

ROANOKE BAR ASSOCIATION

HONORARIUM

COL. JAMES P. HART, JR.

(1907-2001)

Colonel Hart.

For me he is a father, a mentor, a best friend and a valued colleague. To many members of the Roanoke area bar, he has also been the mentor, the friend, and the colleague.

James P. Hart, Jr. was born in Roanoke on October 18, 1907, the eldest child of Emily Davis Hart and lawyer James P. Hart, Sr. His sister was Anne Hart Gooch and his brother was John L. Hart, also fondly remembered as member of the Roanoke bar. Jim's uncle was the Hon. John Marion Hart, who served as Judge of the Hustings Court for the City of Roanoke from 1922 to 1933, and then served as Commissioner of the Revenue for the City of Roanoke until the late 1950's.

Growing up on Walnut Avenue in what is now the Old Southwest area of Roanoke City, Jim Hart graduated from Roanoke High School in 1923. At age 16 ("with pink cheeks" according to the VMI yearbook) he enrolled at Virginia Military Institute, graduating in 1926 with a B. S. in Civil Engineering. He entered the University of Virginia School of Law and obtained his Bachelor of Laws degree in 1929. He began the practice of law by joining the family firm of Hart & Hart Attorneys, founded by his father and uncle in 1896. Col. Hart passed the Virginia Bar Exam in the summer of 1928, still too young to be licensed, so his law license was not issued until his 21st birthday, October 18, 1928.

In 1974 I was involved in moving the Law Library at UVA when the new Law School was occupied, and found the daily grade book of one of his professors (like finding your parent's old report card!). His (and his best friend's) daily grades were a string of A's and B's, except for one day when both received a Zero. When I asked him about it, he was discretely vague about his activities the night before, but definitely remembered the occasion.

In 1934 he left Roanoke to work for the Home Owners Loan Corporation as attorney in charge of the regional office in Memphis, Tennessee; in 1939 his career took him to California as Assistant General Counsel, Senate Civil Liberties Committee (LaFollette Committee), then briefly to

Washington DC in 1940 where he worked as litigation attorney with the Wage and Hour Division of the US Department of Labor.

Following graduation from the University of Virginia School of Law in 1929, Jim Hart received a commission in the U.S. Army Reserves and was called to active duty in December 1940. During World War II, he served in Europe with the 9th Army Armored Division and the 16th Corps Artillery, was in the Battle of the Bulge, Ardennes Offensive, and the crossing of the Roer and Rhine Rivers. Col. Hart was released from active duty in 1946 with the rank of Colonel, returned to Roanoke and private law practice with Hart and Hart, and continued active reserve status until he retired from the Army Reserves in 1960 with 31 years of service. Following military retirement Col. Hart was appointed by President Johnson as a Civilian Aide to the Secretary of the Army.

Politics was an avocation for years. Col. Hart was active in the Virginia Democratic Party and served as a delegate to the 1932 Democratic National Convention. He was a leading opponent of the political organization run by Sen. Harry F. Byrd, Sr. (which he named the "Byrd Machine"), running against Willis Robertson in 1948 as a U.S. Senate candidate in the Democratic Primary. My father could spot political trends and issues before most, and often counseled candidates and elected officials on his perspectives. I observed my father meeting with state senators and delegates, University officials and educators at our home as they designed the concept for a community college for Roanoke which in turn became a model for the Virginia Community College system, enacted during the first term of Gov. Mills E. Godwin.

Col. Hart worked within the Bar to improve legal services. He is a past president of the Roanoke Bar Association, served as committee chair in the Family Practice Section of the American Bar Association, and was a member of the Virginia State Bar's district disciplinary committee. During the early days of Roanoke's Legal Aid Society a rural judge refused to allow one of their attorneys to appear in a case. Col. Hart supported the filing of a petition for mandamus in the Virginia Supreme Court which resulted in recognition of Legal Aid all over the Commonwealth.

Jim Hart was also involved in civic activities. In the 1960's he was a member of Roanoke City's Charter Study Commission, which resulted in a substantial change in the structure of the City's government. He also served on the budget study committee that advised Roanoke City Council on efficient use of tax funds. The Roanoke Valley S. P. C. A. benefited from Col. Hart's

leadership as President for many years. On his seventy-fifth birthday, then Roanoke Mayor Noel C. Taylor presented him the Key to the City in recognition of his service for Roanoke.

No commentary on Col. Hart would be complete without mention of Escheat, considered by many as the dust at the back of a cubbyhole of Real Property law. In 1965, Gov. Albertis Harrison appointed Col. Hart as the Escheator for the City of Roanoke. At that time, no escheat proceedings had been brought in the Commonwealth for fifty years. My father was not content with a nice certificate bearing the Governor's autograph: he was determined to discharge his official duties. Inventing the proverbial wheel, he established a methodology that was adopted statewide, taught seminars for other escheators, and influenced 30 years of legislation regarding escheats. At one General Assembly committee hearing considering changes to the escheat laws a delegate asked, "Has Col. Hart seen this?" When the reply was "He wrote it" discussion stopped and the changes passed unanimously.

As many things as my father did, he was not a work-a-holic. He rarely stayed late at the office, even more rarely brought work home, and never missed Wednesday afternoon golf. He embraced technology and in 1964 acquired the first "Word Processor" in Roanoke: an IBM MTST, and proudly demonstrated its features to all who wanted to see.

Col. Hart's wife is Patricia H. Quillen, Assistant Attorney General for the Commonwealth of Virginia. They live in an historical landmark home on Persinger Road, in southwest Roanoke City, and still have the 1956 Packard, now wholly restored. He has two sons: James P. Hart III, retired from IBM, and Ross C. Hart, who continues in the law firm of Hart & Hart Attorneys, Ltd. Both sons were raised under the example of the VMI & UVA "Honor System" and this sense of integrity is his greatest gift to us. Col. Hart has six grandchildren and three great-grandchildren.

Col. Hart remained active in the practice of law and saw clients until the early 1990's. When his health permitted he went to the office every day if even for a few hours. Now, fully retired, he and the family greatly appreciate that this Association, having completed its Seventy-fifth anniversary, chooses to honor his seventy-two years of membership.

Ross C. Hart, September 12, 2000

Note: Col. Hart passed away May 2, 2001, after this Honorarium was presented to him by the Roanoke Bar Association.