

July 6, 1914.

On this the 6th day of July 1914, came James S. Pilcher, a member of the Bar of this Court, and presented resolutions passed by the Nashville Bar with reference to the death of Mr. N. D. Malone, and moved the Court to order the same spread upon the records of this Court.

Thereupon, the Court was pleased to order that said resolutions be filed and spread at length upon the Memorial Book of this Court:

The Nashville Bar, following closely upon the death of one of its most esteemed and prominent members, the late James C. Bradford, is again called upon to express its affectionate regard and to place upon record its estimate of still another deceased member, N. D. Malone.

In December of 1913, Mr. Malone suffered a second stroke of paralysis and was thereafter confined in a helpless condition to his bed until relieved by death from suffering which occurred June 25, 1914, at his home in the City of Nashville.

N. D. Malone, affectionately known as "Nick" Malone among the older members of the bar, was born June 27, 1844, in the town of Athens, Alabama, his father being a leading physician of that town and of North Alabama. At his death N. D. Malone lacked two days of seventy years of age, the three score years and ten usually allotted to man.

At the age of sixteen, Mr. Malone entered the University of Alabama, then located at Florence, to complete his education, and was in his Sophomore year when the war between the States began. He entered the Confederate army as a private, but his ability and bravery were such that he was made a captain in the Seventh Alabama Infantry. The South had no braver or more devoted son to defend her cause than N. D. Malone and for four long years he fought the fight and kept the faith, facing the enemy with signal bravery on many hard fought fields of battle, laying down his arms finally with the distinguished and valiant soldier and gentleman, Gen. Joseph E. Johnston, in North Carolina. With the close of the war he returned to his home in Athens, Alabama, and entered the law office of his cousin, afterwards Judge Thomas H. Malone. In the year 1866, these gentlemen came to Nashville to engage in the practice of law.

N. D. Malone never sought nor held any public office, but in the practice of his profession as a lawyer he rigidly followed the highest ideals of that profession and in

his daily practice exemplified its best ethics, attaining as he most justly merited, success and honor as a lawyer and citizen.

On November 7, 1871, he married Miss Laura Petway, the daughter of a well known and prominent Nashville family, by which union he had five children, three of whom, with his wife, survive him.

Mr. Malone was a most consistent and useful member of the Methodist Church and his funeral was conducted from the West End Methodist Church followed by interment of his body in Mt. Olivet Cemetery near Nashville, there to sleep until that great resurrection morn.

As a lawyer "Nick" Malone was accurate, painstaking and clear-headed. He had a most excellent mind and was diligent in his lawsuits. For him life had no compromises when it came to matters of duty and principal; he was a Round Head rather than a Cavalier in his devotion to principal, in fact his character was a bit angular and austere in his convictions to the last degree.

THEREFORE, BE IT RESOLVED, That in the death of N. D. Malone the Nashville Bar has lost a member that reflected honor upon it, and was a fit exemplar of its glories and traditions. That as a citizen and man he played his part well and justly earned the affectionate esteem and high regard of all who knew him.

To his afflicted and bereaved wife we tender our condolence and tender sympathy, and to his children our regret and commiseration at the loss of an affectionate father and faithful guide.

Respectfully submitted,
Robert L. Morris, Chairman,
A. G. Rutherford,
James B. Newman,
Committee.