

**RECOGNITION OF FRANKLIN FREEMAN**

**BY**

**CHIEF JUSTICE BURLEY B. MITCHELL, JR.**

Chief Justice Burley B. Mitchell, Jr. welcomed official and personal guests of the Court. The Chief Justice then recognized the Sharp family and Franklin Freeman, who would make the presentation address to the Court:

On behalf of the members of the Court, I would like to welcome each of you to an event honoring one of North Carolina's most celebrated citizens. We honor the first woman elected Chief Justice of any Supreme Court in the United States, the first woman Superior Court Judge in North Carolina, and we honor one of this Court's greatest legal minds. This Court and the entire Judicial Branch benefited from the integrity and respect which surrounded Chief Justice Sharp during her years on this Court and continued throughout her life.

The family of Chief Justice Sharp chose a uniquely qualified individual to present remarks about her this morning. Honorable Franklin Freeman, Secretary of the Department of Correction, knew Susie Sharp as a family friend when he grew up in Surry County and as his career as a public servant blossomed. He served as the Assistant Director of the Administrative Office of the Courts during Justice Sharp's tenure as Chief Justice, and has remained a friend of hers and the Court. At this point, I will ask Secretary Franklin Freeman to come to the podium and present his remarks.

PRESENTATION ADDRESS

BY  
FRANKLIN FREEMAN

MAY IT PLEASE THE COURT:

The late Susie Marshall Sharp who served with dignity, fortitude, and rare distinction as an Associate Justice and as Chief Justice of the Supreme Court of North Carolina for more than seventeen years, died March 1, 1996 in Raleigh, North Carolina and was buried in her beloved Reidsville's Greenview Cemetery.

On behalf of the Sharp family, I have the high honor to present to the court this portrait, soon to be unveiled, as a memorial of her exemplary life, her pioneering spirit, and her remarkable career.

The portrait was painted from life by the late Irene Price in her studio in Blowing Rock, NC not long before Ms. Price's death in 1970. A gifted artist, she had previously painted portraits of Chief Justices Walter Stacy, Emery Denny, and William H. Bobbitt. All of these portraits now hang in this courtroom.

Susie Marshall Sharp was born in Rocky Mount, North Carolina on July 7, 1907 to James M. and Annie Britt (Blackwell) Sharp. Her mother and father were the parents of ten children, seven of whom lived to maturity, five girls and two boys. In addition to Susie, those who reached maturity included Sally Blackwell, Annie Hill, Thomas Adolphus, Louise Wortham, Florence Abigail, and James Vance. All but Sally and Florence survive Justice Sharp.

Justice Sharp was the 7th generation of Sharps to live in Rockingham County. The progenitor, John Sharp, came from Buckingham County, Virginia to the area that became Rockingham County in approximately 1760. At that time, the area was a part of Rowan County. John Sharp died in early 1778 and was survived by his wife Catherine and nine children.

James Sharp was the only son of John's to remain in Rockingham County. He and his wife had two sons, including James Jr., born in approximately 1776, and one daughter. James Jr. (1776-1852) married Jane (Jenny) Joyce. Six children were born to this union including James Archer Sharp, born January 4, 1804.

James Archer Sharp (January 4, 1804-February 17, 1863) and Margaret (Peggy) Joyce (October 20, 1810-October 20, 1869) were married April 5, 1826. To them were born ten children. Their eighth child, James Marshall Sharp, was born March 23, 1844 in Mayo township, Rockingham County. Soon after the Civil War began, he enlist-

ed in Company F of the 45th North Carolina Confederate Infantry. Although seriously injured at the Battle of Gettysburg in July of 1863, he recovered sufficiently to rejoin his Company. Once again he was wounded, captured at the Battle of Spotsylvania Courthouse in mid-May of 1864, and spent the remainder of the war in a Northern prison. After the war, he returned home with rifle balls in his chest and jaw to take up farming. The courage, persistence, and inner strength signified by James Marshall Sharp's bravery and conduct during the Civil War undoubtedly served as an example of how to conduct one's life for his granddaughter, and namesake, Susie Marshall Sharp.

