

**CEREMONY FOR THE PRESENTATION
OF THE PORTRAIT OF
FORMER ASSOCIATE JUSTICE JAMES WILLIAM COPELAND**

On October 26, 1990, at 11:00 a.m., the Supreme Court of North Carolina convened for the purpose of receiving the portrait of the Honorable James William Copeland, former Associate Justice of the Supreme Court of North Carolina.

Upon the opening of Court on the morning of October 26, 1990, 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 Associate Justice James William Copeland. God save the State and this Honorable Court.”

The Clerk and the audience were then seated.

Chief Justice James G. Exum, Jr., welcomed official and personal guests of the Court, and invited Rev. Owen Fitzgerald to offer the invocation.

The Court is convened this morning in ceremonial session for the presentation of the portrait of one of its former members, the Honorable J. William Copeland.

We are happy to see so many of Justice Copeland's family, friends and professional colleagues here with us this morning. The Court is particularly pleased to welcome former Chief Justice Susie Sharp and former Governors Jim Hunt and Bob Scott. We also welcome back to these halls former Justices Beverly Lake, Frank Huskins, David Britt and Phil Carlton and our venerable former Clerk, the Honorable Adrian Newton. We welcome Chief Judge Fred Hedrick of the Court of Appeals and Court of Appeals Judges Gerald Arnold, Hugh Wells, Jack Cozort and Jack Lewis. We are honored to have with us Federal Judges Frank Dupree and Frank Bullock. We are certainly honored this morning with the presence of the venerable former

Secretary of State Thad Eure. We welcome all our distinguished guests, public servants and friends of Justice Copeland.

INVOCATION BY THE REVEREND OWEN FITZGERALD

Almighty God, who in Your providence has made us citizens of a land great in privilege and abundant in opportunity, we give you thanks for the country which we love and which we are called in our generation to serve. We thank You for the ideals of faith and freedom which have brought millions to these shores, and for those who through the generations have striven to maintain principles of justice, liberty, fidelity and integrity. Make us today worthy of and true to the best of our past, eager for a still larger future, and, above all, faithful to our calling.

On this occasion, we remember with affection and honor with appreciation the life and career of one whose commitment to the highest levels of integrity were evident throughout his life. The principles by which he lived in his home, his church and community were evidenced in his service to this State in the Legislative, Administrative, and Judicial branches of government. He served this State with distinction in so many ways, but most especially through years of service on this bench.

May your blessings be upon this high court and this occasion on which we celebrate the memory of William Copeland. Amen.

Chief Justice Exum then recognized the special guest who would address the Court, the Honorable Joseph Branch, Retired Chief Justice of the Supreme Court of North Carolina.

It is a real privilege for me now to call on a truly great North Carolinian to make the memorial address of presentation. He needs no introduction. He has been a great lawyer, a great legislator, a friend and counselor to Governors, a judge's Judge, and a former Chief Justice of this court. I counted it an honor to have served with him on this Court for eleven years. He is my former boss, a friend of everyone in this room and almost everyone in North Carolina, former Chief Justice Joseph Branch.

REMARKS BY THE HONORABLE JOSEPH BRANCH,
RETIRED CHIEF JUSTICE OF THE SUPREME COURT
OF NORTH CAROLINA,
UPON THE PRESENTATION TO THE COURT
OF THE PORTRAIT OF JAMES WILLIAM COPELAND

Thank you, Chief Justice.

If it please the Court, it was my privilege to have enjoyed one course in a classroom of Dr. N.Y. Gulley, the founder of the Wake Forest College, now Wake Forest University, Law School. He once said to us, and I quote: "Young gentlemen, never make excuses about a speech you are about to deliver." However, I feel that this occasion requires an explanation of my presence before this great Court.

Senator Terry Sanford had agreed to speak on this occasion, and it was entirely proper that he be the speaker, since he was the person who appointed Justice J. William Copeland to the Superior Court bench and to the office of Legislative Counsel, to the Budget Bureau, and to several other important places. And it was proper that he be here to speak in his behalf. His appointment to the Court initiated a long and distinguished judicial career, which has brought him to the bench that you now occupy. Senator Sanford found it impossible to be here today to fulfill the duties that he'd been requested to perform because of the stress and demands of the budget dilemma that we are all so familiar with. And he notified the Copeland family on Wednesday afternoon of his situation.

