

**Ceremonies**  
**For the Presentation of a Portrait**  
**of**  
**The Late Chief Justice Emery Byrd Denny**  
**to**  
**The Supreme Court of North Carolina**  
**10:30 a.m., 28 April 1976**  
**Courtroom of the Supreme Court**  
**Justice Building**  
**Raleigh**

INTRODUCTORY REMARKS  
BY  
CHIEF JUSTICE SUSIE SHARP

Ladies and Gentlemen:

The Court is convened this morning to receive the portrait of the late Chief Justice Emery Byrd Denny. For the members of his family and the Court, I express appreciation to all of you for your presence at this very meaningful ceremony.

At the request of the Denny family, the presentation address will be delivered by our former Chief Justice, the Honorable William H. Bobbitt. Because of his long friendship with Chief Justice Denny, a friendship which began years before either was a justice of the Supreme Court and which was cemented by the 12 years they served together on the Court, a more felicitous choice could not have been made. The Court now recognizes Chief Justice Bobbitt.

## PRESENTATION ADDRESS

By

THE HONORABLE WILLIAM H. BOBBITT

### MAY IT PLEASE THE COURT:

The late Emery Byrd Denny served with diligence and distinction as an Associate Justice and as Chief Justice of this Court for more than twenty-four years. He died April 24, 1973, in Raleigh, N. C., and was buried in Raleigh's Oakwood Cemetery.

On behalf of the family of our friend and former Chief Justice, I have the honor to present to the Court this portrait, soon to be unveiled, and a memorial of his good life and remarkable career.

The portrait was painted from life by the late Irene Price in her studio in Blowing Rock, N. C., in August of 1966. Miss Price, a native of North Carolina, was a gifted artist whose services as a painter of portraits were in great demand. She had previously painted from a photograph the portrait of former Chief Justice Stacy which has hung on the wall of this chamber since its presentation to this Court in 1953.

Emery Denny was born November 23, 1892, on a farm in Surry County, N. C., less than a mile from the base of Pilot Mountain, the area's famous landmark, and about three miles southwest of the town of Pilot Mountain. His father and mother, the Reverend Gabriel Denny and his wife, Sarah Stone Denny, were the parents of fourteen children, eleven of whom, seven boys and four girls, lived to maturity. Emery, their thirteenth child, was their youngest son.

Gabriel Denny was born December 20, 1842. When on duty as a Confederate soldier he became ill with measles. Serious complications following this disease crippled him for life. He became a Primitive Baptist preacher and served rural churches for many years. Since the members of that denomination did not believe in paying a person to do the Lord's Work, Elder Denny had to look elsewhere for the means to support his rapidly growing family. In 1875, shortly before the birth of his fourth child, he bought the 112-acre farm in Surry County which thereafter was the Denny homeplace. The residence was a two-story frame farmhouse with two rooms on each floor. A separate building was used as the kitchen.

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On account of Gabriel Denny's crippled condition, the plowing and other heavy work on the farm was done by his sons. However, Gabriel stayed busy supervising such activities as the operation of his cane mill, corn mill, sawmill, and blacksmith shop, and supervising the construction of auxiliary farm buildings, such as the packhouse, the feed barn in which the mules were kept, and the tobacco barns.

By the time Emery reached his early teens, his older brothers had gone from the farm, leaving him as the only one who could do the plowing. The farm equipment he used consisted largely of a mule-drawn "bull-tongue" plow constructed of heavy timber. Plowing with such equipment required long and strenuous physical exertion. Doubtless this exercise in the bracing air of the foothills contributed greatly to Emery's stamina and good health across the years. However, the necessity of remaining on the farm to do the plowing and other heavy work seriously delayed the opportunity he desired for further formal education.

