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**A HISTORY  
OF  
THE LAW CLUB  
OF THE  
CITY OF CHICAGO**

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**By  
John S. Lord**

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1968**

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**FOREWORD**

I deeply appreciate the suggestions—written and verbal—of many members of the club and also pertinent criticisms from several non-member friends. There are so many that I hesitate to list the names. However, I consider it appropriate to express my thanks for the helpful advice and criticism of Mr. Clement M. Silvestro, Director, Chicago Historical Society. I regret I did not receive them earlier.

— *John S. Lord*

October, 1968.

## PREFACE

I hope that this informal history of the Law Club will give the members a better understanding of a venture which started in 1883 and was rather unique in legal circles.

There is little factual material to work with. Apparently the founders of the club and their successors in office felt that the only material that need be preserved was the Constitution, the by-laws, the names of the officers and the executive committee for each year, and a list of authors, titles, and dates of papers read before the club. No recognition was given to either the fiftieth anniversary of the club in 1933 or the seventy-fifth in 1958.

The first time the members were told about the early history of the club and those who were active in it during the early years was on April 27, 1923 when a program entitled "Reminiscences by Members of the Club Relating to Incidents Connected With the Lives of Older Members of the Bar" was presented. Unfortunately, there is no record of what was said. The same is true regarding Judge Charles S. Cutting's remarks on February 25, 1927 when his subject was "Early Reminiscences". The only story which has been preserved is Major Edgar B. Tolman's address, "Law Club Remembrances, 1895-1945" on December 7, 1945.

Some may feel that a history should be withheld until the club is about to celebrate its centennial in fifteen years. But upon reflection it seems advisable to publish it now, hoping that it will stimulate interest in that important event and encourage the older members to record some memories of their contemporaries and the

club itself. This will require them to search for and dust off many old files that have been long forgotten and, hopefully, one of them may discover the club's lost constitution or records which will aid the centennial historian.

It would also be helpful if former secretaries of the club examine their files to see if the minutes of early meetings have been preserved.

Finally, while refreshing my memory of the important events in Chicago during these years, I became so impressed that I decided to strongly urge all members of the Law Club to do the same. I direct this suggestion particularly to the younger members and recommend *Fabulous Chicago* by Emmett Dedmon and *Chicago, A Pictorial History* by Herman Kogan and Lloyd Wendt as a good refresher course.

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## CHAPTER I

### THE FOUNDING OF THE LAW CLUB

Chicago was and is an amazing city. Indeed, it was marked for pre-eminence when the first white man, the distinguished explorer La Salle, set foot on this soil. "The boundless regions of the West," he wrote a friend in 1682, "must send their products to the East through this point. This will be the gate of empire; this the seat of commerce. Everything invites to action." "The typical man who will grow up here," he continued, "must be an enterprising man. Each day as he rises he will exclaim: 'I act, I move, I push' and there will be spread before him boundless horizons and illimitable fields of activity."

Here was a swampland settlement that made itself into one of the world's greatest commercial centers within the span of a few years. The level of the entire business section was raised about ten feet and the course of the Chicago River was reversed. The superb location at the foot of Lake Michigan enabled it to reap the benefits of railroad construction in the late nineteenth century. As the railroads created a national market, Chicago drew to itself the products of the great Middle West and distributed them to the rest of the nation and the world. In the words of Carl Sandburg, it became:

Hog Butcher for the World,  
Tool Maker, Stacker of Wheat,  
Player with Railroads and the Nation's Freight  
Handler;  
Stormy, husky, brawling,  
City of the Big Shoulders.

Chicago was a "miracle of paradox and incongruity". An English tourist, G. W. Stevens, portrayed the city in the 1890's as:

The most beautiful and the most squalid; . . . the chosen seat of cutthroat commerce and munificent patronage of art; the most American of American cities and yet the most mongrel; the second American city on the Globe; the fifth German city; the third Swedish; the second Polish; the first and only Babel of the age; all of which twenty-five years ago was a heap of smoking ashes.

"Fabulous Chicago". Its story has an aura of romance rather than one of sober history. I have always felt that the tempo of Chicago has been something special, something that produced drive, aroused ambition, provided opportunities for achievement. I felt it during my early years here and really have ever since. Over the years I traveled a great deal, and when I returned to Chicago on the train and again sniffed the smoke and fumes of the city, it seemed I was filled with an eagerness to get back into the stride and excitement and forge ahead. Here was the challenge and the place for able, ambitious men and lawyers to show their talents .

I like to think that Chicago lawyers were not quite like lawyers in other large cities. They were different; better, more daring, more vigorous and, as men, more human.

The great Chicago Fire of 1871 generated an unusual amount of energy in all who helped to rebuild the young city, which then had a population of about 300,000. Briefly, the fire left more than 250 dead, burned 98,500 people out of their homes, destroyed 17,450 buildings, and consumed an estimated \$200 million of property. Nearly all of the business section north of Congress Street was leveled as 2,533 acres on the north side were reduced to ashes.

It was here that the founders of the Law Club lived and practiced their profession before they founded the Club in 1883.

The prominent lawyers of the 1880's no doubt lived in fairly large homes which were located on a lot with a substantial stable. There were probably two woman servants in the home and frequently more if the family was large and the income adequate. Then there was a man servant who took care of the yard and the stable which housed one or more horses.

After breakfast the practicing lawyer might either ride horseback down to a stable near his office where his horse was kept until he was ready to return home, or be driven to the door of the office by his man servant who would return at the appointed hour after the day's work was over. The horse was in his prime. Water troughs were to be found here and there along the streets and livery stables thrived on Michigan Avenue where you now find skyscrapers.

The lawyer of that early period had comparatively few books in his library and those were usually the standard textbooks of the day and the Illinois Statutes. He tended to be an all-around lawyer, well-grounded in master and servant law, equity, common law and probate practice, partnership, taxation and the examination of titles, and the law of common carriers.

The office of the successful lawyer in that period was probably graced with a fireplace and there may have been one or two other lawyers occupying similar offices in the suite. I remember well the law offices which I visited when I came to Chicago in 1906 looking for a job. I can still see the fireplaces in many of them; the gas lights and the cane rocking chairs. If you looked around, you



would probably see a green baize bag for carrying books and papers and the woolen shawl which the lawyer used in winter to cover his shoulders or his knees.

One of the lawyers I called upon while looking for my first job was Eugene E. Prussing, the founder of the Law Club and its first president. I can still see clearly the unusual desk he was sitting behind. It was semi-circular and the first one of that type I had seen. I am afraid I gave more attention to Mr. Prussing's desk than I should have. At least I didn't get the job.

