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JAMES M. SPROUSE

J. HARVIE WILKINSON III

United States Court of Appeals

for the Fourth Circuit

Judge

I remember inviting Judge Sprouse to Charlottesville one weekend for the Virginia-West Virginia football game. He enticed me to a West Virginia rally the night before that contest. When Jim entered the room, many in the gathering wandered over to talk about old times and past campaigns. The short judge still stood tall in their eyes — public service, as Jim Sprouse exemplifies it, will always hold an honorable place.

One gentleman that evening referred to him as Governor. Jim Sprouse never was Governor of West Virginia, of course. His race against Arch A. Moore, Jr. for that office in 1968 was about as close as a race can be. Narrow defeats can be hard to absorb. It is a tribute to Jim that the loss never left in him the slightest residue of bitterness. Nor did all the long years of partisan politics ever affect his outlook on the bench. He would laugh and say that a Republican president had as much right to appoint a judge as a Democratic president did, and (though this was quite a concession), that a Virginian had as much right as a West Virginian to sit on a federal court. Jim's blend of combativeness and collegiality produced an ideal judicial temperament. He didn't dissent often, but when he did, you knew you were in for a rough time. He told me once his nose had got just a bit crooked from so many boxing matches in his younger years. One would never have wished to be one of those in the ring with Jim Sprouse, but one would also never have a fairer fight or a finer friend at the end of the day.

Jim has Paris, France, and Columbia University in his background. He is also at home with cows. Jim doesn't just feed his cows; he communicates with them. The people of Lewisburg know him, not primarily as a judge, but as a farmer who talks easily with the propri-

etors of small stores and the customers of corner filling stations. Jim is known for the personal touch. When he traveled to Richmond or Baltimore to sit with the Fourth Circuit, he liked small hotels where friendly greetings in the lobby could still be exchanged. His daily life was as humanized as it is possible for a judge to make it. Judge, farmer, teacher, philosopher, devoted husband, father, and grandfather — Jim Sprouse is a man of many hats, all of them homespun.

All of this, I think, made him a marvelous judge. He kept a sense of his roots. He understood how law affected the ordinary citizen it was intended to serve. He maintained his humor and perspective. He had no ego hangups, and he bore no personal grudges. On the Fourth Circuit, he became a force of quiet strength, intelligent consistency, and boundless good will. To say he will be missed is quite an understatement. He retires with the gratitude of colleagues whose own lives are the better for his service.