Until the age of eighteen, Emery's formal education consisted of the instruction he had received in a Surry County one-room rural school. During his later years on the farm, he had visions of becoming a lawyer. In daylight hours he plowed his father's fields and at night read the few books, including law books, he was able to obtain. Later, he stated: "There wasn't much time to study. Growing tobacco, corn and wheat on that Surry County farm was a back-breaking task."

During the four years from 1910 to 1914, Emery attended Gilliam's Academy, a preparatory school in Alamance County, N. C. The headmaster was a Primitive Baptist preacher. During the summer following his first year at Gilliam's Academy Emery worked on his father's farm. A different arrangement having been made in respect of the farm, Emery worked in Greensboro during the succeeding two summers. He graduated from the Business Department of Gilliam's in 1913 and from the Academic Department in 1914. During his last year at Gilliam's Academy, Emery was an instructor as well as a pupil. His own earnings, supplemented by assistance from one or more of his older brothers, paid his way through Gilliam's Academy.

Before leaving the record of his life in Surry County and at Gilliam's Academy, it should be noted: Although Emery Denny was never a member of the Primitive Baptist Church, he acquired in his boyhood and youth, and retained throughout

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his life, many of the qualities for which Primitive Baptists were greatly respected, including industry, honesty, and fidelity to truth.

After graduation from Gilliam's Academy in 1914, but lacking funds to continue his formal education, Emery got a job in Salisbury as bookkeeper for a hotel company. He continued in this employment until September 1916 when he entered the law school of the University of North Carolina. He continued the study of law at Chapel Hill, N. C., until December 7, 1917. At that time, which was during World War I, Emery enlisted in the aviation section of the Signal Corps of the United States Army.

The Armistice marking the end of hostilities was signed November 11, 1918. Emery was honorably discharged, with the rank of master electrician, at Vancouver Barracks, Washington, on February 21, 1919. Thereafter, until May of 1919, he served the Army in San Francisco as a civilian employee. In June of 1919 he returned to Chapel Hill for courses preparatory to taking the bar examination. He passed the bar examination and was licensed to practice law in North Carolina in August of 1919.

One of Emery's classmates in Law School was Harley B. Gaston, a resident of the town of Lowell in Gaston County, N. C. Harley was to become Emery's first law partner and lifelong friend. In 1909 the county seat of Gaston County had been moved from Dallas to Gastonia, the latter a rapidly growing industrial town on the main line of the Southern Railway. These law students discussed the anticipated growth of Gaston County as an industrial center and the prospects there for a lawyer who was ready, able and willing to take an active part in its development.

As partners, Denny and Gaston started the practice of law in Gastonia in the Fall of 1919. At the end of two years Gaston decided to locate in Belmont, another thriving Gaston County town, where he practiced until his death. Following Gaston's departure, Denny became the younger member of the highly regarded law partnership of Mangum and Denny. This partnership continued until the death of A. G. Mangum in 1930. After Mangum's death, Denny practiced alone but shared a suite of offices with the late Ernest Warren, another lifelong friend. He continued as a sole practitioner until his appointment in 1942 as an Associate Justice of this Court.

Upon arrival in Gastonia, Denny quickly became an active participant in the religious, professional, fraternal, civic and political life of the community.

Meanwhile, Bessie Brandt Brown, having graduated in the Class of 1918 from the State College for Women, which is now the University of North Carolina at Greensboro, taught school for three years in her hometown of Salisbury, N. C. Having decided to teach elsewhere the following year, she accepted an offer to teach in Gastonia during the school year 1921-1922. After taking additional teacher training courses at Columbia University in New York City during the summer of 1921, she reported for duty in Gastonia in September of 1921. Soon thereafter, in accordance with custom, the new teachers were welcomed to Gastonia at a public reception given in their honor. Although a comparatively new citizen of Gastonia, Denny, then twenty-eight and unmarried, deemed it appropriate to join with others in welcoming the young ladies who were to teach in Gastonia. This reception was the scene of the first meeting of Emery and Bessie Brandt. The spark there kindled burned brighter and brighter as the days passed. Bessie Brandt taught all of the 1921-1922 school year and until December of the following school year. She and Emery were married December 27, 1922, at the home of the bride's parents in Salisbury. After their honeymoon their first home was in the Armington Hotel in Gastonia in which Emery had acquired an interest and acted as supervising manager. According to the benighted view of that day, Bessie Brandt's eligibility for further teaching was terminated by her marriage.