Communication was difficult at this time. I have seen some telegrams in old files, dated about the time the Law Club was founded, which were sent by Nelson Morris, a meat packer in the stockyards, to his lawyer in downtown Chicago. The telegrams stated that Morris would be driving up to Chicago the next day and would be in the lawyer's office at three o'clock.

Carbon paper had not come into general use in 1906 and many law offices relied upon letter presses to make copies of their correspondence. Special paper and typewriter ribbons were used to write letters, which were then inserted in a copy book. A damp cloth was placed in the proper manner so that the typing on the dampened page would be transferred to the special paper in the copy book when the book was pressed tightly in a letter press for a few minutes. The result was a good impression of the letter in the copy book which could then be indexed for ready reference. The letter was taken out, permitted to dry, and then mailed.

Although most lawyers practiced alone, "the typical partnership was a two-man affair. It usually had its 'office' member and its 'court' member." Large firms, which reflected the demands of large corporate clients,

did not appear until the beginning of the twentieth century.<sup>1</sup>

For the most part there was little specialization as we know it, but the trend toward specialized practice had begun as early as the 1870's. "The railroad lawyer," observes Willard Hurst, "was the first symbol of change. For a generation after the Civil War to be general counsel of a railroad was to hold the most widely esteemed sign of professional success." The trend began to accelerate during the 1880's and 1890's as leading advocates began to withdraw from trial work in order to specialize in counseling corporate clients.

The trend toward specialization was paralleled by the increasing professionalization of the bar. The bar examination, for example, was usually oral before 1870 and was generally administered by the courts with "casual leniency". But by 1890 nearly half of the states required some professional study prior to admission to the bar, half a dozen had begun using written examinations, and four had established state boards of bar examiners.

In fact, the widespread feeling that the "bar had been too long without standards" was a significant factor in the movement to organize the bar into professional associations during the 1870's. The Chicago Bar Association, for example, was formed in 1874 in response to "the activities of a notorious fringe of unlicensed practitioners". The founding of the Illinois State Bar Association followed in 1877 and the American Bar Association was established in 1878.

Those who started the new bar organizations invited only selected members to join. For fifty years thereafter the firm tradition was that the individual lawyer had neither the right nor the duty to join a bar association;

membership was a privilege, conferred by election of the existing membership.

In keeping with the spirit of the times, the first advance sheet was published on October 21, 1876 when the "Syllabi" was issued in St. Paul. It was a crude publication containing decisions of the Supreme Court of Minnesota and miscellaneous advertising. Nevertheless, it was a real beginning and by 1879 the Northwest Reporter was founded. The Reporter system was completed and functioning by 1887.

This was the environment in which the lawyers of Chicago lived and worked when "The Law Club of The City of Chicago" was founded in 1883. According to the Constitution it was to be:

An association of members of the bar of the city of Chicago, for the purpose of advancing, by social intercourse and a friendly interchange of views, the condition of the law and the interest of its practitioners in this City . . . .

The man who conceived the idea of organizing the Law Club was Eugene Prussing. "He was a man who always had a great idea which he wanted to exploit," recalled Major Edgar B. Tolman in his address, "Law Club Remembrances, 1895-1945" when he also observed: "The best of his bright ideas was the formation of the Law Club."

Apparently Major Tolman's remarks about the founder of the club were justified. At least during the first few years there did not appear to be any notable rush by Chicago lawyers to join. In 1883 there were 17 members and in 1900 there were 112. Seventeen lawyers joined the first year and Prussing was its first president. There-

after, until 1900, the largest number to join was 10 in two years and 8 in four other years. The smallest number was 3 in two of the years. By 1900 seven deaths had occurred—never more than one in any year. We find no reason why Frederick A. Smith, elected president in 1887, was reelected in 1888. No other member has served as president for two terms.

The Major also suggested that the club was founded because "the old fellows had pretty well got control of the Chicago Bar Association and the Illinois State Bar Association, and the young fellows didn't have much of a chance." The Law Club, he observed, was organized "for the benefit of the young fellows" and in order to be eligible for membership one had to be a lawyer in good standing, active in the profession, and not more than forty years of age at the time of election to membership. The idea "worked fine for about five or ten years," Tolman went on, "But the club became so popular, and the desire to be a member of it was so intense, that nobody could get in until the last day of his fortieth year. Everybody wanted to get in; and the man that had the least time to go had to have the preference." So the forty year maximum instead became a minimum age for admission to the club.

There is a marked similarity in the expressed purposes of the Law Club and the Legal Club of Chicago. The Legal Club was organized in 1896 "for the purpose of promoting, by social intercourse and tolerant discussion of questions of law and of practice of the State of Illinois, the condition of the law and the interests of its practitioners in Chicago". However, the Legal Club limited the age of those proposed for membership to 35.

Over the years many members of the Law Club were also members of the Legal Club and many have served

as presidents of both clubs. The relationship between the two has always been cordial and the president of the Law Club has, for many years, traditionally addressed the members of the Legal Club each year. The two organizations also hold a joint meeting occasionally.

The ideal fellow member was not a showcase of virtue but a genial chap who could think straight, lead a clean life, secure justice for his clients, and maintain an interest in good government.

For many years the Constitution provided that membership be limited to 150 active and 150 privileged members. However this provision was changed on September 7, 1962 to allow the membership to be increased to 175 active members and a like number of privileged members. The Constitution has also provided for special members, honorary members, non-resident members, and life members.

Seventeen members joined the club in 1883. Of these, biographical information is available for thirteen. They ranged in age from Thomas Maclay Hoyne who, at 40, was the oldest, to John H. Hamline who was only 27. Eight were between 31 and 36 in 1883 and four, among them Eugene Prussing, were in their late twenties. Only three were born in Chicago. Three were born in other parts of Illinois, three in the state of New York, and one each in Massachusetts, Kentucky, Wisconsin, and Norway. In politics, seven were Republicans and five were Democrats. With one exception, they were all admitted to the bar between 1870 and 1878.