James Marshall Sharp (March 23, 1844—June 16, 1910) married Eliza Merritt Garrett (August 13, 1845—August 22, 1938) on November 20, 1866. She was the daughter of Jay Bolyn Garrett and Clarisa Walton Hill Garrett of Huntsville township in Rockingham County. Nine children were born to them, eight boys and one girl. Eight lived to maturity, including their sixth son, James Merritt Sharp, who was born September 26, 1877.

As a child James Merritt Sharp attended school in a one room, log schoolhouse. Determined as a teenager to broaden his education, he, on his own motion, attended Whitsett Institute in Whitsett, North Carolina with money he earned from raising tobacco. By the age of eighteen, he was teaching school.

In 1900, Mr. Sharp established Sharp Institute, a co-educational day and boarding school. In order to obtain a post office for the Institute, Mr. Sharp had to pick a name for the neighborhood, and did so, naming the community Intelligence, North Carolina. Opening in October of 1900 with 50 students, the enrollment climbed to 225 by 1906. Known by then as one of the best preparatory institutions in north central and northwest North Carolina, the school burned in 1907, ending J. M. Sharp's career as "Professor Sharp" as he was affectionately known by Institute alumni.

Even before the fire, J. M. Sharp was reading law. The fire's end to a career of teaching led to a career in the law as he passed the Supreme Court's Bar examination in 1908 after studying under the famous Wake Forest Law School Dean, N. Y. Gulley. He began his 44-year practice of the law in Stoneville, North Carolina, moving to Madison in 1910. Four years later, in 1914, he moved his practice to Reidsville, North Carolina where he remained for the next 38 years, continuously practicing law, serving his community, and rearing his family. During his years in Reidsville, he built a reputation as a tenacious trial lawyer who as his last law partner, Norwood Robinson, said "never had a guilty client". Constantly active in the political and

social life of his community, he served in the North Carolina State Senate in 1925 and 1927, representing the 17th Senatorial District. He was county attorney for the county of Rockingham and served a number of successive terms as President of Reidsville's Chamber of Commerce and the Rockingham County Farm Bureau.

While in Vance County recruiting students for his Institute, Professor Sharp stayed with the family of a faculty member. There he met the faculty member's sister, Annie Britt Blackwell (March 4, 1884-April 9, 1971), the daughter of John Pomfret Blackwell and Sally Wortham Blackwell. She also was hired as a teacher at Sharp's Institute and in 1906, J. M. Sharp and this gracious, steadfast and learned lady of faith were married.

The first of J. M. and Annie Sharp's ten children, a girl, was born on July 7, 1907 in Rocky Mount, North Carolina where the Sharps briefly lived following the destruction of the Institute. She was given the name Susie Marshall after her mother's younger sister, Susie, and her Civil War grandfather, James Marshall Sharp. Between 1907 and 1924, nine more children were to be born to the Sharps. As the oldest, Judge Sharp early on assumed a responsibility to assist her mother with the day-to-day rearing of her younger siblings. On two occasions before she left home in 1924 to attend the North Carolina College for Women (now known as the University of North Carolina at Greensboro) tragedy struck the Sharp family thrusting Judge Sharp into an increasing role of responsibility while at the same time molding her character.

J. M. and Annie's second child, James Merritt, was born in 1910. Like Judge Sharp, he greatly admired his father and wanted to help him by being his father's stenographer or, as he called it, "stenog". That was not to be, however, for at the age of four he was stricken with a brain tumor and died 6 weeks before his sixth birthday. Young Susie, a girl of nine, told her daddy that she would be his "stenog". Thus began her focus on her father's work as a lawyer.