No event in Emery's career contributed more to his happiness and success than his marriage with Bessie Brandt. It had subsisted for more than half a century when he died. During these years the bonds of mutual respect and devotion had grown stronger.

Upon marriage, Bessie Brandt, originally a member of the First Presbyterian Church of Salisbury, placed her membership with that of Emery in the First Baptist Church of Gastonia. In this church Emery was a deacon, having served as chairman of the board; and for 18 years he served as the scholarly and much-beloved teacher of the Men's Bible Class. Too, Bessie Brandt and the children, as members, attended the services and participated in the activities of this church. Throughout the

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years, whether in Gastonia or in Raleigh, the church had a place of first importance in the Denny household.

In Gastonia, Denny was soon recognized as a constructive leader in all worthwhile community activities.

In 1922-1923 he was a charter member of the Gastonia Civitan Club and served as its first President.

In 1925 he served as President of the Gastonia Chamber of Commerce.

In 1926 he served as Commander of Gaston Post #23 of the American Legion.

From 1929 to 1937 he served four successive two-year terms as Mayor of Gastonia. The violence and bloodshed growing out of the Communist inspired and led strike in West Gastonia and the acute financial problems growing out of the great depression occurred during his tenure as Mayor.

In 1934, Denny received the Civitan Citizenship Cup, awarded annually to the citizen of Gastonia adjudged to have rendered the most outstanding and unselfish service to the City of Gastonia outside the regular line of duty. The presentation speech by Mr. A. G. Myers, President of the Citizens National Bank, included the following:

"Mr. Denny's work in re-financing the city's bonded indebtedness, in helping settle the strike at the Clara, Dunn and Armstrong Mills a year ago, his work in helping organize the National Bank of Commerce from the old First National and the work he did in helping locate the Firestone Tire Company in Gastonia, formed some of the many deeds which won for him this worthy honor."

From 1935 to 1942, Denny served as chairman of the Board of Trustees of the Gaston County Public Library.

From 1934 to 1939 he served as chairman of the Board of Trustees of Garrison Memorial Hospital, the major Gastonia hospital.

On December 13, 1941, he received the Silver Beaver Award of the Boy Scouts of America for his services in Gaston County and throughout the eleven counties of the Piedmont Council.

From 1941 to 1943 he was a member of the Board of Trustees of the University of North Carolina.

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From 1924 to 1926 he served as chairman of the Gaston County Board of Elections.

From 1926 to 1928 he served as chairman of the Gaston County Democratic Executive Committee.

On account of his standing in the community and his participation in municipal and county government affairs, candidates in statewide election contests sought his endorsement and support. In 1932, Denny supported J. C. B. Ehringhaus in his successful campaign for election to the office of Governor. In 1936, he was Gaston County manager for Clyde R. Hoey in his successful campaign for election to the office of Governor.

Denny was an active Mason. In Gastonia, he was a member of Holland Memorial Lodge No. 668, having served as Master thereof; a member of Gastonia Chapter No. 66, Royal Arch Masons, having served as High Priest thereof; a member of Gastonia Commandery, No. 28, Knights Templar; and a member of St. Titus Conclave No. 72, Red Cross of Constantine.

