

# The Washington Historical Quarterly

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## JUDGE THOMAS BURKE

When one who has towered above his fellows in intellect and achievement lies down to enter upon the long sleep how truly for those who remain does there seem a vacant place against the sky.

The span of half a century may yield lean annals for the older communities of the earth, but in this newer Pacific Northwest such a period spells the leap from forest to city, from wilderness to metropolis.

Through such a length of fruitful years Thomas Burke wrought with a profound and unsparing industry. His skillful hands touched every worthy cause within his reach; his fertile brain visioned opportunities and blessings for city, state and nation; his dauntless courage combatted and conquered dangers; his loving heart linked to him countless friends of every hue and station, each of whom alone knew some act of kindness.

He lived to the fulness of time from his humble birth in Clinton County, New York, on December 22, 1848, to the zenith of his career in the nation's metropolis on December 4, 1925.

During the years of his boyhood the fibers of his sturdy character were strained and strengthened by alternating work and study that he might obtain an education while helping, as well, other members of his family. These struggles culminated in the University of Michigan Law School in 1872. He was admitted to the bar in 1873 and removed to Seattle in the spring of 1875, where he began and maintained the half century of remarkable achievement.

His first partnership was with Judge John J. McGilvra who had come to Washington Territory in 1861 as United States District Attorney, an appointee of President Lincoln. Judge Burke made permanent his alliance with the McGilvra family on October 6, 1879, by marriage with Caroline E. McGilvra. The widow of Judge McGilvra has passed her ninetieth birthday. She received daily and joyful letters from Judge Burke during his last journey. Three of those letters arrived in Seattle after the news of their writer's death had been flashed around the globe.

Judge Burke's success in his profession of the law was quick and continuous. His ability was at once recognized by his election as Judge of the Probate Court of King County from 1876 to 1880 and later by his selection as Chief Justice of the Supreme Court of Washington Territory in December, 1888. That position he resigned in April, 1889, after having helped to clear the congested calendar.

Success and greatness as a lawyer would satisfy the ordinary man. Judge Burke was not of that type. His civic interest soon became dominant. He served on the Territorial Board of Education, as a member of the Seattle Board of Education, as a Trustee of Whitman College and always as a friend and helper of the University of Washington. In the early days he was a charter member and the first volunteer secretary of the Seattle Chamber of Commerce. In later days his influence was potent in the larger matters of transportation, notably the advent and development of the Great Northern Railway. It is simply bewildering to contemplate the energy that emanated from this one among the valiant leaders who worked so effectually on the upbuilding of Seattle and other communities of the Pacific Northwest.

During the anti-Chinese riots of 1886, Judge Burke, with other like patriots, carried a musket to uphold law and order and to protect weak foreigners within our gates. From that moment he availed himself of every opportunity to use his convincing eloquence and his own resources to advocate international justice and friendship. In his last year of life he was warned by physicians to avoid public speaking. In defiance of that warning, he arose among his fellow trustees of the Carnegie Endowment for Peace to make one more plea for justice toward the Japanese. The end had come. As he collapsed he fell into the arms of his strong friend President Nicholas Murray Butler of Columbia University and, thus held, he passed on into the other world. He would not have chosen any other way of death, still giving of his talents a service for others.

The facts of Judge Burke's life and death have been published in the newspapers from the Atlantic to the Pacific and in the newspapers beyond the Pacific and beyond the Atlantic. This simple tribute is published here out of a spirit of loyalty to his memory. He was one of the founders of the *Washington Historical Quarterly* and, with his friend Samuel Hill, sustained it through the first difficult years of its existence.

EDMOND S. MEANY.