In 1921, twin boys, John and James, were born to J. M. and Annie Sharp. At twenty-two months of age, the twins developed colitis from drinking spoiled milk and died within three weeks of each other. Annie Sharp's grief over the terrible, quick loss of her two healthy sons was overwhelming. So overwhelming was her grief that Judge Sharp, at age 16, had to assume day-to-day responsibility for the running of the household. With the help of the family's maid, Matilda Purcell, Judge Sharp prepared the meals, cleaned the house, and tended to her younger brothers and sisters. Contemporaries of Judge Sharp can still vividly recall more than seventy years ago her leading

her neatly dressed siblings into the Main Street United Methodist Church for Sunday School. The strengths she gained from dealing with this family tragedy were to stand her in good stead the remainder of her long and distinguished life.

Judge Sharp attended the Reidsville public schools from 1913 to 1924, the eleven years required at that time. She was an excellent student, contending with her friend, Dillard Gardner, for the best grades in her class. Upon graduation and examination of the two students' marks that had to extend back to the sixth grade in order to break the tie, Dillard Gardner was declared the valedictorian of the class, and Susie Sharp the salutatorian. The competition was, however, friendly because Judge Sharp and Dillard Gardner remained good friends throughout their careers. Dillard Gardner served this court as its marshall and librarian from June 30, 1937 until his death, April 15, 1964. When Judge Sharp joined this court in 1962, their longstanding friendship was renewed.

Judge Sharp was not only an excellent student but a champion debater also. This ability led many of her classmates to encourage her to become a lawyer. However, following her graduation from high school in 1924 and her entrance to the North Carolina College For Women, she developed an interest in chemistry. Since proclaiming her interest in being her father's "stenog" or "nographer" in 1916, she had listened to many a supper-table discussion of legal issues by her father and to the advice of her friends that she should become a lawyer because of her debating ability. These influences steadily channeled her toward the study of law, and in 1926, following an all-night session of wrestling over her decision, she chose the law over chemistry. As befits an all-night struggle with one's conscience, that choosing was to become a calling.

In 1926, after only two years at Women's College, Judge Sharp entered law school at the University of North Carolina as the only woman in her class. She soon encountered the entrenched attitudes of the time against women being lawyers. Notes were left in her chair that were designed to offend her and, presumably, cause her to leave. One note, for instance, referred to a case where the Supreme Court had upheld the right of a man to discipline his wife by whipping her. *State v. Black*, 60 N.C. (1. Winst., 266) 262 (1864). The unknown authors of the notes, however, did not know they were dealing with a person of great determination and persistence. Undeterred, she pursued her legal studies with the same high degree of success as she had pursued her studies in college and high school, becoming an editor of the North Carolina Law Review, a member of the Order of the

Coif, and a 1929 LL.B. with honors graduate of the University of North Carolina's Law School. The last note placed in her chair read, "If you're going to stay, get some rubber for those high heels."<sup>1</sup>

While in law school, Judge Sharp's already well-established traits of scholarship, hard work, and achievement led her, in the summer of 1928, to stand the bar examination. In August of that year, she was notified that she had passed, ten months before she received her law degree on June 10, 1929.

Susie Sharp returned to Reidsville, North Carolina in 1929 to begin a twenty-year practice of the law with her father in the firm of Sharp and Sharp. As the only female lawyer in Rockingham County and one of the few such in North Carolina, she was, as a 1939 story on her in the *Winston-Salem Journal & Sentinel* said, "Almost as rare as the night blooming cereus in North Carolina towns".<sup>2</sup> Not only was she a rarity, but in the town of Reidsville she soon discovered that she was an oddity. She had not long been at the Bar when an old native of the town with great difficulty climbed the stairs to her office and asked, "Are you the lady lawyer?" "Yes, I am. What can I do for you?" replied Judge Sharp. "You can't do nothin' for me. I just heard there was a woman lawyer up here and I came to see what she looked like."<sup>3</sup> Not only was she a rarity and oddity in Reidsville, but she was in the courtrooms of North Carolina. Her first jury trial was in 1929 in Wentworth at the Rockingham County Courthouse. Her opponent was her friend and contemporary, the late Alan D. Ivie, Jr., a great orator who until his death in 1987 dressed in a swallowtail coat with a bat wing collar. Since women were not allowed to serve on juries in North Carolina until 1946, Justice Sharp found herself as the sole female in a courtroom full of males. With characteristic aplomb, she did not let this deter her but moved forward with the trial of the case before the all-male jury. At the conclusion of the evidence, Mr. Ivie arose to begin his summation to the jury and opened with words that Justice Sharp chuckled about the rest of her life; "Gentleman of the jury, the presence of sweet womanhood in this courtroom today rarefies the atmosphere".