Although his Gastonia years were filled with varied activities in the religious, civic, fraternal and political life of the community, the major part of his time was devoted to the practice of his profession. His service as assistant city solicitor from 1925 to 1929 provided experience in the criminal law. However, Denny's practice developed in the various fields of civil law. In an era of industrial growth in Gaston County, he developed an extensive practice and became an expert in the legal problems of private business corporations as well as in the legal problems of municipal and county governments. From 1927 to 1942 he served as County Attorney for Gaston County. In 1937-1938 he was attorney for the North Carolina Railroad. He was general counsel for the well-known investment banking firm of R. S. Dickson and Company. He was recognized locally and elsewhere as a leader of the Gaston County Bar. It should be noted that, in addition to his legal services, Denny's advice in matters of business policy was often sought. He served as director of R. S. Dickson and Company, Ranlo Manufacturing Company, United Spinners Corporation, and Hardin Manufacturing Company; and from 1936 to 1941 he was President of Ranlo Manufacturing Company.

Years later, when Denny retired as Chief Justice, the Gastonia Gazette, in a feature article, recounted his accomplish-



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ments and services during his Gastonia years. The author's summary included the following:

"A new generation has grown up in Gastonia since Emery Byrd Denny left here a quarter of a century ago. But, during the 1920's and '30's Denny was a dynamic figure in the life of this city and county. The pulse beat of the city during the depression was keyed to this man who held the reins of government. As county attorney, he saw Gaston through some difficult days as well. . . . The generation before knew Emery Denny well. He guided its destinies and few conversations transpired that did not in some way involve his name."

In 1940, at the urgent request of his friend, J. Melville Broughton, Denny served as State Manager for Broughton in his successful Primary Contest for the Democratic Nomination for Governor. Following Broughton's nomination, Denny was chosen as chairman of the State Democratic Executive Committee. He served in this capacity during the General Election of 1940 and until his appointment to the Supreme Court in 1942. During the 1941 Session of the General Assembly he served as Governor Broughton's special counsel and liaison with the General Assembly and as such explained and supported the Governor's program.

During the 1940 campaign and the 1941 Session of the General Assembly, Denny had been required to spend much of his time in Raleigh. Upon the adjournment of the General Assembly of 1941, he returned to Gastonia to resume on a full-time basis his law practice and his life at home with his wife and their four children. However, on January 29, 1942, Denny was appointed by Governor Broughton an Associate Justice of the Supreme Court of North Carolina to fill the vacancy created by the death of Associate Justice Heriot Clarkson. Denny took the oath of office on February 3, 1942, and entered immediately upon his duties as an Associate Justice.

Denny was well known in Mecklenburg County by the members of the bar and by the general public. With reference to his appointment to the Supreme Court, an editorial in the Charlotte Observer expressed the general sentiment of the lawyers and laymen in these words:

"Judge Denny is a clean, honorable, able man, with unimpeachable moral character, a splendid judicial mind and a lawyer of distinction in his profession. He will grace the Supreme Court bench and fill his place there with honesty, in-

tegrity, and acceptability. What more can be asked of an appointee to this high responsibility?

“It is only an incident that he was the Governor’s campaign manager and, therefore, that his choice may seem to involve political debt-paying. Such criticism could only fairly apply against an appointee who is lacking in the essential characteristic which this great office requires. . . . Mr. Denny, by common consent, possesses these qualities, and deserves such a responsible place in his own name and right and without reference to any past political services or friendship for the governor. . . . The important and only consequential phase of the governor’s selection is that he has put his appointive authority upon an excellent citizen, a splendid lawyer, and an admirable character.”

Denny’s service as a member of the Supreme Court fully justified this appraisal of his qualifications. He served as Associate Justice under Governor Broughton’s appointment until the general election of November 1942. Thereafter, pursuant to successive elections, he served as Associate Justice until March 14, 1962. On that date, pursuant to appointment by Governor Sanford, he took the oath of office as Chief Justice, filling the vacancy created by the retirement of Chief Justice Winborne. He served as Chief Justice under Governor Sanford’s appointment until the general election of November 1962, when he was elected to serve the unexpired portion of the term for which Chief Justice Winborne had been elected. He served as Chief Justice until his retirement on February 5, 1966.

