IN THE SUPERIOR COURT OF THE STATE OF DELAWARE

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C E R E M O N I E S

at the

ADMINISTRATION OF THE OATHS OF OFFICE TO

THE HONORABLE ROBERT C. O'HORA

and

THE HONORABLE WILLIAM T. QUILLEN

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Court Room No. 1
Public Building
Wilmington, Delaware

Thursday, March 31, 1966
10:30 A.M.

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PRESENT:

THE HONORABLE CHARLES L. TERRY, JR.,
Governor of the State of Delaware

THE HONORABLE JOHN BIGGS, JR., Chief Judge,
United States Court of Appeals, Third Judicial Circuit

MEMBERS OF THE UNITED STATES DISTRICT COURT,
DISTRICT OF DELAWARE:
THE HONORABLE CALEB M. WRIGHT, Chief Judge
THE HONORABLE EDWIN D. STEEL, JR., Judge
THE HONORABLE PAUL LEAHY, Judge

MEMBERS OF THE SUPREME COURT OF THE STATE OF DELAWARE:
THE HONORABLE DANIEL F. WOLCOTT, Chief Justice
THE HONORABLE DANIEL HERRMANN, Justice

MEMBERS OF THE COURT OF CHANCERY OF THE STATE OF
DELAWARE:
THE HONORABLE J. COLLINS SEITZ, Chancellor
THE HONORABLE WILLIAM MARVEL, Vice-Chancellor

MEMBERS OF THE SUPERIOR COURT OF THE STATE OF
DELAWARE (Present on the Bench):
THE HONORABLE WILLIAM DUFFY, President Judge
THE HONORABLE WILLIAM J. STOREY, Judge
THE HONORABLE ANDREW D. CHRISTIE, Judge
THE HONORABLE ALBERT J. STIFTEL, Judge
THE HONORABLE STEWART LYNCH, Judge
THE HONORABLE GEORGE R. WRIGHT, Judge
THE HONORABLE JOHN J. McNEILLY, Judge
THE HONORABLE ROBERT C. O'HORA, Judge
THE HONORABLE WILLIAM T. QUILLEN, Judge

MEMBERS OF THE FOLLOWING COURTS:
COURTS OF COMMON PLEAS OF THE STATE OF DELAWARE
FAMILY COURTS OF THE STATE OF DELAWARE
MUNICIPAL COURT OF THE CITY OF WILMINGTON

THE HONORABLE ELWOOD F. MELSON, Judge (Retired),
Family Court of the State of Delaware

THE HONORABLE VINCENT A. THEISEN, President,
Delaware State Bar Association

PRESIDENT JUDGE DUFFY: Ladies and gentlemen, I am pleased to welcome all of you on behalf of Chief Justice Wolcott, who is here, and on behalf of all of the judges of the Superior Court.

Several weeks ago the General Assembly passed a bill which increased the number of judges on this Court to nine; thereafter Governor Terry approved the bill. This combined action of the legislative and executive branches of our government dealt with the judicial branch and it recognized the increasing responsibility which is carried by this particular Trial Court in the administration of justice in our state. We are gratified by this enlargement of the Court, which will enable us to improve the administration of justice to all of the people in the state.

The Court meets today, ladies and gentlemen, en banc, to welcome two honored members of the Bar to the Bench, and with us here in the courtroom, as we meet, are many distinguished public officials. They include not only the Chief Justice, but also Governor Terry, Judge Biggs, Chancellor Seitz, Chief Judge Wright, Justice Herrmann and many other distinguished members of the judiciary and of other branches of our government. We are honored by their presence and by the presence of all of you,

and we welcome all of you to this special session of the Superior Court.

Mr. Robert O'Hora and Mr. William Quillen are well-known to all of our judges, both personally and professionally, and we are indeed pleased to have them join us now on the Court.

The oath of office will first be administered to Judge O'Hora by retired Family Court Judge Melson.

JUDGE MELSON: My boy, before I administer the oath to you I would like to read to you a little note that I have written and which I trust you will read from time to time in remembrance of me:

"Robert, my son, try to remember that with respect to your criminal jurisdiction your judicial oath does not require you to avenge the law that society might be requited but does require you to uphold the law that society might be protected. The intent of your sentence, therefore, should not be to seek satisfaction for the law's breach but should be to seek the offender's willing compliance with the law for its support, remembering that revenge makes the offender more hostile, hence tends to decrease the possibility of his future compliance with and support of the law. Further, try to remember that the

offender, whatever his creed, his color, his condition or his crime, is your brother and that a five-year sentence imposed on him understandingly is just as long and twice as effective as the same sentence imposed censoriously. Finally, try to remember that but for the grace of God your position and that of the offender could have been reversed."

(At this point the oath of office was administered to Judge O'Hora by Judge Nelson.)

(At this point Judge Wright assisted Judge O'Hora in putting on his robe.)

PRESIDENT JUDGE DUFFY: The oath of office will now be administered to Judge Quillen by Chief Justice Wolcott.

(At this point the oath of office was administered to Judge Quillen by Chief Justice Wolcott.)