By 1929, Justice Sharp had already developed a reputation as an appellate lawyer. A newspaper of that time in its April 2 edition headlined, "Ms. Sharp Argues Supreme Court Case", began the story by saying, "Ms. Susie Sharp, of Reidsville, who is rapidly becoming a

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1. Morello, Karen Berger. *The Invisible Bar*. Random House, New York. 1986. pp. 241-243.

2. *Winston-Salem Journal and Sentinel*, October 15, 1939.

3. *Id.*

familiar figure at the Bar of the Supreme Court, made her semi-annual appearance yesterday....”<sup>4</sup> That same story also documented an early encounter with this court’s traditions, which she revered, and which also undoubtably stood her in good stead 33 years later and thereafter. The reporter continued, “Ms. Sharp was almost through her argument when the clock struck two, but not even lady lawyers are exceptions for the inexorable rule of the court and her plea will be resumed at ten o’clock this morning.”<sup>5</sup> Rest assured I shall conclude these remarks before two.

For the next twenty years Susie Sharp grew steadily in stature as a lawyer and leader in her community. In a role she was to repeatedly find herself in throughout the remainder of her professional career, she was appointed the first town attorney in the state’s history when she was appointed Reidsville’s city attorney in 1939.

In 1948, her growing influence in the governmental and political affairs of Rockingham County led her father’s fellow farmer friend, Kerr Scott, to appoint Judge Sharp as his campaign manager for Rockingham County in the Democratic primary for Governor. She was the first female campaign manager of a gubernatorial campaign in Rockingham County. Kerr Scott carried Rockingham County by a plurality in the first, six-candidate primary. In the second, run-off primary, Scott carried Rockingham over Charles Johnson by almost 2 to 1, (2,976 votes to 1,772 votes) compared to a statewide vote of 54% for Scott and 46% for Johnson (217,620 to 182,684).<sup>6</sup> That fall, Scott carried Rockingham County by a margin of almost 5 to 1 (Scott 10,040—George Pritchard (R)—2,134) compared to a statewide margin of less than 3 to 1 (Scott 570,995—Pritchard 206,166).<sup>7</sup> Kerr Scott was impressed.

In the summer of 1949, Governor Scott had eight appointments to make to special Superior Court judgeships. Recalling the leadership of his campaign by Judge Sharp in Rockingham County, and having “the imagination and the foresight to bring a woman to the bench”,<sup>8</sup> Kerr Scott on June 21, 1949 appointed Susie Sharp the first female judge in the then 364th year of the history of the state.

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4. *The News and Observer*, April 2, 1929.

5. *Id.*

6. *North Carolina Government, 1585 - 1979. A Narrative and Statistical History*, 1981. Issued by the Office of the Secretary of State. p. 1381.

7. *Id.* at 1413.

8. *The First Woman of the Law: Chief Justice Susie Marshall Sharp, Her Life, Her Legacy*, Lorrin Freeman, November 27, 1995, from Freeman’s interview with Governor Terry Sanford, November 16, 1995, p. 2.

On July 1, 1949, James Merritt Sharp saw his childhood “stenog” and law partner of 20 years sworn into the judiciary of North Carolina, where Susie Sharp was to serve continuously for the next 30 years and one month. Mr. Sharp was not, however, to live to see her climb the judicial ladder. On August 2, 1952, the man who most influenced Judge Sharp’s calling to the bar and bench, and who instilled in her his Primitive Baptist qualities of honesty, devotion to truth, and hard work, died.