During Denny’s service as Associate Justice and as Chief Justice, he was the author of eleven hundred and thirty-nine (1139) of the Court’s opinions, apart from concurring and dissenting opinions. In addition, after his retirement, when serving as an emergency Justice from March 28, 1966 to July 7, 1966, he was the author of twenty-one of the Court’s opinions. His opinions appear in Volumes 221 through 266 of the North Carolina Supreme Court Reports. They relate to the whole spectrum of the law. They reflect the author’s sound judgment and capacity for clear exposition of legal principles. Judges and lawyers will consult them for guidance in the years ahead.

In addition to his judicial service, Denny’s capacity for efficient administration was an asset to the Court and to the State. While serving as Chief Justice his administrative talents greatly facilitated the orderly establishment of the new unified statewide court system.

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In 1942, shortly after Emery had taken office as an Associate Justice, the Denny family moved to Raleigh. It was difficult to leave the many Gastonia friends and associates of the several members of the family. However, the children were still in graded or high school and it seemed best to make Raleigh their future home.

In addition to his work as a member of the Court, Denny continued in Raleigh the same type of service in good causes which had characterized his life in Gastonia.

In Raleigh, the Denny family became members of the Hayes Barton Baptist Church and participated in its activities. Denny became a deacon in 1943. He served as chairman of the board in 1947-1948. In 1964, he was elected a life deacon. For a number of years, he taught the Townsend and Bunn Bible Classes.

Denny became a member of the Raleigh Executives Club and served as its President in 1946-1947.

In Raleigh, Denny continued his interest and activity as a Mason, serving as Grand Historian, Grand Steward and Grand Deacon of the Grand Lodge of North Carolina, A. F. and A. M.; as Judge Advocate of the Grand Lodge; and from 1967 to 1973 as a member of its Board of General Purposes. Too, he was Chief Adept of the North Carolina College Societas Rosicruciana In Civitatibus Foederatis.

In 1950, Denny was elected by the Southern Baptist Convention as one of the first trustees of the Southeastern Baptist Theological Seminary at Wake Forest; and, with the exception of the year 1963-1964, he served continuously on this board. For two years he was chairman of the board and at the time of his death was a member of the executive committee and chairman of the committee on long range planning. In appreciation for his long and faithful service, the seminary library building was named for him in 1969.

Elected by the State Baptist Convention, Denny served over a period of twenty-one years as a member of the Board of Trustees of the Baptist Hospital in Winston-Salem.

Denny served in various places of responsibility in the State Baptist Convention. In 1973, the year of his death, he was one of the persons to whom the 1973 Annual of the State Baptist Convention of North Carolina was dedicated. His picture and a biographical sketch appear at the front of this bound volume.

The honorary degree of LL.D. was conferred upon Denny by the University of North Carolina in 1946 and by Wake Forest College in 1947.

Denny was a member and past President of the Gaston County Bar Association; a member and past Vice-President of the North Carolina Bar Association; a member of the American Bar Association; a Fellow of the American Bar Foundation; and a member of the American Judicature Society. He was an honorary member of the Phi Delta Phi Legal Fraternity. He served from 1956 to 1962 as chairman of the Judicial Council.

Denny was a member of the Newcomen Society of North America and of the Watauga Club of Raleigh.

In May of 1962, Denny was temporarily hospitalized with what was diagnosed as "a cardiovascular accident." He had completely recovered when the Court convened for the Fall Term of 1962 and performed all the duties of the office of Chief Justice, both judicial and administrative, until his retirement on February 5, 1966. He realized that further full service as Chief Justice would subject him to strain and tension to such extent as to endanger his health. Accordingly in keeping with his doctor's advice, he retired prior to the expiration of his term.