*Ingolf K. Boyesen* (1855-1911; elected president 1894) was born in Kongsberg, Norway and was educated in the schools of Norway and by private tutor. He received an LL.B. from the Chicago Law School in 1875 and then

practiced alone in the city until 1890 when he became a member of the firm of Herrick, Allen, Boyesen & Martin. He moved to Colorado sometime between 1905 and 1911.<sup>2</sup>

*Edward O. Brown* (1847-1924; elected president 1918) was born in Salem, Massachusetts, graduated from Brown University, and began preparation for the law in the office of two prominent Salem attorneys. After graduating from Harvard Law School in 1869, he served as assistant clerk of the Rhode Island Supreme Court until his admission to the bar of that state in 1870. He practiced there until April of 1872 when he came to Chicago with Orville Peckham, a college classmate, to establish the firm of Peckham & Brown. Almost immediately, they "won prominence as practitioners . . . [particularly in] the litigation resulting from conditions brought about by the Great Fire of 1871". The firm gave most of its attention to corporation law and represented The First National Bank, the Lincoln Park Commissioners (1894-1897), and the Bank of Chicago. Brown served as a Circuit Court Judge for Cook County from 1903 to 1904 when he was appointed to the First District Appellate Court of Illinois. He served as an appellate judge through 1917.

"A staunch Democrat, he served as president of the Iroquois Club and was a member of the Chicago Literary, the University, and New York Reform Clubs."

*Clarence A. Burley* (1849-1928; elected president 1889) was the son of a pioneer merchant. He was born and educated in Chicago, attended Amherst in 1868, and studied at the Union College of Law from 1874 until 1876 when he graduated with an LL.B. He was admitted to the bar in 1876 and engaged in general practice, later becoming Director of both the Merchant's Loan and Trust

Company and of Burley & Company which dealt in glass-ware and china.

*Sidney C. Eastman* (1850-1930) was also Chicago born. He received his early education in the Chicago public schools and then studied under private tutors in England from 1861 to 1868 while his father was the U. S. Consul in Bristol, England. Graduating with an A.B. from the University of Michigan in 1873, he studied law and was admitted to the bar in 1876. He was the author of *Eastman on Bankruptcy* which was published in 1903.

*Stephen S. Gregory* (1849-1920; elected president 1892) was born in Unadilla, New York and moved to Madison, Wisconsin in 1858. Graduating from the University of Wisconsin with an A.B. in 1870 and an LL.B. the following year, he practiced in Madison for three years before coming to Chicago in 1874. He was special counsel for the City of Chicago in the Lake Front Case which determined the ownership of the land under the high water line of Lake Michigan. He was partially responsible for maintaining the constitutionality of the law establishing the Sanitary District of Chicago, which sought to remedy the growing pollution of Lake Michigan from the discharge of sewage. He also defended Prendergast, the man who assassinated Mayor Carter H. Harrison during the World's Fair, and Eugene V. Debs, who was prosecuted for his activities during the Pullman Strike of 1894. Gregory's prominence is demonstrated by his elevation to the presidency of the Iroquois Club in 1886, and like his son Tappan, he was president of the Law Club (1892), the Chicago Bar Association (1900), the Illinois Bar Association (1904), and the American Bar Association (1911). James G. Rogers, writing in *American Bar Leaders*, described him as "independent and courageous, for he represented some notably unpopular causes". He

had smiling eyes, a gentle voice, an interest in younger men, a quality of calmness, and a rather uncommon sympathy for the poor man. He was, says Rogers, "well-trained, not too ambitious" and "among the best known of the Chicago lawyers of his day". He remained an active practitioner for almost half a century.

*John H. Hamline* (1856-1904; elected president 1890) was born in Rotterdam, New York and moved to Evanston in 1865. After entering Northwestern University at the age of twelve, he graduated in 1875 and then studied at Columbia Law School from which he graduated in 1877. He began practicing in Chicago after the Illinois Supreme Court admitted him to the bar later in the year. Hamline served as counsel for the village of Evanston from 1880 to 1884, was the Alderman for the Third Ward of Chicago from 1887 to 1889, and established the firm of Hamline & Scott in 1886. One of his most notable cases involved a suit by the village of Evanston against Northwestern University over title to four blocks along the lake front. His firm had, according to one early biographer, "as large and profitable business as any in the West, being retained regularly by a large number of banks, manufacturers, and wholesale houses". And Hamline was said to occupy "a notable position among the able lawyers of Illinois". Between 1890 and 1897 he served as president of the Law Club (1890), the Law Institute, the Chicago Bar Association, the Illinois State Bar Association, and the Union League. Unfortunately, nothing is known of his life after 1899.

Major Tolman's remembrances included a story which was current at the bar after Hamline had begun to lose his hearing. It concerned the cross-examination of a Dr. Frank Billings. "Billings had testified as to the serious injuries received by the plaintiff and when he



had finished his very effective testimony, Hamline began the cross-examination with the question, 'Was Marshall Field a patient of yours?' and cupped his ear with his hand to get the answer . . . . As though to verify the answer," continued Major Tolman, he "repeated the answer which was in the affirmative. Then he asked, 'Where is Marshall Field now?' and when Billings replied, 'He is dead,' Hamline repeated the answer, and so on with a list of a half dozen of Chicago's celebrated men, all of whom had departed this life while patients of Dr. Billings. As soon as he had gotten enough of Dr. Billings' patients safely buried he closed the cross examination."

*Azel F. Hatch* (1848-1906; elected president 1896) was born in DuPage County and attended Oberlin and Yale from which he received an A.B. in 1871. He was then a high school principal in Sheboygan, Wisconsin for a year before coming to Chicago in 1872. He was admitted to the bar in 1874 and became active in general practice, "but mainly in corporation law". He became a member of the Board of Directors of the Chicago Public Library, and served as its president from 1897 through 1899. His practice was of the very first calibre. He died sometime between 1941 and 1946.

*Charles E. Kremer* (1850-1940; elected president 1895) was born and educated in Oshkosh, Wisconsin. After a period of law study, he was admitted to the Wisconsin bar in 1874 and the Illinois bar in 1875. He specialized in admiralty law, lectured on it in the Chicago College of Law and at the University of Chicago, and according to Tolman, became "the leading admiralty lawyer at this bar". "Admiral" Kremer was also president of the Iroquois Transportation Company, the Chicago and Duluth Transportation Company, and the Steamer Phoenix Company, all of which were presumably engaged in

shipping on the Great Lakes. He was a founder of the Chicago Yacht Club in 1875 and won a wide reputation as a humorous after dinner speaker. Tolman observed that his Mike Monaghan stories, which involved an imaginary character based upon the captains of the lake boats who were his clients, plaintiffs, and defendants, "were one of the most interesting features of the annual meetings". He also enjoyed painting for recreation.

Major Tolman, in his address, recalled an annual meeting of the Chicago Yacht Club at which Kremer was the guest of honor. "The Admiral" looked as if he should have been in bed. One of the ladies present exclaimed, said the Major, "Oh, that poor old man. What a mistake to bring him here. He never should have come." After the dinner was over and Kremer had been lauded, he stood up to speak, looking "his audience over with a sober and solemn face. And then," Tolman reported, "a smile came over his face, and he said: 'Ladies and Gentlemen, I feel a damned sight better than I look.'" He died a short time later.