(At this point Judge McNeilly assisted Judge Quillen in putting on his robe.)

CHIEF JUSTICE WOLCOTT: Judge Duffy, Judges of the Superior Court, may I briefly express the congratulations of the entire judiciary and Bar to the two new judges of the Superior Court. I am aware of the need for this addition, and it is very gratifying that the Governor has made such a wise selection.

Judge O'Hora has many times appeared in this court-

room and has acquired experience in his profession which will be most useful, I am sure, to the Superior Court in the discharge of his duties.

Judge Quillen does not have the wealth of experience and, in fact, is, I believe, the youngest judge of the State of Delaware at the present time. This is not unusual in Delaware. Years ago Samuel M. Harrington, later a distinguished Chancellor, was 27 years old when he was first appointed to the Bench. The present Chancellor was 31, I think maybe two or three months older than Judge Quillen at the present time. He has demonstrated, however, a temperament and ability which will enable him to discharge the duties of office of a judge of this Court with fine ability. Again may I very briefly welcome these two gentlemen to the judiciary and wish them the best of everything for the future.

Thank you.

PRESIDENT JUDGE DUFFY: Thank you, Mr. Chief Justice.

I now call upon the Honorable Vincent Theisen, the president of the Delaware State Bar Association, to address the Court on behalf of the Bar.

MR. THEISEN: With permission of the Court, Chief Justice Wolcott, President Judge Duffy, members of this Court,

members of the judiciary and distinguished guests:

It is with sincere pleasure that I speak today in a dual capacity, first as President and representative of the Delaware State Bar Association, and, secondly, as a member of the Bar who has practiced a good number of years in this Honorable Court. We have all gathered here today to witness the induction of two illustrious members of that Bar Association as associate judges of this Court. To them, Robert C. O'Hora and William T. Quillen, the Bar of this state, in all of its length and breadth, has today one greeting to offer, one message to convey. It is the assurance of its supreme respect, its unfaltering confidence and its cordial attachment to both of you and to wish you Godspeed in your appointed tasks.

The Bar Association congratulates His Excellency, the Honorable Charles L. Terry, Jr., the Governor of this state, for his wisdom in making these selections. We are proud that he, the Governor, as a member of this Association, a former member of this Court and a former Chief Justice of the Supreme Court of our state, has reaffirmed the long-standing tradition of maintaining on this Bench men of the highest judicial caliber. We thank also the members of the Senate who so promptly confirmed the Governor's appointments and thereby made it possible to

carry on these traditions in this great Court, a tradition that has come down to us from lawyers and judges who preceded us, as well as those who presently serve on this Bench, all of whom we admire greatly; for, like the symbol of our state, the diamond, our judiciary has sparkled with a brightness that is unmatched, we believe, in any of the other 49 states.

These two men exemplify the tradition of which I speak. Their careers have demonstrated that each loves his profession; each has a real sense of dedication to justice; each has aimed high as a lawyer and has rendered and exacted courtesy, honor and straightforwardness at the Bar and in their respective communities. Each has respected the judicial office deeply and has maintained the highest standards of competency and excellence. Each has despised all political use or trifling with judicial power and has an affectionate regard for every man who filled his exacting prescription of the "just judge." The practice of law to Judge O'Hora and to Judge Quillen was more than a means of support; it was a mission. And each has demonstrated abilities of leadership that augur well for their future on this Bench.

While it has been difficult for me to determine an order of precedence in speaking of their qualifications, I

would assume that you, Judge Quillen, would understand that I speak first of Judge O'Hora not necessarily because of seniority in age, but because, perhaps, I have known Judge O'Hora just a bit longer.

Robert C. O'Hora was born and reared in Scranton, Pennsylvania. He received his undergraduate degree of Bachelor of Arts from the University of Pennsylvania. While an undergraduate, Judge O'Hora was an outstanding football player. He also subsequently served with great distinction in the United States Marine Corps.

It was, I think, the late F. P. Adams who wrote that "Success in life is not assured to those who are the fleetest in the race, nor the most courageous in battle; but it is a pretty good thing to bet on." Bob O'Hora's training in this respect has carried him through a most successful adversary practice. After his admission to the Delaware Bar in 1948 he plunged into an active trial practice in all of the Courts of this state. While in later years his practice appeared to revolve in large measure around the protection of human rights and property in the representation of defendants, his experience on the prosecution side of this coin was received while acting as Assistant City Solicitor for the City of Wilmington. His

demonstrated ability, both as a prosecutor and a defender, are now merged and the experiences which he has gained are combined as he moves onto this honorable Bench. He brings with it other experiences which, in the professional field, include Attorney for the Industrial Accident Board, for the Levy Court of New Castle County, Attorney for the House of Representatives in Dover and for the Youth Services Commission. He has been honored by being an officer of the American Trial Lawyers Association and has been active on a great variety of committees of the Delaware State Bar Association. He has the further distinction of being the husband of Mary Melson, daughter of our beloved New Castle County Family Court Judge (retired) Elwood F. Melson, Sr., who preceded me in these ceremonies.