On March 16, 1966, the North Carolina Citizens Association awarded Denny its certificate of Distinguished Citizenship. In presenting this award, Colonel William T. Joyner referred to the recently retired Chief Justice "as a faithful servant to his community, a highly esteemed member of the judiciary, a wise counselor in the affairs of local and State government." Editorially, the Greensboro Daily News commented that the North Carolina Citizens Association had honored itself in honoring Emery Byrd Denny. The editorial continued: "Chief Justice Denny brought a high administrative talent to the State Court. He kept the Court functioning smoothly as a unit and even after his health began to fail he carried a full load both in cases and administration."

Although relieved by retirement from the pressures of the office of Chief Justice, Denny continued to render significant public service.

Reference has been made to his authorship of opinions for the Court while serving as an emergency Justice.

The History of the Supreme Court of North Carolina covering the first century of its existence from January 1, 1819 until

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January 1, 1919 was written by former Chief Justice Walter Clark and published in Volume 177 of the North Carolina Supreme Court Reports. Denny continued Clark's work by writing the History of the Supreme Court of North Carolina from January 1, 1919 until January 1, 1969. This includes a biographical sketch of each of the persons who became justices and served during this fifty-year period. This significant and appreciated contribution to the Court's history is published in Volume 274 of the North Carolina Supreme Court Reports.

On February 9, 1970, on behalf of the family of the late Chief Justice Winborne, Denny presented to this Court the Winborne portrait, which now appears on the wall of this chamber, and a memorial of Winborne's life and career. For more than twenty years he had known Winborne as a close friend and a colleague on this Court. This memorial address, delivered in this chamber to the full Court, is published in Volume 277 of the North Carolina Supreme Court Reports.

In 1968 Denny served as Chairman of the Commission created by the North Carolina Bar Association and the North Carolina State Bar to study the Constitution of North Carolina. The Commission's assignment called for a comprehensive revision of the Constitution of 1868 as amended from time to time, primarily to delete provisions which had become obsolete or had been held invalid as violative of the Constitution of the United States, and to rephrase certain provisions in order to express more clearly their accepted meaning. The Commission drafted such a comprehensive revision, excluding all seriously controverted proposals. Under Denny's guidance and influence, the Commission recommended that the proposed comprehensive revision be submitted as a separate amendment, and that amendments involving seriously controverted proposals be separately submitted. The General Assembly followed the Commission's recommendations, and on November 3, 1970, the electorate adopted the amendment in which the comprehensive revision was set forth. The Commission had achieved the primary objective of the sponsoring organizations. The General Assembly failed to submit certain of the seriously controverted proposals, and the electorate failed to adopt certain of those the General Assembly did submit. By the separate submission of the amendment providing for comprehensive revision in respect of non-controversial matters, the fate of prior efforts for general revision had been avoided.

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Denny retained a keen interest in the people of Surry County. He enjoyed participating in the reunions of the Denny family. From its formation in 1956 he was a member of the Board of Trustees of the Charles H. Stone Memorial Library in Pilot Mountain, N. C. and contributed his time and counsel to the success and perpetuation of this library. Although the property had previously passed from the Denny family he was delighted when what had been the Denny farm became a part of the Pilot Mountain State Park.

From time to time he returned to Gaston County. Often he was called upon to address the Gaston County Bar Association and other groups with which he had been associated. In 1967, he was called upon to present the Gastonia Civitan Club's annual citizenship award to an old friend. This was the same award he himself had received in 1934. In his presentation address, he told Hawthorne's story of the "Great Stone Face." It may be that this story appealed to him so much because it engendered thoughts of the days when as a teenage plowboy in Surry County confronted by handicaps and delay in his desire for better educational advantages, he drew inspiration, purpose and resolution from the ever present view of Pilot Mountain. Although a difficult and rugged climb, by determined effort the pinnacle could be reached. In his own life he had overcome the obstacles and had reached the summit.

