

Presentation of the Portrait

of

JOHN WEBB

Associate Justice
Supreme Court of North Carolina
1986 - 1998

March 29, 2001

OPENING REMARKS
and
RECOGNITION OF ROBERT L. McMILLAN
BY
CHIEF JUSTICE I. BEVERLY LAKE, JR.

Chief Justice I. Beverly Lake, Jr. made the following opening remarks:

I want to welcome each of you here for this special session of the Court to honor our former colleague, Associate Justice John Webb. Justice Webb was a most distinguished member of this Court for twelve years and during that time, he made lasting friendships built upon deep respect and admiration for a brilliant legal mind, a kind gentle soul, and a die-hard Tar Heel fan. We have missed his presence on the Bench and in Conference and are please to welcome him back today.

Chief Justice Lake welcomed official and personal guests of the Court. The Chief Justice then recognized the Webb family, Justice Webb's brother, portrait artist, Archie Webb, and Robert L. McMillan, who would make the presentation address to the Court.

PRESENTATION ADDRESS

BY

ROBERT L. McMILLAN

Sometime ago perhaps the highest honor of my life came my way when retired Justice John Webb of the North Carolina Supreme Court asked me to make remarks at the presentation of his portrait to the Court.

My acquaintance with Justice Webb has been intimate for about 70 years. As court decisions measure time our acquaintance with one another extends back to a point at which "the memory of man runneth not to the contrary."

This man proved his mettle to me long ago. He was fifteen, and I was eighteen. The two of us and his first cousin, Charles F. Lambeth, who is present today, traveled for eight and one half days paddling down the Lumber River (sometimes poetically called "Lumbee") to Georgetown, South Carolina, from Maxton. The three of us were in a homemade juniper two-man boat with the most primitive equipment imaginable. (Nothing from L. L. Bean or Abercrombie & Fitch). One paddler would be in the stern. The other would be in a bow. The third person resting between turns of paddling would be sitting on the bait box in the middle. Our supplies were stashed in the bottom of the boat in the sloshing water.

It would be hard to conceive of a more intimate experience or to conceive of an experience that would more severely test nerves, tensions and dispositions than this saga. Yet, we had a glorious time! It was truly a rite of passage.

He "pulled his oar." His gripes were accompanied by smiles and with good humor.

Since I was the oldest of the three, his mother admonished me to take care to see that "John must not get wet since he has severe problems with asthma." She was comforted by my assurance that she need not worry since there was very little possibility of his getting wet. (I can't believe that I said that or that she believed it).

Upon awaking the morning following the first night we were caught by a deluge that can only be described as a "frog strangler." Future Supreme Court Justice Webb was lying spread-eagle on his back covered only by a thin cotton blanket, with his mouth wide open and the rain pouring in. We shook him awake and invited him

to join us in a delicious breakfast of cold sardines and cheese. He has ever since assured me that his asthma was cured forever.

The saga of Justice Webb's life is not that of a person who rose from humble beginnings to great heights. Rather, it is the story of a man who, with a distinguished heritage on his mother's side and on his father's side, has risen to fulfill and live up to the great heights that destiny foretold.

Justice Webb's father was William Devin Webb, a tobacconist and businessman with deep roots in Granville county, with a long and distinguished lineage. Among his family members was his maternal uncle, the former Chief Justice of this Court, William A. Devin.

Justice Webb's mother, Ella Johnson Webb, a person dear to my heart and memory, was from a family with deep roots in Davidson and Scotland Counties. Her distinguished parents were Archibald Johnson, longtime editor of *Charity and Children*, and Flora McNeil Johnson. One of his maternal aunts was Miss Lois Johnson, first Dean of Women at Wake Forest University. A maternal uncle was Gerald Johnson, distinguished journalist and writer.

Justice Webb was nurtured and grew to manhood in a loving home with his parents and his sister, Flora Plyler, and his brother, Archibald Johnson Webb, the artist who painted the portrait being presented today.

He has matured and grown from this elevated plan from level to ever-higher level; the practice of law; service on the Superior Court Bench; a position on the North Carolina Court of Appeals; and finally a seat on our State's highest court.

Justice Webb was born in Nash County at a time when his father was on the Rocky Mount tobacco market. For a while he lived in Oxford and in Greenville. For most of his youth, however, he called Wilson home, as he has done throughout his professional career.

He graduated from Charles L. Coon High School after participating in school athletics, at the same time making an outstanding academic record. Following his graduation and while still only seventeen years of age, he volunteered for service in the United States Navy, serving for the duration of World War II.