*Frank J. Loesch* (1852-1944; elected president 1922) was unique among the 1883 members in the breadth of his activities during the 1920's. Born and educated in Buffalo, New York, he entered the Union College of Law in 1871 and received an LL.B. in 1874. He specialized in railroad, telegraph, and corporation law after his admission to the bar and was counsel for the Pennsylvania Railroad's operations west of Pittsburgh from 1886 through 1927. He was also general counsel for the Western Division of the Postal Telegraph-Cable Company from 1892 through 1905 and general counsel for the Chicago Union Station from 1913 to 1926. In civic affairs, he served as a member of the Chicago Board of Education from July 1898 to November of 1902. Loesch also

was president of the Chicago Bar Association in 1906, the Union League in 1916, the Law Club in 1922, and the Chicago Literary Club in 1927. He was a trustee and secretary of the Chicago Historical Society from 1923 to 1927 and served as trustee and vice president of that organization from 1927 through 1941.

As a special assistant to the state's Attorney General, he conducted an investigation into the fraud and violence associated with the 1926 and 1928 elections and assisted the Cook County State's Attorney in 1928 and 1929 in the investigation of irregularities in the expenditures of the Chicago Sanitary District from 1922 through 1928. President Hoover appointed him to the eleven member National Commission on Law Observation and Enforcement in May of 1929. Finally, Loesch has been credited with originating the term "public enemy" in April of 1930. He died between 1941 and 1946.

*Eugene E. Prussing* (1855-1936; first president 1883) was born and educated in Chicago and graduated from the University of Michigan with an LL.B. in 1878. He was then admitted to the bar and was practicing alone when the Law Club was founded. He made a daily practice of jogging a mile and walking four miles and moved to Hollywood, California in the late 1920's where, said Tolman, "he did a lot of business . . . with the cinema people".

*George Mills Rogers* (1854-1914) was born in Glasgow, Kentucky and moved to Chicago in 1857 when the young city had only a hundred thousand inhabitants. He received an A.B. from Yale in 1876 and studied law in the office of Crawford & McConnell and at the Union College of Law before gaining admission to the bar in 1878. He served as an assistant city attorney, ran for the

state senate in 1880, and was appointed city prosecuting attorney in 1886. He was appointed as U. S. Attorney for the northern district of Illinois in the following year and by 1900 was recognized as a highly influential member of the Chicago Bar Association. He was elected as a provisional judge in 1903, as was Thomas Maclay Hoyne, but the Supreme Court declared the act which created the judgeships to be unconstitutional.

Finally, *Pliney B. Smith* (1850-1912; elected president 1908) was born in Du Page County and studied law at the University of Michigan before his admission to the bar in 1872. He then engaged in general practice, except for the period 1883-1895 when he was attorney for the L.S. & M.S. Railway. He also served as a member of the Republican State Central Committee from 1888 to 1893.

It is hoped that this brief glimpse of the city of Chicago, the condition of the profession, and the men who created the Law Club of Chicago in the 1880's will give some insight into the origins of the club.

## CHAPTER II

### THE SPIRIT AND ACTIVITIES OF THE LAW CLUB

"There was a time when the members of the Law Club actually voted on the election of officers, the approval of reports, the admission of members, and other questions," Major Tolman observed, "But it was found necessary to change that system, for when the treasurer's report was presented it became part of the hilarity of the occasion to move to disapprove that report and refer it to the State's Attorney for presentation to the Grand Jury." Similarly, in the election of new officers or members, it became customary for the only affirmative votes to be those cast by the members of the nominating committee. "Everyone else voted no, and the chairman declared the motion carried and instructed the secretary to cast the unanimous vote of the membership for the election of the slate." All of us knew, Tolman concluded, "that by general consent the negative votes really were meant to be counted as affirmative".<sup>1</sup>

The heckling tradition originated, the Major records, when "one of the most severe-minded members rose to read a paper . . . [entitled] 'Why are we Lawyers?'" Instantly one of the members shouted the reply, 'Because we can't all be judges.' The tumult and the shouting which followed that incident put an end to the solemnity of our meetings and 'heckling' became a feature of our sessions. It was principally employed towards the men who spoke in support of new members."

"When the question came up about fixing the amount of the dues," Tolman recalled, "there was one element that wanted to make the dues large enough so that we might accumulate a fund, and have capital to work on,

and ultimately build us a home, or have a place of our own. Another group said: "No, you mustn't do that. You mustn't have any surplus . . . to carry over." The debate was resolved in this way. "It became an unwritten law of this club," the Major concluded, "that, while there should be no debt, and no deficiency, and no extravagance, there must be no surplus left over at the end of the year."

"The most effective means to that end was unlimited champagne at the annual dinner." This approach, said Tolman, "really worked fine. There wasn't very much to drink at the other meetings . . . [but] it was all right to have champagne at the annual dinner."

One early tradition which has since been discontinued was the passing of the loving cup. "After the dinner was over," according to Major Tolman's description of the ritual, "and everybody had had a taste of champagne—and perhaps more than a taste—the loving cup was produced, full of champagne. The President called the name of every member when the bowl was passed to him and he drank, and passed it to the next man; and the President called his name. He may have said something about him [but] never [anything] critical."

This custom placed the Major in quite a predicament when he was president in 1910, because he could hardly remember the name of his next door neighbor when he was under pressure. The problem was resolved by modifying the ceremony and adopting the old English custom of the loving cup. "A man drinks a toast to those present; and then he turns and hands the cup to the next man, and calls his name himself. And he stands there as guard beside him until he drinks, and gives his toast, and calls on the next man, and names him."

The lists of speakers and the titles of papers read over the years (which may be found in the Directories of the Club) show the great variety of the topics covered since the club was founded in 1883. Few of the papers read have been preserved, but we can be sure that many were highly interesting, educational, and instructive. Although I have been unable to discover any distinct pattern, many titles appear to deal with the problems confronting the legal profession at the time they were delivered or current matters of community or national concern.

It appears that 29 of the 53 papers presented between 1883 and 1893 were read by non-members. However, this is not surprising in view of the limited membership during those early years.