Judge Sharp’s appointment created a stir in the legal community, pride among the women of the state, and a scurrying among lawyers and laymen alike. Lawyers had difficulty figuring out how to address her. Most of the time, Judge Sharp said she was referred to as “His Honor”. Sometimes she was addressed as “Your Honoress”. Attorney John McElroy of Madison County defended his tardiness to her court by claiming he had been in his office practicing how to say “Her Honor”.<sup>9</sup> Another kept referring to her as “His Honor” and to a jury of men and women as “Gentlemen of the Jury” during his closing argument. Finally, after being laughed at by a number in the courtroom, the lawyer turned to Judge Sharp and said, “Your Honor, with you on the bench and women in the jury, it’s no wonder I have pronoun trouble.”<sup>10</sup> Tom Bost of the Greensboro Daily News questioned “what would happen if Sharp was faced with trying a case of rape? Wouldn’t that be too much for a woman?” Judge Sharp wrote back that “In the first place, there could have been no rape had not a woman been present, and I consider it eminently fitting that one be in on the ‘pay-off’.”<sup>11</sup> The Burke County commissioners refused, upon learning of her assignment to their county, to modify the only bathroom facilities in the judge’s chambers; a sink and a urinal that hung on the wall. Judge Sharp opened court on Monday morning at 10:00 a.m. and ordered the sheriff to “invite” the county commissioners over to the courthouse. By 11:00, the courthouse was aflutter with the scurrying about of plumbers, carpenters, and electricians, while the county commissioners narrowly avoided a few nights repose in the county jail.<sup>12</sup> A Charlotte Observer article in 1949 reported, “Judge Susie Sharp is a woman for us womenfolk to be proud of.”<sup>13</sup>

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9. Freeman, *The First Woman of the Law*. p. 4.

10. *Charlotte Observer*, *First Woman Judge of NC Holds High Place in Associates’ Hearts*, Katharine Halyburton, November, 1949.

11. Morello, Karen Berger. *The Invisible Bar*. Random House, New York. 1986.

12. Freeman, *The First Woman of the Law*. p. 5.

13. *Charlotte Observer*, November, 1949.



Judge Sharp's very first term of court, which she held in Richmond County, made it clear that she was going to be firm, decisive, and an agent for change. Before her was a prison superintendent charged with keeping a prisoner handcuffed in a standing position for some 60 hours as punishment for making a casual remark to another prisoner while at work. His defense that prison rules allowed such punishment led her, after his conviction, to soundly condemn such rules. Her denunciation led the Highway Commission, which oversaw the prisons of that day, to revise the rules so that a prisoner could not be handcuffed more than 24 hours, and then only as emergency punishment. Other rule changes precipitated by her indignation placed definitive limits on the use of flogging as a disciplinary measure. Throughout the remainder of her professional career, Judge Sharp maintained a strong interest in the humane, but firm, treatment of the state's prisoners. Her speech before the 1975 North Carolina Bar Association's annual meeting advocating widespread, far-ranging improvements in the state's prison system even before judges received a pay increase, was a major impetus for the dramatic changes that have occurred in North Carolina's penal system in this last generation.

For the next 13 years, Judge Sharp served as a Special Judge of the Superior Court of North Carolina under successive appointments of Governors Umstead, Hodges, and Sanford. During those 13 years, she held court in 64 of North Carolina's counties from Currituck to Cherokee. Traveling on the two-lane, oft times curvy, hog-backed roads of the era, she would leave home alone on Sunday afternoon or early Monday morning driving to court, returning on Friday night or Saturday morning to be with her family, to fellowship with her friends in Reidsville, and to attend Main Street Methodist Church with her mother on Sunday mornings. Those 13 years, which she thought would be only a four-year appointment, cemented her commitment to the judiciary and exposed the Bar and public of North Carolina to her remarkable mix of courage, industry, humor, compassion, and an incisive legal mind.

