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The Late Edward J. McDermott

By JOHN CAVANAUGH, C. S. C.

There is a group of rich and impressive alcoves in the Law Library which bear the conspicuous legend: The Edward J. McDermott Collection. Two-thousand volumes are there—the great fundamental treatises on law; massive, historical tomes, showing how legislation grew in other times and countries; philosophical studies of the evolution of the principles of ancient and modern law, reference works to facilitate study and research, commentaries in many languages—a library that bespeaks even to the casual wayfaring man a versatile scholar and a learned lawyer. It is a notable collection and will stand for many years as a monument to one who, whether as advocate, jurist, orator, statesman, or Christian, might well be acclaimed as a model to Notre Dame lawyers.

It is almost seventy-four years to the day since Edward John McDermott was born in Louisville, Kentucky—to be exact, Oct. 29th, 1852. He experienced the whole gamut of home town education, emerging from the University of Louisville a Bachelor of Arts, 1871. A college graduate at nineteen is unusual anywhere and anytime, and with characteristic wisdom, McDermott elected to study abroad before taking up the work of his chosen profession. There was a year, 1872, in Queen's College, Belfast, Ireland, and another year in the University of Göttingen, Germany. I have always had a feeling that these two years determined his scholarly habit and gave him not only a broad base for his professional studies, but that large, generous, and noble outlook on humanity and its problems that was characteristic of him through life. Returning to America, he took his law degree at Harvard three years later, 1876. This is a mere chronicle of his education and not a history. McDermott was born with a mind inquisitive and acquisitive. Somehow or other, he would have acquired scholarship if he had been doomed to spend

all his days in the Mammoth Cave of his own Kentucky. A lover of books, a reader of books, a buyer of books—the richness of his mind and library grew together until at thirty he began to be recognized as one of the most learned lawyers in a state which has always produced and continues to produce an especially high class bar.

Two kinds of honors naturally came to such a man. Distinction in his own profession, large popularity, respect and admiration, a peculiar idolatry from clients, a constantly growing volume of professional work—these things inevitably came to him. He argued important cases before supreme courts in a dozen different states. He was in constant demand as an orator on ceremonious occasions—the laying of corner stones, meetings of national or state bar associations, conventions of many kinds.

And just as inevitably out of all this grew another glorious tribute, and another call to service. McDermott was never a politician in any cheap sense. At twenty-eight he was in the Kentucky Legislature, and in the same year (1880) was one of the Presidential electors that cast the State's vote for President. At thirty-eight he was a member of the Constitutional Convention and rendered a memorable service by writing (and by his personal efforts, securing the passage of) the strongest, clearest, and by its own terms, most imperishable statute on religious liberty to be found among the state constitutions of our country. Sometimes in moments of peculiar difficulty he was called on for a special service, as in 1888, when he was chosen Chief Supervisor of Elections for Kentucky. When four years later Louisville wanted a new city charter, McDermott must be chairman of the committee of three that prepared it. Between 1911 and 1915 he was Lieutenant-Governor of Kentucky, and at various times since, has been chosen a director of corporations, or an official of Bar associations or legal institutions. For six years before his death he was a brilliant and popular professor of Law in the University of Louisville. He always had time as a matter of recreation or duty to deliver a great speech or write an article for the magazines. He would have lived longer had he not been so violently industrious. Like Bourke Cochran, his ideal was an active life and a swift death, and like Bourke Cochran, his ideal was realized.

The books gathered into the Edward J. McDermott Collection of the Hoynes College of Law, are only part of the treasures of lit-

erature and learning that he had gathered in the course of his studious, multicolored, and intellectual life. He was in a beautiful sense an old fashioned scholar, and whether he wrote or spoke his language was warmed and glorified by classic allusion, anecdote and illustration. He was a practical linguist, and even more markedly a reader of many tongues. His oratory was staccato. His words of invective were dagger thrusts, though in moments of high and serene utterances, no kitten could purr more soothingly than he, no poet write more radiantly or musically. In argument his logic was relentless, his reasoning clear, his conclusion inevitable. Indeed his antagonist often listened spellbound and charmed so as to forget his own argument, or merely to flutter feebly in rebuttal.

A man of medium height, of slender build, with a suspicion of the scholar's stoop, nervous, wiry, tense, habitually grave in conversation, though easily capable of humor at right moments—nobody ever mistook him for a light-minded or negligible man. He took all the great passions of life seriously. He was intense in his patriotism, and by principle and temperament would have given his life to save his country from grafters, hypocrites, and plunderers in times of peace as he would have died to ward off traitors in war. Similarly he was at the same time a wise and passionate Catholic, giving freely of his time and genius to the cause, and often receiving in return, (as I happen to know), curious ingratitude from those whom he had conspicuously served.

He would have told you if you had asked him that the greatest human happiness and blessing in his life came to him when he married Susan Rogers Barr, daughter of a distinguished Kentuckian, a woman of unusual culture and charm, the faithful sharer of his joys and griefs, his triumphs and labors. Three children came to bless their home and now remain to share with their mother in mourning and remembering an ideal and unforgettable husband and father.

Notre Dame lawyers are henceforth the richer for the library which the widow of Edward J. McDermott thought might most suitably come to them as a memorial to one who loved Notre Dame, who wore her Doctor's robe, and who embodied in his principles and performance all that a Notre Dame lawyer should be. It is mererly simple justice that the McDermott name should be honored and loved on this campus.