

Remarks of
U.S. Senior Circuit Judge
Frank M. Coffin

In Memory of Judge Hugh H. Bownes
U.S. Courthouse, Concord, N.H.
December 13, 2003

For me the poignancy of saying farewell to my dear friend of thirty-five years is softened by recalling his indelible presence. Picture Judge Bownes, not wanting to miss anything, dropping in on this event. He would immediately back out of the room, convinced that he was in the wrong place. For "Why," he would ask, "would so many be interested in me?" Well, we all are, partly to share in our grieving, but more selfishly to identify and embrace the legacy he has given all of us.

His first bequest was courage - three kinds. Hopefully none of us will be called on to risk life or limb for our country, but if we are, he has been there. More likely to be put to use is the courage to take unpopular positions on principle. In Judge Bownes we saw a man who never flinched under criticism, and had faith that time would vindicate him. . . as it has. And, finally, many of us will need the kind of courage he has shown over the past decade, to endure and fight the onslaught of failing health with unfailing grit, spirit, and an infectious zest for life.

He also bequeathed his values, hoping for legatees who would also cherish them. He was proud of his credentials as a sturdy liberal. Judicially, as he put it in a 1986 speech here in New Hampshire, his gospel was the Bill of Rights, guarded by an independent judiciary interpreting what he termed, "the living Constitution in the light of history and precedent and apply[ing] its great principles to current problems and needs."

A third gift was love - first of all for his cherished family, but then spreading out to include all of us. Coming to our court in 1977, he quickly found a way to our hearts. He never let me forget, with his leprechaun grin, that I was several months older than he was. And he often said that his early days on our court of only three active judges and one senior were among the happiest in his life. But he heartily welcomed each of our colleagues as our court grew. And we all can attest to the candor, humor, integrity, common sense, and plain hard work that, up to the very end, constituted the grace note that ennobled our court.

Like another great loss of the year, the revered Old Man of the Mountain, Judge Bownes will live on in our hearts and minds.