Edward Douglass White

Edward Family

Edward was born on a farm in Lafourche parish, Louisiana, November 3, 1845. He attended Mount St. Mary's college in Maryland, the Jesuit college in New Orleans and Georgetown college in the District of Columbia. He left college at 16 to enlist as a private in the Confederate Army. In the battle of Port Hudson, north of Baton Rouge, he was taken prisoner and in 1863 was paroled.

Named by Cleveland

At the close of the War Between the States he read law in New Orleans in the office of Judge Edward Bermudez on Royal street, and at 23 was admitted to the bar. He rose rapidly in his professional career, was elected to the state senate in 1874, was appointed associate justice of the State Supreme Court in 1879 and was elected to the United States Senate from Louisiana in 1891.

White was appointed associate justice of the United States Supreme Court by President Grover Cleveland in 1894, was elevated to the office of chief justice of the United States by President William Howard Taft in 1910, and at the time of his death, in 1921, had served 27 years on the nation's highest tribunal.

In the state legislature White was closely identified with the anti-lottery movement, and he worked ardently for the construction of levees along the Mississippi. He carried a musket and assembled with others at the Clay statue, on Canal street, on that memorable day of September 14, 1874, to participate in the demonstration that finally broke the back of carpetbag rule in Louisiana.

White fought for a protective tariff on sugar in the United States Senate. As a justice of the United States Supreme Court his one passion was the Constitution. During his term he wrote opinions in 700 cases. His judicial philosophy classified him neither as a liberal nor as a conservative. As he construed the law, in keeping with his oath of office and the light of understanding, he usually found himself somewhere between the extremes.

Popular Criticism

In delineating the character of a colleague, on one occasion, Judge White inadvertently disclosed his own judicial ideals:

There was a "fixed opinion on his part as to ... the Constitution ... no thought of expedience, no mere conviction about economic problems, no belief that the guarantees were becoming obsolete or that their enforcement would incur popular odium ever swayed his unalterable conviction and irrevocable purpose to uphold and protect the great guarantees with every faculty he possessed."

In 1895 the Supreme Court rendered three decisions that gave rise to popular criticism. One decision was in favor of the Sherman Anti-Trust Act, another held the Federal Income Tax of 1894 void in part, and the third upheld the power of the federal government to issue injunctions in labor disputes. Judge White dissented in the income tax case. The agitation these decisions created probably reached its peak in the Progressive campaign of 1912, or may have just begun then. Through the heated controversy that raged Judge White's harmonizing personality did much to reconcile differences of opinion on the bench.

Coming from the only state whose laws are based upon the Napoleonic Code, Judge White brought to the Supreme Court a knowledge of civil and common law.

Tireless Worker

He sat upon the bench in suspicious and explosive times. The country had not fully recovered from the War Between the States, and he became a stabilizing factor in a nation politically and socially shell-shocked.

A man of great bulk, broad mind and big heart, he presided over the Supreme Court with a dignity that inspired confidence and respect. A tireless worker, he speeded up the machinery of the court to make a record that won the praise of bench and bar. He was gracious, genial, lovable and popular. He was a man of learning, integrity and judicial temperament.

Upon the horizon of humanity there looms now and then a man of justice; he always comes out of the crowd, for he must be the product of experience. Unbiased, he cannot let prejudice, personal opinion nor political consideration deter him in the interpretation of the law, in keeping with his oath and the Constitution.

Edward Douglass White was such a one. Orphaned at the age of two, at 16 he was baptized from the War Between the States, and the product of experience. Unbiased, he cannot let prejudice, personal opinion nor political consideration deter him in the interpretation of the law, in keeping with his oath and the Constitution.

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