MATTHEW P. DEADY

Matthew P. Deady was born near Easton, Talbot County, Maryland, May 12, 1824, son of Daniel and Mary Ann (McSweeny) Deady, of Irish descent. He attended school in Wheeling, W. Va., where the family removed, but derived much of his early education from his father, who was a tutor and whom he accompanied in various employments in that capacity in Ohio, Kentucky and Mississippi. After a period of work on a farm his father acquired, where he gratified his taste for reading ancient and modern classics, he went to Barnesville, O., in 1841, and learned the blacksmith's trade. He continued his studies at Barnesville Academy, contact with which so stimulated his scholastic bent that he abandoned the smithy, became a teacher and studied law.

In 1847 he was admitted to the Ohio bar and later entered the law office of Henry Kennon in St. Clairsville, O. His early practice included cases before justices of the peace, and he also served as township clerk for a year. In 1849 he removed to La Fayette, Oregon, where he returned to teaching in a large school conducted by Prof. John E. Lyle, whom he subsequently joined in its management as a partner. He also practiced as an attorney, acting as counsel to the Yamhill county commissioners during the formative period of Oregon's growth as a territory, and aided them in establishing the local legal machinery necessary under the new territorial government.

In 1850 he was elected to the lower house of the legislature by the county and served on important committees, including the judiciary. At the session's close he prepared for publication the first volume of laws published in the territory, embracing the statutes enacted in 1849 and 1850. The next year his county elected him to theOregon legislative council or senate, of which he was president in 1852-53, after serving as chairman of the judiciary committee. He left the legislature in 1853 to join the territory's supreme court as associate justice for the southern district of Oregon, whereupon he removed to that section and organized the courts of its five counties. He headed the convention which met at Salem in 1857 to frame a state constitution, some clauses of which, especially those relating to corporations and the judiciary, were molded by him.

Upon Oregon's admission to the Union in 1859 he was appointed judge of the U. S. district court for the state, with which office most of his subsequent career was identified. Appointed the code commissioner by the legislature in 1862 he prepared the Oregon Code of Civil Procedure, which was enacted that year, and also framed a general incorporation act, one of the first measures adopted in the United States that put all corporations on the same footing by declaring that any three or more persons could incorporate to engage in any lawful enterprise as provided by the act. His next service for the legislature (1864) was the formulation of a Code of Criminal Procedure, a Penal Code, and a Justice's Code, all of which were enacted. The act in-

corporating the city of Portland, another legal measure he originated, became the model of similar acts for incorporating other towns of the state.

About this time, owing to the war depreciation of greenbacks, he entered journalism to supplement his income as correspondent of the San Francisco "Bulletin", a connection he retained for four years (1863-67). His judicial functions also took him to San Francisco, where from 1867 to 1869 he held the U. S. circuit court in addition to conducting the district and circuit courts in Oregon. Meantime (1865) he published the general laws of the state, and in 1874, he and La Fayette Lane were appointed by Governor La Fayette Grover (q.v.) to make a further codification of the statutes. The result of their work was the code entitled "General Laws of Oregon, 1843-72", collected, revised, rearranged and annotated with notes and references, which continued in general and sole use until the next code of 1887.

He was one of the founders of the Library Association of Portland, of which he was acting president for many years, and a regent of the University of Oregon. In religion he was affiliated with the Episcopalian church after having been reared in the Catholic faith.

He was originally a Democrat in politics, being of southern extraction, but with the civil war he supported the Republican party as the one that best represented the supremacy of the national government. Judge Deady was a great believer in rusticity and a simple home life, even in face of pronounced aristocratic tastes. He believed that all pursuits not connected with the soil were mere artificial outgrowths of modern civilization, to be tolerated only by the necessities of society, and that the occupations of artisans and professional men were departures from the natural order of life. Hence the nearer the people kept to the primary methods of acquiring a livelihood the happier they were.

Joseph Gaston in his "Centennial History of Oregon", described him as "in every sense Oregon's greatest citizen". Judge Deady was married June 24, 1852, to Lucy A., daughter of Robert Henderson of Yamhill county, Oregon, and had three sons: Edward Nesmith, Paul Robert and Henderson Brooke Deady.

Judge Deady died in Portland, Oregon, March 24, 1893.