I recognize my inability to do justice to my old friend J. William Copeland in the time frame given, particularly when I stand in the place of a former Governor, a present United States Senator, and a former President of Duke University. Even so, I am honored that the family of Justice Copeland has given me the opportunity to take part in the presentation of his portrait to this Court.

Justice James William Copeland was born in Woodland, North Carolina, in Northampton County on June 16, 1914. And I might digress for a moment to say that only the Roanoke River separated my home county and the home county of Justice Copeland. His parents were Luther Clifton Copeland and Nora Benthall Copeland. His father was a farmer and merchant who enjoyed extensive land holdings in Northampton County. Justice Copeland had in his family, or has, a sister, Louise E. Threewitts, who now lives in Littleton, and a brother, Luther Clifton Copeland, Jr., a resident of Woodland, North Carolina.

Justice Copeland, upon his graduation from Woodland High School, entered college at Guilford, where he earned an A.B. degree in 1934. He then entered the University of North Carolina Law School, and there received his juris doctor degree, with honors, in 1937. During his law school days, he was honored by being made Associate Editor of the North Carolina Law Review. Upon his graduation and after having passed the bar and being licensed,

he returned to his home in Woodland, where he began the practice of law. The people of Woodland very quickly recognized his knowledge and ability in the science of government and elected him Mayor of Woodland.

It was not long after his return to Woodland that young lawyer Copeland, who we all know had an ability to look around and discover things that others could not find, discovered a young lady by the name of Nancy Hall Sawyer, from Elizabeth City, who was teaching school in nearby Rich Square. He immediately, in company with many other young men, began to pay court to her. I have heard from the family that when William would come in the front, she would put one out the back door and kept a continuous chain going. I don't know whether that's true or not. But somewhat. This was one of the wisest moves . . .

Chief Justice Exum interrupting: Be careful now, Joe. This is the Supreme Court!

. . . This was one of the wisest moves of his life. And one of the happiest days of his life came to pass when they were married in October of 1941.

Judge Copeland entered the Navy in 1942, commissioned as an Ensign. He served in the North and South Pacific from 1943 to 1945. And he was then transferred to the Sixth Naval District, Charleston, South Carolina, where he served in the Judge Advocate General's court martials from 1945 until his discharge with honor in 1946, with the rank of Lieutenant, Senior Grade.

Upon his release from the service, Justice Copeland returned to eastern Carolina and opened an office in the practice of law in Murfreesboro, North Carolina. Shortly after his return to the practice of law, he was again recognized and then was named Mayor of Murfreesboro.

He then was elected to the North Carolina Senate by the people of his district in 1951 and served them well in that capacity through 1959. While serving in the Senate, he was also chosen as a delegate to the 1956 Democratic Convention in Chicago. And I might digress another moment to say that I joined him in that trip, and it was one of the finest occasions of my life. We were chaperoned by Emmett Winslow and Hathaway Cross, so you know we were okay.

Governor Terry Sanford named Justice Copeland as his legislative counsel for the 1961 session of the North Carolina General Assembly.

I lived in nearby Halifax County, and we started to practice about the same time and our paths often crossed. And I was not at all surprised to observe his remarkable success in the political field because he was a gregarious man, who actually enjoyed being a part of the political process and its intricate inner workings and in its battlefield. His genius was that he genuinely liked people.

It is noticeable, too, that Governor Sanford again appeared and appointed Justice Copeland a Special Superior Court Judge, and he was reappointed to that position by Governor Dan K. Moore in 1966. During his tenure on the trial bench, he held court in eighty-eight counties. And I am inclined to believe that this was the happiest time of his life because it gave him the opportunity to travel throughout North Carolina, to know and associate with lawyers and leaders in the various courts and communities.

Thereafter, Justice Copeland ran for and was elected to the North Carolina Supreme Court in the general election of 1974, and served with distinction in that Court until his retirement in 1985. During his service as an Associate Justice of this Court, he wrote two hundred five opinions, beginning in volume 286 at page 422 and ending in volume 310 at page 259. His opinions reflected not only a knowledge of the law, but an understanding of the people and litigants who were involved.

Judge Copeland was a member of the American Bar Association, the North Carolina Bar Association, the American Judicature Society, and was a member of the North Carolina Bar Council from 1954 through 1957.