In 1960, North Carolina elected as its Governor, a progressive, Terry Sanford. Two years later, Chief Justice Wallace Winborne retired and was succeeded by Associate Justice Emory Denny, thus creating a vacancy for the appointment of a new Associate Justice. Governor Sanford had already indicated that as part of his plan to improve the lot of women in North Carolina, he intended to appoint more women to leadership roles in state government. The vacant associate justiceship gave him that opportunity and in a move

that surprised the press and unsettled the other members of the court, Special Superior Court Judge Susie Sharp was appointed Associate Justice Susie Sharp on March 9, 1962. According to Governor Sanford, some of the court's members' first concerns dealt with the unavailability of facilities for a female justice.<sup>14</sup>

Justice Sharp's appointment made her the first female member of this court and only the second Associate Justice at that time from Rockingham County, Thomas Settle having preceded her nearly 100 years earlier in 1868. Justice Sharp served under Governor Sanford's appointment until the general election of November 1962. She was elected, at that time, to complete Justice Denny's unexpired term. In 1966, she was elected to a full eight-year term, and in 1974, she became the first female in the United States to be elected Chief Justice of a state Supreme Court, garnering 74% of the vote, the highest percentage of any statewide candidate that year. Questioned the next day by a reporter as to whether she anticipated any upheaval because of her status as the first woman elected Chief Justice, she replied with characteristic humor, "Well, I've been a curiosity all these years, so what difference will that make?"<sup>15</sup>

Her assumption of the chief justiceship of this court on January 2, 1975, was an historical day for this court, the State of North Carolina, and Justice Sharp. It was also a poignant day for Justice Sharp, for by taking the oath of Chief Justice from Associate Justice I. Beverly Lake, Sr., she was replacing her "special friend" with whom she had worked for 13 years, Chief Justice William Haywood Bobbitt. Forced by a newly enacted retirement law to retire at the end of his term in 1974, Chief Justice Bobbitt, and the other five members of the court, encouraged Justice Sharp as the Senior Associate Justice to seek the chief justiceship. She would have just as well preferred that Chief Justice Bobbitt remain as Chief Justice. With a characteristic combination of humor and humbleness, she observed the day she took office, that "the law that impoverished the state in 1974 may very well save it in 1979".<sup>16</sup>

During Justice Sharp's 17-year tenure on the court, first as Associate Justice and then as Chief Justice, she wrote 459 majority opinions which are reported in Volumes 257 through 298 of the North Carolina Reports. Her first reported case was *Trust Company v. Willis*, 257 N.C. 59 (1962) and her last reported case was *Pipkin v. Thomas &*

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14. Freeman, *The First Woman of the Law*. p. 6.

15. *The News & Observer*, November 7, 1974.

16. *The News and Observer*, January 3, 1975.

Hill, Inc., 298 N.C. 278 (1979). In addition, she authored 124 concurring opinions and 45 dissenting opinions for a total of 628 written opinions. These opinions reflect her strong regard for the doctrine of stare decisis, her capacity for gathering and marshaling the facts, her breadth of scholarship, her wit and humor, and the single principle she said she kept in mind throughout her 17 years of opinion-writing, "the separation of powers".<sup>17</sup> Some of her major opinions include her 1964 opinion in *Toone v. Adams*, 262 N.C. 403 (1964), about an umpire's right to sue a baseball team and manager who had incited the crowd against him; her 1966 opinion in *D & W, Inc. v. Charlotte*, 268 N.C. 577 (1966), ruling that brown-bagging in restaurants was not permitted under the law then in existence (given her distaste for alcoholic beverages, this opinion must have given her some personal satisfaction); her 1967 opinion in *Rabon v. Rowan Memorial Hospital, Inc.*, 269 N.C. 1 (1967), that abolished hospitals' immunity from liability under the charitable immunity doctrine, a doctrine the North Carolina Supreme Court had upheld on numerous occasions for nearly 100 years; her 1972 opinion in *Hall v. Board of Elections*, 280 N.C. 600 (1972), establishing criteria for college students' eligibility to vote where they went to college; her 1976 opinion in *Smith v. State*, 289 N.C. 303 (1976), that limited the ancient doctrine of "sovereign immunity"; and her 1978 opinion in *In re Peoples*, 296 N.C. 109 (1978), the first opinion of this court removing a judge from office for willful misconduct in office.