Following his discharge from the Navy, he enrolled in the University of North Carolina at Chapel Hill, where he was inducted into Phi Beta Kappa. Thereafter he enrolled in the law school at Columbia University in New York City. Upon his graduation from Columbia

he practiced law in New York City for a short while before returning to Wilson. He and the late Russell Kirby practiced together and were joined by a bright, young farm boy—turned lawyer by the name of James Baxter Hunt, Jr. Not only were the three of them fellow workers, they were also good friends. The affection that the three of them held for one another continued until Mr. Kirby's death. The warm regard that the other two share continues.

It would be amiss for anyone commenting on the life of Justice John Webb to fail to mention his keen interest in all phases of athletics. He played on the teams of Charles L. Coon High School in Wilson. He is an unabashed booster of the athletic programs of UNC Chapel Hill. Yet, he knows more about sports in general than anyone I know. He can relate tales of the teams of State, Duke, Wake Forest and even the old "Big Five" when Davidson was a member with Stan Yoder and Teeny Lafferty starring.

If you want to know the year of Mickey Mantle's best average, ask Justice Webb. Those interested in the lineup of Wallace Wade's first Rose Bowl team at Duke which went into the Rose Bowl unbeaten, untied and unscored upon, may ask Judge Webb.

Look to him if you would like to learn how long Lou Little coached at Columbia and when Sid Luckman and Paul Governali played.

Was Crowell Little better than Jim Lаланne? Was Justice better than both of them? How many dunks did Vince Carter make in this year's NBA All Star Game? Ask Justice Webb.

John Webb is a devout man. Since childhood he has been a faithful member of the First Baptist Church in Wilson. He has served that church on its Board of Deacons, and for all of his adult life he has taught the Men's Bible Class. He continues in this role even today. He also serves as a Trustee for the Baptist State Convention.

Throughout his life he has been an ardent student over the broad spectrum of history, religion and the law.

Never have I known a man better informed than Justice Webb about the history of the State and Nation. His interest in, admiration for and knowledge of the life and times of Sir Winston Churchill surpass the bounds of imagination. To hear him discuss the contributions this great man made toward the salvation of western civilization will bring thrills of emotion to the most stoic. One cannot remain 'blase' in his presence when the subject is Churchill.

Paramount in his life is his love of family: his wife Carolyn, his daughter Caroline and her husband, his grandchildren and his son Will, with whom he is currently practicing law, his sister Flora Plyler, his brother Archibald and his extended family. His friends and family have always felt the warmth of his affection enveloping them.

These varied facets of this man have melded him into the eminent jurist that we know. His empathy for humanity was best demonstrated as he rode the Superior Court Circuit for many years. The friendships formed and the hosts of admirers developed speak volumes about this man's warmth and wisdom.

On the appellate levels in the Court of Appeals and on the Supreme Court, his sound scholarship was made manifest. His mastery of the English language and his legal acumen are apparent in his decisions.

In the conduct of his trials and in appellate decisions, he has demonstrated his awareness that "the letter of the law kills, but the spirit giveth life. "

As a lawyer and as a judge he has heeded the mandate of the prophet Amos, "That justice many run down like water and righteousness as a mighty stream." In the conduct of his life he has always, as admonished by the prophet Micah, "done justly, loved mercy and walked humbly with his God."

To know him as a citizen is to admire him.

To know him as a Judge is to respect him.

To know him as a person is to love him.

He is genteel—as soft as lamb's wool and as strong as steel!

The touchstones of the life of Justice Webb are duty, honor and integrity. What a glorious heritage he provides for his children, grandchildren, family and the people of this state!

Today the people of North Carolina Honor him by the presentation of his portrait that will be on permanent display in the Supreme Court. More significantly, by his lifetime commitment to the blessings of liberty and justice under the law, he has honored the people of this great state and nation.

ACCEPTANCE OF JUSTICE WEBB'S PORTRAIT

BY

CHIEF JUSTICE LAKE

We certainly thank you very much Mr. McMillan for that wonderful tribute. We appreciate it very much.

I would like to call upon the grandchildren of Justice Webb, David, Martha and Patricia, to unveil the portrait.

On behalf of the Supreme Court, we are very pleased and honored to accept this beautiful portrait to add to our permanent collection. It will be mounted very quickly and makes a very fine addition to our collection.

We thank the subject again and the artist for the wonderful portrait and certainly all of you for being here with us today.