Not all of his energy, however, was devoted to the law and government. He was an active member of the Murfreesboro Methodist Church and was a Mason and a Shriner. He was an avid student of history and genealogy, particularly eastern Carolina types. And he even found time to contribute a scholarly article to the State magazine concerning the impeachment trial of reconstruction Governor William W. Holden in 1871. He was also an ardent supporter of the University of North Carolina Law School and Guilford College, and it was Guilford College that rewarded him for his support with its Distinguished Alumni Award.

I suppose that everyone who has served on an appellate court may have had a somewhat different perspective in their voting and writing than other people. I believe that Justice Copeland was a realist and sought the right result. I know many of you have heard him ask, "What is the bottom line?" To him, the bottom

line was what more often judges refer to as what is equity and what is right.

I have noticed the genius of the man was that he liked people. The heart of the man was his love for his family, as born to his marriage to Nancy, three children: Emily, James W. Jr., and Buxton; there are two grandchildren: Christopher Copeland and Natalie Copeland.

As this portrait is presented to the Court in the presence of his family and friends, we recognize the life of an able lawyer, trial judge, Justice of the Supreme Court, public servant, Naval officer in the time of war, loving husband, father, and grandfather. The hallmark of his life was his love for people and public service. He was, indeed, North Carolina's happy warrior.

Thank you.

The Chief Justice announced the unveiling of the portrait by Miss Natalie Sawyer Copeland and Mr. Christopher Copeland, grandchildren of Justice Copeland.

UNVEILING OF PORTRAIT

The Chief Justice then recognized the artist, Dean Paulis, and made his remarks accepting the portrait:

Thank you, Chief Justice Branch, for those eloquent and perceptive remarks. They will, of course, be spread upon the minutes of this Court.

I would just like to add that Justice Copeland was a good and loyal friend of mine. We served together for eight years on the Superior Court, and fifteen years ago this coming January the third, we were sworn in together as members of this Court. He was a man whom I enjoyed and admired. I have greatly missed him and am glad to have his portrait here nearby. It will serve to remind me of the many good years and good times that we had, working and playing together. The Court is pleased to accept the portrait. We are grateful to the family, Nancy, Emily, Buck, and James, for it. It will be hung shortly, in an appropriate place in these halls.

The Clerk then escorted the Copeland family 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.

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TRIBUTE BY THE HONORABLE TERRY SANFORD
UNITED STATES SENATOR
UPON THE PRESENTATION TO THE COURT
OF THE PORTRAIT OF JAMES WILLIAM COPELAND

Justice William Copeland was highly respected by the members of the Bar who practiced before this Supreme Court during the decade he served. He had always well prepared himself with the facts and the law, and his questions were pointedly considerate, and courteous. His decisions were thoughtful, insightful. For many generations to come law students will be educated by the clarity of his explanations of the law in his decisions, and judges will be facilitated in explaining the law to juries. Justice Copeland was recognized as a scholar.

I think it is fair to say he loved the law and revered the Court. I think that he found his years on the Supreme Court satisfying, but I am sure that he found his thirteen years as a Superior Court Judge among the most exciting experiences of his eventful life. He held Court in eighty-five of our one hundred counties. He knew and considered as his friends, and they in turn considered him a friend, all the Sheriffs, the other Courthouse officials, and most of the lawyers across the State. He was an excellent trial judge, fair and impartial, neither too severe nor too lenient, but compassionate or stern as the situation required, blending dignity with humor, always considerate of the participants in the Court drama, from juror to litigants to defendants and Court officers, as well as spectators.

He played a special part in my life as the skillful and experienced Legislative Counsel to the Governor during my first legislative session. He guided through an ambitious program for educational improvement, for Court reform, and economic development. We had scores of items on our legislative agenda, and he kept them all moving, corralling votes and engaging allies, and at the end of our first year we calculated that we had accomplished 110 percent of our objectives. That is William Copeland's legislative record.

Prior to that we served as colleagues in the North Carolina State Senate, where his long experience was of tremendous guidance to a new legislator.

A product of the University of North Carolina Law School, where he graduated with honors; and a graduate of Guilford College, where he had gone from high school in Murfreesboro, William Copeland had thousands of friends across the State. He knew them

all, cared about them all, recognized them all. I count as one of the great blessings and joys of my life that he and I were friends.

His portrait will hang in these Supreme Court halls as a reminder to future generations of William Copeland's fidelity, commitment and service to the people of the State of North Carolina.