By these opinions, and many others, she made her mark on the law of this state. But from my perspective as her administrative assistant from January 1975 through December 1978, she made a significant mark on the judiciary quite apart from her contributions as a developer of the law.

As Chief Justice, she did not tolerate misconduct by her fellow judges. Being Chief Justice is a lonely position in the best of circumstances—no one is your peer, and none of the people who are closest to being your peer, your colleagues on the Supreme Court, have much reason to know what you have to deal with as chief. Nor are they, or anyone else, responsible in the same way as the Chief Justice. It falls to the person who is chief to be the spokesman, but even more importantly to be the symbol of what our justice system is trying to become. Justice Sharp accepted that responsibility with grace and steadfast devotion to the challenge.

As chief she had to make many decisions that affected the people who work in the courts—from my vantage point the value that

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17. *The News and Observer*, July 15, 1979.

directed those decisions was a desire to make sure that the **system** was served by the people in it, not the reverse. So when judges or others strayed from the path that brought honor to the courts as a system, she took action. She took it quickly, and decisively, and with compassion for those who were the subject of her decisions—but she knew in a way that has benefited us all, that the system was bigger than she was, or than anyone else who was fortunate enough to work in it.

As Chief Justice, and thus Chief Executive of the judicial branch of government, Justice Sharp set not only as her goal for the judiciary high standards of moral and judicial conduct, she also set about to improve the administration of justice in North Carolina while at the same time protecting those traditions she believed in. She advocated for a change in the judicial selection system, despite garnering 74% of the vote in her 1974 race for Chief Justice against the fire extinguisher salesman, James Newcombe. Startled that a layman, untutored in the complexities of the law, would run for Chief Justice or for any other judgeship, she successfully advocated for a constitutional amendment passed in 1980, requiring that all judges be lawyers. Concerned that televisions in the courtroom would turn important trials into circuses, thus measurably damaging the peoples' confidence in their court system, she never wavered from her opposition to cameras in the courtroom.

In her 30 years as the first female superior court judge in North Carolina, the first female Associate Justice of the Supreme Court of North Carolina, the first female Chief Justice of the Supreme Court of North Carolina, and the first elected female Chief Justice of any Supreme Court in the United States, she followed the advice that Chief Justice Walter Stacy gave her, advice she passed on to others over the years: "A new knife is very keen. It'll cut deeply without you knowing it. You watch your sentencing power. If you don't, as you grow older, you'll regret some of the sentences you hand out. It's mighty easy to be generous with somebody else's time." As the Greensboro Daily News said in an editorial at the time of her retirement as Chief Justice on July 30, 1979:

"Chief Justice Sharp has never been 'generous with somebody else's time'. But she has proved that genuine fairness in the administration of justice is a goal devoutly to be sought and supremely worth the price of devotion to duty and dedication to the public weal."<sup>18</sup>

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18. *The Greensboro Daily News*, July 30, 1979.

Because of her devotion to duty and dedication to the public weal she received many honors, beginning in 1950 with an honorary LL.D. degree from her alma mater Woman's College. Thereafter, Justice Sharp was the recipient of an LH.D. degree from Pfeiffer College in 1960, an LL.D. from Queens College in 1962, an LL.D. from Elon College in 1963, an LL.D. from Wake Forest College in 1965, an LL.D. from Catawba College in 1970, an LL.D. from the University of North Carolina at Chapel Hill in 1970, and an LL.D. from Duke University in 1974. Her friend, U.S. Senator Sam Ervin, Jr., recommended her for the U.S. Supreme Court. In 1952, the February issue of the Ladies Home Journal recognized her as one of the 13 outstanding women in public office throughout the country. This honor was followed 24 years later by her being named by Time magazine in its January 6, 1976 cover story edition as one of 12 women of the year for 1975. In so doing, Time magazine called her a "trail blazer" with a "reputation as both a compassionate jurist and an incisive legal scholar".<sup>19</sup>