From 1883 to 1900 Chicago was a dynamic city, full of dramatic contrasts and violent controversies between capital and labor which at times amounted to armed insurrection. Yet with only a few exceptions, the papers seem to have dealt with problems that confronted the profession in all of the nation's large cities. The first topic suggestive of the labor troubles in Chicago, "The Legal Aspect of Trade Unions" by F. F. Reed, was read on January 26, 1889. The next paper which reflects the condition of the times was given by a non-member, William S. Drackett, on September 24, 1892. His subject was "The Preservation of the Peace and Public Order by the Organized Military Power of the United States", which may have reflected concern about the Homestead Strike of that year. Finally Clarence S. Darrow, another non-member, gave "A Review of Judge Joseph E. Gary's Article on the 'Chicago Anarchists of 1886'" before the club on April 29, 1893.

One of the rare breaks in the routine and privacy of the meetings resulted from a spur-of-the-moment visit to the Law Club by Anastas Mikoyan on January 9, 1959. The Vice-Premier of the Soviet Union and his party were visiting Chicago that day and were brought to the meeting as guests of Adlai Stevenson, who was scheduled to address the members that evening on the subject, "Soviet Sojourn". From the moment the visit was arranged, president Dick Bentley was besieged with telephone calls from the press seeking admission to the meeting. Bentley explained that this was a private club and that the press was invariably excluded, but the reporters persisted and managed to get into the meeting despite his objections.

The limousine carrying Stevenson, Mikoyan, Soviet Ambassador Menshikov, and an interpreter arrived at the entrance to the First National Bank building about 6:00 o'clock. They were surrounded by plainclothesmen and a large number of city and state police. After dinner, Mikoyan spoke for about half an hour and answered questions. He and Menshikov then left to see the Russian Ballet perform and Adlai showed a movie of the destruction of Poland by the Russians.

### **The Musical History of the Club**

Entertainment is an important part of the life of the club; so much so that, other than the Executive Committee, the sole standing committee of the club is the Entertainment Committee.

The vitality of the Law Club has been due in a large measure to the love of music of a group of its members who invariably burst into song whenever they were together. Fortunately, among them were several who were really gifted performers as well as exceptional authors



or composers of musical verse and plots. For years the current foibles of the lawyers, judges and politicians—high and low—local and national—were presented annually to The Law Club by those talented members. They produced for the entertainment of the club musical shows which were so popular that in the course of a few years they were joined by other members of the legal profession in presenting, on behalf of the Chicago Bar Association, "Christmas Spirits" shows to audiences of over 1000 an evening for four successive nights.

This story has been told more fully by a fellow member, William S. Warfield, III, in a paper read at a meeting on March 3, 1967, some of which is interpolated herein, with his approval, as the following few pages of the history of the club.

### **"LAW CLUB SHOWS OF YESTERYEAR"**

[By William S. Warfield]

As ancient Athens had its golden age of Pericles, and England its Gilbert and Sullivan, so the Law Club of Chicago had its age of the rather elaborate shows which used to be put on at its annual meetings. The story of those shows ought to go into the records of the Club while a few of the remaining active participants are still around, with memories to supplement the written records.

Fortunately lawyers do have their lighter moments. Their sphere of activities seems to lend itself more than that of any other calling to the kind of extra-curricular outlet exemplified by these shows. And somehow or other lawyers seem to be able to poke fun at the profession, and some of its linguistic anachronisms ("goods, wares, and merchandise," "rest, residue, and remainder," "State of

Illinois, County of Cook, SS" and the like), and even to take in vain the names of some of our most exalted brethren at the Bar, entirely free of malice and without leaving scars. This is no mean feat; what other profession or calling does likewise?

I venture to say that this gridiron-club type of entertainment has been perpetrated by the lawyers of Chicago more extensively and successfully than anywhere else, either in this country or abroad. The latest Chicago Bar Association Christmas Spirits (the 42nd Edition) had audiences totalling about 4300. I recall quite clearly the near-insurrection which occurred many years ago among the players when it was proposed to play two nights instead of one. And now for a long period they have been doing it for five nights, in the busy time before Christmas; and the demand for tickets still far exceeds the supply.

When did the Law Club shows start? We don't know exactly, but there is some evidence. The Club was founded in 1883. A glance at the list of founding fathers (tho known to the present generation only by name and reputation) makes it seem likely that they occasionally let their hair down and indulged in some kind of frivolity. The earliest available evidence seems to be a song, written about 1914 or 1915, called "Nunc Pro Bunk," from the pen of a promising youngish law teacher named John Henry Wigmore. He delighted in that sort of thing, when he wasn't wrestling with such ideas as "autoptic proference." Whether that song was used in a show, or was merely an isolated phenomenon sung at the annual meetings, does not appear. It goes thus:

### Nunc Pro Bunk

Sung to the air—"Love's Own Sweet Song" from Sari.

#### I.

All the Law we ever saw  
We've banished from our sight!  
Nunc Pro Bunk, the law is junk—  
We've scrapped it for tonight!  
Judgments, trials, writs, denials,  
Motions, all taboo!  
Every kid in the Club is bid  
Be gay clear through!

#### II.

No red tape or prosy paper,  
Full of highbrow worth,  
Shall destroy our giddy joy  
Or curb our schoolless mirth!  
Any judge can go to fudge  
For all we care tonight;  
Once a year we reverse our gear,—  
Our hearts are light!

The regular series of Law Club shows began about 1919 and continued in unbroken line for at least 25 years. Dick Bentley, (one of our best actors, singers and song-writers) who was prominent in all of them beginning in 1926 when he joined the Club, and who has some of the instincts of a squirrel, dug out of his attic a partial list of shows and a whole bag-full of other materials. All we have for the earlier years is dates and in some cases names of shows. We do know that Donald Richberg, who joined the Club in 1919, wrote and took part in some of them. But for 1926 and later years, through 1941, we have a treasure trove of information, including books of the shows, song books and lists of participants.

Of course the heart of the whole enterprise was the men who put on the shows. The group varied from time to time; some were in certain shows and not others, but there was a hard core of about twenty-five characters who carried on pretty much from about 1926 to the end. Without them there would have been no shows at all. At the head of the list by general consensus would be Homer Cooper, who wrote all of the books of the shows, until his illness in 1938, and death in 1939 (while he was President of the Club) and John Black ("Mr. Law Club") who was always counted on as the central character and the sparkplug or dynamo. Another standout was George Swain who had a facility in writing monologues bordering on genius. They were almost always declaimed by Charley Rundall. Here was one which opened the minstrel show in 1934, at Skokie Country Club:

Gentlemen, gentlemen, right this way, gentlemen,  
The big show is about to start  
Tonight is the night and this is the place,  
Let ev'ry gay bird within sound of my face  
Prepare for a treat, a delightful carousal,  
A show which I'm proud to admit the espousal.

