

**CEREMONY FOR THE PRESENTATION
OF THE PORTRAIT OF
FORMER CHIEF JUSTICE WILLIAM A. DEVIN**

On May 7, 1987, at 10:00 a.m., the Supreme Court of North Carolina convened for the purpose of receiving the portrait of the Honorable William A. Devin, former Chief Justice of the Supreme Court of North Carolina.

Upon the opening of Court on the morning of May 7, 1987, the Clerk of the Supreme Court sounded the gavel and announced:

“The Honorable, the Chief Justice and the Associate Justices of the Supreme Court of North Carolina.”

All persons in the Courtroom rose, and upon the members of the Court reaching their respective places on the bench, the Clerk announced:

“Oyez, Oyez, Oyez—The Supreme Court of North Carolina is now sitting in ceremonial occasion for the presentation of the portrait of former Chief Justice William A. Devin. God save the State and this Honorable Court.”

The Clerk was then seated.

Chief Justice James G. Exum, Jr., welcomed official and personal guests of the Court:

It is always a most pleasant occasion when the Court gathers for ceremonial purposes, such as we are convened here this morning, for the presentation of the portrait of a former Chief Justice of the Court, William A. Devin.

I want to welcome all of the many guests we have here. I'm not going to detract from the business at hand by calling everyone by name; but I would like to especially welcome former Chief Justices Bobbitt and Sharp, who honor us with their presence, and we do have a number of former Associate Justices of this Court who are here, and we have the Chief Judge and a number of members of the Court of Appeals. I would also be remiss, I think, if I didn't recognize a man who calls himself 'the oldest rat' in what will be an unnamed barn, Secretary of State Thad Eure is here, and we're glad to have you here, sir. I also want to welcome a number of the direct descendants and collateral descendants of Justice Devin, who are here with us today.

It is a very great privilege for me to call on the man who will make the memorial address of presentation at this time, the Honorable William T. Watkins. Mr. Watkins is a member of the North Carolina House of Representatives, where he represents the Twenty-Second Representative District, composed of the counties of Caswell, Granville, part of Halifax, Person, Vance, and Warren. He has been a community leader all of his adult life; he has served in the North Carolina House of Representatives continuously since 1969, and has, during his tenure there, risen to a position of preeminent leadership in that body. He is the author of important pieces of legislation for this State too numerous to mention. He has been a longtime friend of this Court and of the judiciary in general. He and former Chief Justice Devin share the same home town of Oxford. It is most appropriate, now, that this Court recognize the Honorable William T. Watkins to make the address of presentation.

REMARKS OF THE HONORABLE WILLIAM T. WATKINS
IN PRESENTING THE PORTRAIT OF
FORMER CHIEF JUSTICE WILLIAM A. DEVIN
TO THE SUPREME COURT OF NORTH CAROLINA ON MAY 7, 1987

May it please the Court:

I am honored today to present this portrait of former Chief Justice William A. Devin to the North Carolina Supreme Court. I knew Judge Devin well; and I hope that as I talk about him, he will come to life for those of you who did not know him. He was truly a remarkable man—an athlete who played football, baseball and, later, golf; a scholar who established an enviable academic record; a young lawyer who was known for his ability to win tough cases; a judge whose opinions are models of clarity; and a man whose marriage was obviously happy and who had a deep and abiding faith in God.

Judge Devin, born in 1871, was the son of the founder of the Oxford Baptist Church, the Reverend Robert I. Devin, and Mrs. Devin. He attended school in Granville County at the famous old Horner Military School in Oxford, then went to Wake Forest for three years. By the time he completed his studies at Wake Forest, he had decided to become a lawyer; so he enrolled in the University of North Carolina Law School.

At Carolina, he was a member of the 1892 football team—the team known as the aggregation of “iron men”, and in later years he loved talking about Thanksgiving week of 1892, when UNC played and defeated Auburn, Vanderbilt, and the University of Virginia in a single week. He also played first base on the crack Carolina baseball team, and loved the game so much that in 1903 he traveled all the way to New York to watch a team called the New York Highlanders. The following year that team became the New York Yankees. His talent for sports was passed on to his son, who played both football and basketball for Carolina. His son played on the 1924 basketball team that was undefeated and was the first team in this State to claim a National Championship.

Judge Devin graduated from Carolina, passed the bar, and opened his own law office in Oxford in 1899. He later said that his first ‘real’ case was his most interesting. The Democrats were badly beaten in the elections of 1894 and 1896, but rallied in 1898 to retake control of the legislature. The General Assembly then abolished a number of public offices and recreated substantially similar offices under slightly different names. The North Carolina Supreme Court declared these acts unconstitutional and in violation of the 14th Amendment.

Judge Devin represented the Superintendent of the old Board of Education of Granville County. The issue was whether the Superintendent who had been elected by the new board had the right to the office. His client sued to recover the office.

Devin’s job was not an easy one. The jury answered the issue in favor of the new Superintendent and against Judge Devin and his client. Because of their belief in their case, however, they appealed the case to the North Carolina Supreme Court, where he presented his case so well that Judge Clark wrote him a letter of commendation. The Supreme Court reversed the previous decision, sustaining him on all points of his argument. This contributed immensely to his reputation for winning tough cases.