In the last year or so of his life, Denny's activities were sharply curtailed by a failing heart. During this period he was confined to his home or in the hospital much of the time. In a gracious handwritten acknowledgment of flowers sent to him by members of this Court on November 23, 1972, his 80th birthday, he referred to the fact that he had "had a fine day with all eighteen members of [his] family present for Thanksgiving Dinner." His family had first claim upon his affection. To a marked degree his wife and children responded with complete devotion.

Denny is survived by Bessie Brandt Denny, his widow, to whom he was happily married for more than fifty years, and the four children of their marriage, a married son and three married daughters. The four couples are Emery B. Denny, Jr., and wife, Betty Stonebanks Denny, of Chapel Hill, N. C.; Betty Brown Denny Shook and husband, Lenoir G. Shook, of Tarboro, N. C.; Sarah Catherine Denny Williamson and husband, Bailey P. Williamson, of Raleigh, N. C.; and Jean Stone Denny Ashley and husband, Wallace Ashley, Jr., of Smithfield, N. C. Too,

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Denny is survived by eight grandchildren. He would be so proud and happy if he were physically present with us today. In a real sense, his spirit abides and pervades this occasion.

After Denny's death, many of the organizations with which he had been associated adopted resolutions of appreciation and condolence. The General Assembly of North Carolina at its 1973 Session adopted a joint resolution of appreciation and condolence in which the following accurate appraisal of our beloved friend and former Chief Justice appears:

"Emery B. Denny exemplified the highest qualities of integrity and responsibility in both his public and private life, contributing quietly and effectively to the improvement and functioning of the society in which he lived, and elevating and enriching the lives of those with whom he was associated."

In closing it seems appropriate to repeat the following portion of a prayer offered at Denny's funeral service:

"We remember with gratitude his confidence in the power of truth, his inflexible integrity clothed in gentleness, his systematic and thorough work in church and state, and his pure purpose to do justly and to walk humbly with Thee."

The time has come for the unveiling of the portrait. This will be done by Betty Brandt Williamson, granddaughter of the late Chief Justice Denny, who will be escorted for this purpose by the Honorable Adrian J. Newton, the Clerk of this Court and a long-time friend and fellow churchman of Emery Byrd Denny.

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REMARKS OF CHIEF JUSTICE SUSIE SHARP IN  
ACCEPTING THE PORTRAIT OF THE LATE  
CHIEF JUSTICE EMERY BYRD DENNY

We are grateful to Chief Justice Bobbitt for the extensive research and discerning interpretation of the events and relationships which molded the life of Chief Justice Denny. With oils, on canvas the late Miss Irene Price painted his physical likeness; with words fitly spoken, Chief Justice Bobbitt has portrayed the qualities and traits which made Chief Justice Denny the Christian gentleman, legal scholar, and patriot we all knew him to be. No man ever loved this State more unselfishly than did he. When he spoke, in almost reverent tones, of "the North Carolina way"—as he often did—he meant that both public officials and private citizens were expected to plow a straight furrow and that public morality must meet the highest standards of private morality. To him a public office was indeed a public trust.

During two terms of this Court—the Fall Term 1960 and the Spring Term 1961—our junior justice, the Honorable James G. Exum, Jr., had the good fortune to be associated with Justice Denny as his law clerk. Justice Lake and I are the only members of the present Court who were privileged to serve with "Judge" Denny, as he was affectionately called by all who knew him. It was he who administered the oath of office to both of us. He swore me in as his junior justice only moments after he himself had taken the office as chief justice, and it is with difficulty that I refrain from speaking of his kindness and consideration. However, these were innate characteristics of the man whom Judge Bobbitt has described in his informative and impressive memorial, and I would not attempt "to add another hue to the rainbow."

The Court expresses its thanks to the Denny family for this very fine portrait. It will be hung on a wall of this chamber, where it will be an inspiration to us and to our successors. The record of these proceedings will be added to the minutes of the Court and printed in the North Carolina Reports.