Although she never set out to be a trail blazer for women, desiring only to be the very best lawyer she could, her accomplishments resulted in a series of awards from women's organizations including the 1959 Achievement Citation from the North Carolina Federation of Business and Professional Women's Clubs, the distinguished Service Award for Women from the Chi Omega Sorority in 1959, the Alumni Service Award from the University of North Carolina at Greensboro in 1975, and the Special Award for Outstanding Legal Achievement from the New York Women's Bar Association in 1976. And in 1982, three years after her retirement, she and her special friend, the late Chief Justice William H. Bobbitt, received distinguished law alumni awards from their alma mater, the UNC School of Law.

Chief Justice Sharp's relationship with Chief Justice Bobbitt was a rare friendship. As A. C. Snow, their friend and weekly luncheon companion, wrote earlier this year, "Her friendship with Judge Bobbitt was one of the most beautiful and totally trusting I have witnessed".<sup>20</sup> For over 25 years, this friendship sustained the two of them through good times, difficult times, and tragic times. Throughout them all, they were there to share each other's sparkling wit, their keen interest in all things legal and governmental, and to comfort, support, and buoy each other in times of crisis.

When she died earlier this year, Chief Justice Sharp was lauded by editorial writers across North Carolina. The Greensboro Daily News said, "Susie Sharp was an unlikely heroine. But she was one of

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19. *Time*, January 6, 1976, p. 19.

20. *The News and Observer*, March 3, 1996.

the best North Carolina has ever had.”<sup>21</sup> The News and Observer said, “By her presence, Susie Sharp made the state better, and it was a splendid thing.”<sup>22</sup>

Her presence in this state made North Carolina a better place. Her presence in this courtroom for 17 years, in the superior courtrooms of North Carolina as a trial judge for 13 years and a lawyer for 20 years rarified the atmosphere of the many courtrooms across this state. Now this portrait to be unveiled by Dr. Lawrence Taylor, nephew of Chief Justice Sharp, will forevermore rarefy the memory of this courageous, ethical, brilliant first lady of the law, Susie Marshall Sharp.

ACCEPTANCE OF CHIEF JUSTICE SHARP'S PORTRAIT  
BY CHIEF JUSTICE MITCHELL

Thank you Secretary Freeman for sharing memories of Chief Justice Sharp and reminding us of the many contributions she made to the State and to the Judiciary in North Carolina.

At this point, I would like to call upon Dr. Lawrence Taylor, a nephew of Chief Justice Sharp to come forward and unveil his aunt's portrait.

It is with pleasure that I, on behalf of the Court, accept the donation of the portrait to the Court. I instruct the Clerk to, as quickly as possible, have the portrait hung above the door and beside the portrait of former Chief Justice Bobbitt in the Courtroom. I would also instruct Ralph White, our Reporter, to have the entire contents of this proceeding, including the full presentation of Secretary Freeman's, reprinted in the next published volume of the North Carolina reports.

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21. *Greensboro Daily News*, March 5, 1996.

22. *The News and Observer*, March 5, 1996.

**CLIENT SECURITY FUND**

IN RE CLIENT SECURITY FUND OF )  
THE NORTH CAROLINA STATE BAR )

ORDER

This matter coming on to be considered before the North Carolina Supreme Court in conference duly assembled on November 2, 1995, upon the request of the North Carolina State Bar, and it appearing from information submitted by the Council of the North Carolina State Bar that no assessment of the active members of the North Carolina State Bar will be needed in 1996 in order to support and maintain properly the Client Security Fund;

Now, therefore, it is hereby ordered that there be no assessment of the active members of the North Carolina State Bar to support The Client Security Fund in 1996.

This the 7th day of March, 1996.

s/ Orr, J.  
For the Court