He also served as Mayor of Oxford, represented Granville County in the 1911 and 1913 sessions of the General Assembly, and served on the Constitutional Amendments Commission in 1913. He was a Captain in the National Guard and then later a member of Governor Locke Craig’s staff. Governor Craig appointed him Judge of Superior Court in 1914. In 1935, Governor J. C. B. Ehringhaus appointed him to the State Supreme Court, where he

served until he was appointed Chief Justice by Governor Kerr Scott in 1951.

Judge Devin once heard the case of a man tried for a murder committed more than 40 years before. A 16-year-old boy had killed another man in a fight over a girl, fled to Texas, married, became a father, an outstanding citizen. Later moved to Florida on the death of his first wife, remarried there, and raised another family. The man was a grandfather when he was turned in by a Florida acquaintance. Only one eyewitness remained alive, and Judge Devin considered his testimony inadequate for a conviction.

Another time he was on his way to court in a storm. The rain had washed out a bridge he needed to cross, so he drove his old Ford into the creek at a point where he thought he could make it across. The old car balked, and the Judge and the Sheriff, who was with him, began to push—but to no avail. They were joined by a big man who waded out to the car, and pushed them to the opposite bank. It turned out that the helpful man had been tried for First Degree Murder in Judge Devin's court some years before and had been acquitted. Judge Devin said he didn't remember the case, but he was mighty glad he hadn't convicted the man.

The opinions written by Judge Devin are considered models of clarity. Appellate judges can learn from these opinions how to write simply on complicated subjects, so that even state legislators can understand them. One of his best tributes was paid on the occasion of a gathering honoring the Judge after his retirement from the Supreme Court. Justice J. Wallace Winborne told those present that "the humanizing influence of his hand will live in our law."

His liberal education, his knowledge of literature and art, made him a cultured man and provided him a basis for understanding and appreciating life. In our time, when divorce is almost commonplace, we might stand in awe of his happy marriage that lasted nearly sixty years.

His life was closely woven with his church. Even when traveling, he would return to Oxford on the weekends to teach the Sunday School Class which was later named for him and to serve as a Church Deacon.

His portrait was the first ever to hang in the Granville County Courthouse. Judge Devin was a happy man, and I believe that

his happiness was rooted in his faith in God. When he wrote his will in 1958, he had just lost his wife and apparently knew his own death was fast approaching. The last words of his will are these: "Reaffirming my faith in God and in His saving grace, through His only Son, the Lord Jesus Christ, to whom I have put my trust and forgiveness and salvation."

I hope that from time to time, school children and young people aspiring to be lawyers, practicing lawyers, judges, and the general public will be told something about the man behind this portrait, that they may learn about history, about justice, and, above all, about life and about living.

It is with great pleasure that I present to this court the portrait of its distinguished Chief Justice, William Augustus Devin.

The Chief Justice announced the unveiling of the portrait by William A. Devin III, grandson and namesake of the former Chief Justice.

[UNVEILING OF PORTRAIT]

Mr. Devin made the following remarks upon the unveiling:

"It gives us a tremendous feeling of pride to be here. We haven't been in Raleigh for many years—since we were children. But I remember we used to stay at the Sir Walter Hotel with my grandparents and come up to the Court and meet the Associate Justices. I have a lot of very fond memories of North Carolina. It's such a great pleasure to hear such fine words about my grandfather. Thank you very much."

The Chief Justice then made his remarks accepting the portrait:

I want to thank Representative Watkins for those eloquent words about our former Chief Justice. The Court, now having a majority who graduated from the University of North Carolina, I'm sure particularly appreciates the exploits of the Chief Justice on the athletic field on behalf of that University.

We also, of course, all recognize the eruditeness and the clarity of his opinions and, Representative Watkins, I want to say that the Court will continue to try to emulate Chief Justice Devin in writing the kinds of opinions that you and the legislators can understand if the Legislature will reciprocate and continue to write statutes that the Court can understand.

The address of Representative Watkins will be spread upon the minutes of the Court and will be printed in the next bound volume of the North Carolina Reports. Chief Justice Devin's portrait will be hung in this Courtroom, along with other portraits of former Chief Justices.

I want, at this time, to thank again Representative Watkins, the Arts Council of North Carolina, and former Chief Justices Bobbitt and Sharp, who were instrumental in making this portrait available. I would like to recognize Ms. Jean McLaughlin, Director of the Arts Council. We want to thank her and the Arts Council for their work. I believe we have the artist here, who was commissioned to paint the portrait, Mr. Ron Rozelle; would you please stand to be recognized. And we also have the framemaker, Ms. Rosa Reagan.

The Clerk then escorted the Devin family and Associate Justice John Webb, a great-nephew of Chief Justice Devin, to their places in the receiving line. Members of the Supreme Court, official guests of the Court, and special friends proceeded through the receiving line until all had so proceeded. The ceremony was thereupon concluded.