Right here on this stage when the curtain is drawn,  
I'll show you a partner of Silas H. Strawn.  
Don't push now!—you'll each of you get a good look.  
He'll be right in the middle, you can't be mistook.  
If I really wanted to make a wise crack,  
I'd say he's the only one that is not black.

Be that as it may, and it may not be good,  
You've all of you come to this strange neighborhood  
To see and to hear what may safely be said  
Is the world's greatest minstrel show—now Primrose is  
dead.

You remember Bert Williams—the songs that he sung?  
You'll hear them tonight from Cattell's silver tongue;  
And Francis X. Busch—he can't sing very much,  
But his presence you know seems to add just a touch.

You've heard Harry Miller sing "Far Away in the South,"  
Well, tonight a new song will come out of his mouth;  
And Don Kenneth Jones, that sweet warbler of lyrics,  
Will, no doubt, again merit loud panegyrics.

Cran Spray and Bruce Johnstone, you'll have to admit  
Have musical voices, stage presence, and wit.  
A professional touch they may add to the show,  
How much it is worth, I am sure I don't know.

Bill Warfield contends that a bunch like you guys,  
Would boo John McCormack if he came in disguise.  
He says Harry Lauder would never get by  
With his carols in Scotch 'gainst your Bourbon and Rye.

Well, we've got to get on—we must open the show—  
Jack Heath and Fred Newey are ready to go.  
Jack Yowell and Chet Davis have gargled their throats;  
I heard them just now back there trying some notes.  
Sam Adams, I'm sure, must be ready for work;  
I think I just heard him replacing the cork.  
Shack Shanesy's here, though he sometimes is late;  
I know you'll enjoy his and Chester's debate.  
They play the two Samuels—Insull and Ettelson.  
To play either one, would sure try my mettle some.  
You didn't like that? Well, p'rhaps 'taint so hot.  
You know I didn't write it; I think it's plumb rot.  
You see I can't sing, so I have to recite  
This damned doggerel any moron could write.

Kind sirs, give attention—we're about to commence;  
No longer will I now prolong your suspense.  
With artistic wizardry, almost fantastical,  
Our music is modern, but our book it is classical.  
We hope you won't think the name a misnomer—  
But the score is by Friml, and the book is by Homer.

One thing you'll admit, and of this I'm plumb certain—  
That the crew I've collected behind this here curtain  
Are the singinest lawyers that ever were born—  
So boy, let's get going, toot-a-toot on your horn.

During the palmy days of Law Club shows, they pretty much paralleled Christmas Spirits. The same group worked in both. For a time there was some confusion as to which came first, like the problem of the chicken and the egg. But we now know that the Law Club had been carrying on for at least five years before the Spirits began in 1924.

On the evidence, I suggest that the Law Club in effect sired Christmas Spirits, with a sizable assist from the memorable hegira taken by the American Bar Association to London in the summer of 1924, on the good ship Berengaria. On that trip John Black and his Law Club buddies organized and put on a show, to the delight of the junketing lawyers and their ladies. To the tune, "We sail the Ocean Blue," from Pinafore, they sang these lyrics:

We sail the ocean blue  
To a legal destination  
We're members, tried and true,  
Of the Bar Association.  
And if you care to listen,  
And if you care to listen,  
We'll tell you who, we'll tell you who  
We are, who we are!  
The Law Club, The Law Club,  
We're off across the sea!  
The Law Club, The Law Club,  
We are Chicago's Legal aristocracy!  
In London, in London,  
We'll gather from afar—  
We're off to meet the legal elite  
As guests of England's bar!

This episode undoubtedly helped to spark the birth of the first Christmas Spirits show, which came along the following Christmas.

In the earlier years the Law Club Annual Meetings and shows alternated between the Mid-Day Club and some of the Golf Clubs; Skokie, Onwentsia, Riverside, Bob O'Link, Glenview and Chicago Golf. Beginning in 1954 all of the Annual Meetings have been held at Chicago Golf Club, with entertainment of the Glee Club type, by most able performers of a younger generation. It may titillate the memories of some of you elder statesmen, even if it fails to whet the appetites of the young bucks, to skim over a few of these shows:

In 1926, under the blind title "De Gustibus," the main theme was the contrast between the homely simplicity of small-town law practice where they "practice law to live," but do not "live to practice law," and the complexity of the modern big city department store law office of Mac-Chesney, Choate, Marshall, Kirkland and Lessing Rosenthal, whose mystic maze of pseudo efficiency the show satirized. That show was the Law Club debut of a couple of aspiring young characters called Ed Austin and Dick Bentley, who did a duet as telephone operator and stenographer. Who knows what ever happened to those two in later years!

The 1928 show ended with a boxing match between Clarence Denning and Ken Hawkins. Clarence had just been elected an honorary member, and this was his initiation. As I recall it, the Referee put a stop to the proceedings and prevented any blood-letting by declaring a mismatch soon after the initial hand-shake. He seemed to think Ken was too much taller—or was it the other way around?

A year later, in 1929, on the brink of the Great Depression, but not knowing it, the scene was laid in the court room of the Supreme Court of Illinois during argument (by a junior partner) of a divorce case in which were introduced two characters called "Tweedlededee" and "Tweedlededum," newly appointed Commissioners of the Court, an office which was soon to be abolished by the Legislature. That show included the first rendition, by Judge Howard Hayes, of "Junior Partners" (words by George Swain) which became a classic and was repeated on numerous occasions in later years, sung by Chester Davis, John Black and Pressly Stevenson.

The 1931 show—"The Five Year Recess"—had an international flavor. It took place in Moscow. A Commission of American Lawyers (Wickersham, Hughes, Silas Strawn, Coolidge and a bevy of Trust Officers) were investigating conditions in the U.S.S.R., and particularly Stalin and some of his associates bearing fancy monikers like Soboroff, Ivanitch, Knockerblokoff, Pullispantzoff, Ibityerlipzoff, Gallstones, Sonnovitch, and Dimitri Nine-Pins, A Kulak. That was the show in which Cran Spray brought down the house with a song called "Down in Odessa".

In 1937, just after the coronation of King George VI, the show introduced a British note. The setting was the throne room of the King of the Law Club, in Skokie Abbey. (Ed Johnston was being eased out as President that year and Ned Vaughan installed in his place.) Sharing the Throne with the King was his mistress, The Law, with whom he was having a slight altercation. Thinking he needed a lawyer, he commissioned Earl Marshall, the Lord Chancellor, to find one.