It is on this background that we, the members of the Delaware Bar Association, place our unfaltering confidence that Judge O'Hora will carry on the highest traditions of this Honorable Court.

Now maturity is not confined to any particular age, nor is logic. While Oliver Wendell Holmes in his essay entitled "The Common Law" said, "The life of the law has not been logic, it has been experience," experience at a rapid pace has been the keystone in the development of Judge William T.

Quillen. Reared in New Castle County, Delaware, a graduate of Friends School in Wilmington and of Williams College in 1956, his excellence in the field of academic learning was such as to be recognized by the award of the Phi Beta Kappa key. Judge Quillen graduated from the Harvard Law School in 1959, and thereafter he served for three years in the Judge Advocate General's office of the Air Force. Upon discharge from service he began a close, affectionate and rewarding association with His Excellency, Charles L. Terry, Jr., presently Governor of this state. In 1959 Judge Quillen served his clerkship with Governor Terry, who was then the Chief Justice of our Supreme Court. Admitted to the Bar in the same year, he joined the Wilmington law firm of Richards, Layton & Finger and in 1965 Governor Terry called upon him to serve as Administrative Assistant to him in Dover. Married to the charming Marsha Stirling, and the father of two charming little daughters, he returned to private practice a year later and rejoined the Richards firm.

It is little wonder, therefore, that when the Legislature of our state, recognizing that we are in the center of one of the largest population explosion areas of our country, decided to enlarge the Superior Court by the addition of two new

judges, members of the Bar Association and Governor Terry, as well, thought of Mr. Quillen as one of the new judges. His appointment is one that is noteworthy also because, as the Chief Justice has recently stated, he is one of the youngest to be appointed to the Bench and is the youngest man to be appointed to a major Delaware Bench in 135 years. At 31 he is slightly younger than Chancellor Seitz, who has served his state, and indeed his nation, with great distinction in the Delawere Court of Chancery. Today Chancellor Seitz has been nominated for appointment to the Third Circuit Court of Appeals. Like Mr. Quillen, he was young and relatively inexperienced in practice -- and in practice only -- when he was elevated to the Court of Chancery. In the years that have passed he has earned the respect and admiration of those who have come before him, litigants literally from all parts of the world. In his span on the Bench Chancellor Seitz has proven to be one of the most capable judges in equity. Thus, by precedence, Delaware can look forward to the judgeship of William T. Quillen, confident that a man of exemplary character and sparkling intellect will also carry on in the highest tradition of our Courts.

Now the relation of the Courts of Delaware to the advocates whom I represent and who have from time to time

gathered about them have always been among the happiest incidents of being a Delaware lawyer and, we trust, a Delaware judge. It has been the good fortune of our Bench and Bar in an uncommon degree to look to the Court and its judges not merely with respect but with a sincere personal affection. Judges will be appointed, will pass away, one generation rapidly succeeds another, but whoever comes and whoever goes, the Court remains. The king may die but the king lives. Strong in its traditions, consecrated by its past, fortified with the steadfast support of the profession that surrounds it, this great Court, and all of the Courts of Delaware, will go on, and still go on, keeping alive the light of justice that burns with constant radiance upon the Courts of this state.

To you, Judge Robert C. O'Hora, and to you, Judge William T. Quillen, may we wish a continued, fruitful association with the Bar of this state, may you find your new appointments to be inspirational and may we join with you in carrying on the traditions of our joint profession to the end that we establish in Delaware the traditional doctrine that "the only liberty humanity can tolerate is liberty that is under law."

PRESIDENT JUDGE DUFFY: Thank you very much, Mr. Theisen, for your remarks and particularly for your expression

of confidence in the Court and the Courts.

As I have already indicated, ladies and gentlemen, Judge O'Hora and Judge Quillen are well known, personally and professionally, to the other members of this Court. As Mr. Theisen has indicated, Judge O'Hora has been a member of our Bar for many years. He has had a broad participation here in both criminal and civil cases. In short, he has been, is, a very experienced trial lawyer. Judge Quillen's practice here has been more limited, but, significantly, his professional and his personal qualifications have been highly esteemed wherever he has gone. In school and thereafter he served with distinction in the military service, with his law firm, and later in the office of Governor Terry.

As to both judges, we respect them as lawyers and as men and we greet them here on this Bench as brothers. And to their families, who are gathered here in the front of the courtroom, we extend a greeting and welcome which is equally warm and affectionate. The Governor's selection of Judge Quillen and Judge O'Hora, I think, reflects great credit not only upon the men themselves but upon the families as well; and I am sure that much of what is purposeful and good in their lives finds its inspiration in their families, and in the relative isolation in

which a judge necessarily lives, this is apt to become more true in the future.

I am confident that both Judge O'Hora and Judge Quillen will add immeasurably to the professional prestige of this Court. By their industry and their learning and patience and kindness they will help all of us, all of the judges, share what Holmes called "that trembling hope, the trembling hope that we move near to an ideal, the ideal of justice under law."

This completes the formal part of the ceremonies, ladies and gentlemen, and after we do recess here Judge Quillen and Judge O'Hora will remain in the courtroom so their friends who are here may have an opportunity to greet them.

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