put aside everything that might stand in the way of his work as a judge. His life was the work of the court. He was determined that there should be no just adverse criticism of the court or any of its members or its official staff.

His ability as a student of the law was quickly recognized by the Bar, and I think it is fair to say that counsel having important and complicated patent or admiralty cases welcomed him as the judge in their litigation.

Judge Campbell did not dictate his opinions; instead, he wrote them out by hand, afterwards having them copied on the typewriter. This procedure was almost invariably followed, no matter how necessarily long an opinion might have to be. He also adopted this plan where Findings were necessary. Senior Circuit Judge Learned Hand, of the Circuit Court of Appeals of the Second Circuit, speaking at the recent memorial to Judge Campbell, held on October 9, 1944, referred to this extreme care to show consideration of all points made by counsel as shown on appeals.

Although nearly seventy-eight years old he was strong physically, erect in his walk, until several months before his death. But even then, until the end, his mind remained clear and vigorous and at all times he showed a kindly and patient demeanor while on the bench.

The court of the Eastern District and the Bar has sustained a great loss in his passing.

MEMORIAL OF KARL S. MAYHEW

BY EZRA G. BENEDICT FOX

Karl Siegfried Mayhew, a descendant of one of the early Colonial Governors of Martha's Vineyard and Nantucket Islands, was born in New York City on December 21, 1877. He received his early education in the public schools of New York and at the College of the City of New York.

In 1898, shortly after the death of his father, Frank B. Mayhew, who was President of the Mutual Homeopathic Life Insurance Company, he entered the marine insurance business, where he soon rose to prominence. Starting in the New York office of the British & Foreign Marine Insurance Company, Ltd., under the guidance of the late Mr. William L. H. Simpson, he later became also associated with the Marine Department of the Automobile Insurance Company of Hartford, Connecticut. In 1919, he was chosen to be the Secretary of the Maritime Underwriting Agency, Inc., and assumed charge of its Loss Department, which handled marine claims for a large group of insurance companies, including the Western Assurance Company, Imperial Insurance Company, Yangtze Insurance Association, Bankers & Shippers Insurance Company and the Norske Lloyd Insurance Company. When the American assets of that latter company were taken over by the State of New York in 1922, he entered the Insurance Department of the State of New York and played an important part in bringing the involved affairs of the Norske Lloyd Insurance Company to a satisfactory conclusion. During all this period, he was such a close student of the law of marine insurance that he came to be known throughout the "Street" as "Judge".

While still with the Insurance Department, State of New York, he enrolled at St. John's Law School, Brooklyn, and in due course received his LL.B. degree. Passing his Bar examinations at the first attempt, he was admitted in 1931 to the Bar of the State of New York and later to the Federal Bar of the Southern and Eastern Districts of New York. Following his admission, he became associated with the late Lester B. Donahue with offices at 27 William Street, New York City, and while handling some Surrogate's Court work, still maintained his keen

interest in maritime law. In January of 1943, he entered the New York office of the Insurance Division of the War Shipping Administration as head Cargo Adjuster, in which capacity his legal knowledge and practical experience made him invaluable. Shortly prior to his death on August 10, 1944, he also took over the handling of marine hull claims.

He is survived by his sister, Miss Marion E. Mayhew, of 76 West 86th Street, New York City.

Throughout his adult years "Judge" Mayhew was a devoted student of admiralty law. His high standard of ethics, his buoyant cheerfulness and courage, his unswerving loyalty to principle stood forth through all the years as an unfailing inspiration to others; and for those who knew him best, his passing left a void.