EARL MARSHALL: Certainly, sire! Shall I get a good lawyer from the membership of The Law Club?

KING: If you can.

EARL MARSHALL: What kind of a good lawyer does your majesty require?

KING: O, get me a fighter!

EARL MARSHALL: Yes, sire, we have a firm of fighters in the Club. How about, Wham, Pound, Poppenhusen and Yowell?

KING: That sounds awful! Let's have a firm with a higher social standing.

EARL MARSHALL: Well, I'd suggest, King, Bishop, Lord & Cassels!

KING (to the Law): What do you think, darling?

THE LAW: I don't like Bishops.

EARL MARSHALL: How about Rooks, Dammann & Smoot? NO? . . . How would Hack, Pierce, Burnham & Spray suit you?

KING: It has a lean and hungry sound! Let me have about me lawyers that are fatheads! Haven't you a firm of really substantial members?

EARL MARSHALL: Sure! . . . Hayes, Oates, Holly & Cobb!

THE LAW: If I may venture a suggestion, I think that the matter of our relationship calls for a firm of lawyers with some sex appeal.

KING: Well said, darling! (To Earl Marshall) Come, Sirrah, can you give us such a firm in The Law Club? One with the old S.A.?

EARL MARSHALL: Assuredly, your majesty—Peters, Forestall, Pettibone and Adcock.

The names of lawyers used in the above dialogue are those of actual persons. Perhaps some of you can remember them. Their arrangement into law firms is fictional and done to suit the purposes of the author.

The pattern of the shows developed certain customs. Ned Vaughan usually wrote the opening chorus. Toward the end of the show there was always a song giving the outgoing President his walking papers, larded with hypocritical nonsense about what a helluva fine job he had done, and another song greeting the new guy and urging him to do better. The show always closed with a song called "Old Fashioned Law Club":

Sung to the air—"Old Fashioned Garden."

(Lyrics by Frederic Ullmann and Archibald Cattell)

It was an old fashioned Law Club—  
Just an old fashioned Law Club!  
And it may have been crude,  
As we no doubt got stewed,  
With an alcoholic haze!  
We had some old fashioned souses,  
And some good old carouses,  
In that old fashioned Law Club—  
In those old fashioned days.

This account would not be complete without some reference to two songs, the rendition of which by John Black and others has made them almost classics. One of them was called Saloon. The music is of uncertain origin. Our lyrics were written by Arch Cattell. Its real name was Quincy Number Nine, undoubtedly in honor of a saloon which formerly graced that street number just east of where the new Federal Building now stands. It was first used by us in the Law Club show of 1932. It is familiar to countless lawyers around the country and is much easier to sing than the Star Spangled Banner.

Before I close with the last piece in the Rehearsal Club Hymn Book, I want to say a word of explanation. By the late 1930's, and especially after Homer Cooper's death in

1939, it was clear that the era I have been telling about had nearly run its course, so far as that particular group of players was concerned. They had carried the torch for some years, and had a lot of fun doing it. Others would pick it up in due course and carry on. Such was the background for George Swain's monologue, written not long before his death in 1941:

### **The Last Law Club Show**

Written by George W. Swain, with apologies to  
Rudyard Kipling

When the last Law Club show has been given,  
And the last song is chanted or sung,  
And the oldest member is shriven,  
And the youngest is no longer young,  
We shall rest—and faith we shall need it!  
We'll lay down the quill and the pen.  
And our children will then learn to know us,  
For we'll dine with our families again,  
And those that were good shall be happy,  
They'll return to the family fold,  
And drink but the choicest of liquors,  
From goblets of silver and gold!  
And only our wives shall then praise us,  
And only our wives then shall blame.  
No director shall be there to haze us,  
We'll have nothing but endless acclaim,  
And each for the joy of the writing,  
And each in his separate home,  
Will find that it's much more exciting,  
To write a Club show of his own!

[End of Interpolation]

### **The Story of "Aunt Clara"**

I have been importuned by some of our musically talented members to add to this report the entire story of our honorary member, Aunt Clara, but good taste permits me to give only a glimpse of her colorful life:

We never mention Aunt Clara  
Her picture is turned to the wall.  
Though she lives on the French Riviera  
Mother says that she's dead to us all.

\* \* \*

They told her the wages of sinners was death,  
But she said since she had to be dead,  
She'd just as soon die with champagne on her breath  
And some pink satin sheets on her bed.  
The good things of life always go to the pure  
The Sunday School lessons all teach,  
But I wonder when I see a rotogravure  
Of her eighty-room shack on the beach.

They say that the Hell fires will punish her sin,  
She'll burn for her carryings on,  
But at least for the present she's toasting her skin  
in the sunshine of Deauville and Cannes.  
They say that to garments of sackcloth she'll sink,  
With ashes to cover her head,  
But just at the moment it's ermine and mink  
And a diamond Tiara instead.

They told her she'd live in the muck and the mud,  
Yet the paper just published a snap,  
Of Aunt Clara at Nice with a Prince of the blood  
And a Bishop asleep in her lap.

They say that she's sunken, they say that she fell,  
From the narrow and virtuous path,  
But her French formal gardens are sunken as well  
And so is her pink marble bath.

My dear Mother's life has been pious and meek  
She drives a second-hand Ford,  
Aunt Clara received for her birthday last week  
A Rolls Royce, a Stutz and a Cord.  
My mother does all of the house work alone  
She washes and scrubs for her board,  
I've reached the conclusion that virtue's its own  
And also its ONLY reward.

We never mention Aunt Clara,  
But I think when I grow up tall,  
I'll go to the French Riviera  
And let Mother turn me to the wall.

The Club records do not disclose the exact year that Aunt Clara became an honorary member of the club, but it was about ten or more years ago at an annual meeting held at the Chicago Golf Club that she was unanimously elected. I suspect that her boy friend, John Black, who was a member of the golf committee, had much to do with sponsoring her membership.

After that, her picture was prominently displayed at our annual meetings and the golf committee selected a member they considered worthy and awarded him the privilege of having sole possession of Aunt Clara for one year and having his name inscribed on her back. (There is uncertainty as to the exact spot.) The winner was charged with the duty of cherishing and protecting Aunt Clara throughout the year and responsible for producing her, unblemished, at the next annual meeting. After this went on for a few years, it was found that the wives of the winners did not share their husbands' fondness for Aunt Clara. As a result she had been spending twelve months in the attic each year. Unfortunately, as this is written, the golf committee has been unable to produce Aunt Clara at the annual meeting for several years. Where is Aunt Clara?

She has been popular in Chicago legal circles for many years as well as at the Chicago Club where she has been displayed on the walls of the club at the New Year's party and the club members joined John Black in singing the chorus and turning her picture back from the wall. This honor appears more remarkable if one is reminded that

this is the club that refused to permit the wife of a president of the United States to enter its front door.

I thought that Don Richberg was the author of the verses, but most of my Chicago friends insisted that John Black was responsible for them. Nevertheless, I wrote to Mrs. Richberg and my letter was turned over to Edgar J. Goodrich of Guggenheimer, Untermeyer & Goodrich in Washington, D.C. He prepared a memo of his "Recollection As To the Arrival of Aunt Clara in Our Musical Midst" and some of her subsequent adventures. During one of the Christmas festivals at the Richberg home before World War II, wrote Goodrich, Mrs. James McHugh, just back from California, gave some choice verses to Richberg and himself. They had been given to her by the President of the San Diego Trust & Savings Bank. They tinkered with them and fitted the verses to the tune of "Don't Tread on the Tail of My Coat". "After a few practice sessions, we launched the old girl in Washington circles where she was immediately and gleefully accepted. She is still going strong here." Several years later, Goodrich recalled, he had a call from a young naval officer whose name he did not recall, who asked, "Are you the guy that plays the guitar with General Spaatz and sings Aunt Clara with Don Richberg?" Goodrich said that he was and took the chap to lunch. He was an agreeable young man except that he claimed he, his wife, and two of their friends had written Aunt Clara when they were stormbound during a motor trip east from Hollywood. The naval officer said that his wife had written the musical score and was much annoyed, not only at the widespread performances, but also because Carl Sandburg had included the chorus and perhaps a verse or two in his "American Song Bag". Sandburg called it an air force song and had attributed it to General Spaatz. Goodrich

said he knew that Spaatz did not write it and never claimed to be the author. The young officer admitted that he had not obtained a copyright, but contended that he had gone up "to that office for the purpose but was met at the counter by such a sweet motherly-looking old soul wearing (among other things, of course) an old-fashioned knitted collar, that he didn't have the heart to present the verses to her." Goodrich always questioned the young man's claim because he was too young to know the significance of "a Stutz and a Cord".

It is to be regretted that John Black is not here to sing again to us and confirm that Aunt Clara has always had a checkered career.

### CHAPTER III

#### BIOGRAPHICAL SKETCHES OF SOME FORMER PRESIDENTS AND OTHER PROMINENT MEMBERS OF THE LAW CLUB

The secret of the Law Club's success as an organization lies in the calibre of the men who became members over the years. They were remarkable men, successful in their chosen profession, and often pre-eminent in civic endeavors. Unfortunately, it was not possible to include biographical sketches of all those who made the Law Club what it is within the scope of this brief history. Briefly, there are three general criteria for the inclusion of sketches in this chapter: 1) that the person was an active participant in the affairs of the club, 2) that he be deceased, and 3) that sufficient biographical data was readily available, either from my personal recollection or from the contributions of those intimately associated with those members.

##### Former Presidents

*Frederick A. Smith* was the fifth president of the Law Club and the only one to serve two terms (1887 and 1888). He became a member in 1884. He entered the old University of Chicago, which was founded by Stephen A. Douglas on Cottage Grove Avenue near 35th Street, just prior to the Civil War. After two years of study, Smith, and nearly all of the undergraduate student body, and much of the faculty enlisted in the Union Army and formed a regiment of students and teachers.

He returned to the University after the war, finished his studies, and began practicing law. His first partnership, Smith, Helmer & Moulton, was established with two



men who had been classmates. He was later elected to the bench and served one full term before his death.<sup>1</sup>

*Frank O. Lowden* [1861-1943] became a member in 1891 and was the 16th president of the club in 1898. He came to Chicago from Iowa where he had taught school and studied law. He was admitted to the Illinois bar and was active in counselling, organizing and directing business corporations for several years. He became a nationally prominent advocate in the fields of governmental administration and of improvements in the social and economic conditions of the farmers. In Congress, 1906-11, he sponsored measures to improve the foreign service and benefit agriculture.

Lowden served as Governor of Illinois with distinction from 1917 to 1921 and received 311½ votes for the Republican Presidential nomination in 1920. He declined the nomination for vice president in 1924. Major Tolman recalled that "he was highly respected throughout the land". He died in 1943 at his farm on the Rock River, which was located just south of Oregon, Illinois.

*Lloyd W. Bowers* was president of the club in 1900. He studied law in New York and served as a law clerk in one of the great New York City offices along with Charles Evans Hughes and future Attorney General Wickersham. He then went west, became General Counsel for the Chicago & Northwestern Railway, and later was appointed Solicitor General of the United States by President Taft. According to Tolman, "Taft had definitely decided to nominate him for the vacancy on the Supreme Court," but Bowers died suddenly before the plan could be consummated.

*Horace S. Oakley* served the club as its 21st president in 1903. He came to Chicago from Wisconsin and was one

of the early specialists in municipal law. He influenced the statutes of half a dozen states and was also a great lover of music and art. He died aboard a ship while making his annual voyage to Italy where he had a home. He was "not a sensational man," Tolman recalled, "but a splendid man, of fine heart, fine character, great ability; and a public servant, devoted to the public good."

*Horace K. Tenney* followed Oakley as its 22d president in 1904. Another Wisconsin man, he came to the old University of Chicago in 1876 where he made the acquaintance of Major Tolman. "Horace and I established a great friendship," the Major said in his 1945 address, "because we seemed to like the same things. His education came in the usual way, through schools; but a very large part of his education came from his father's library." Tenney "loved hunting and fishing. He really became one of the great big game hunters of the country . . . He and [Edgar] Bancroft would get on their horses and go out into the high Sierras, hunting the elk and the antelope and mountain sheep. Tenney was the hunter. Bancroft . . . just liked to admire the way that Tenney hunted."

Tenney was also, said Tolman, "a lover of 'English undefiled'." Speaking to the Illinois Bar Association, he once "ridiculed the absurd verbosity which the American lawyer had been using in his legal writings . . ." For example, "He commented on the use in contracts of such expressions as 'the aforesaid' and 'above-mentioned', asking why if 'aforesaid' it was really justified to say also that it had been 'above-mentioned'."

*Judge Charles S. Cutting* was president of the Law Club in 1905. He was a native of Vermont, but spent his youth in Iowa, Illinois, Minnesota, and Oregon. He taught school in Palatine, Illinois in the 1870's, was admitted to

the Illinois Bar in 1879, and began practicing law in Chicago in 1880.

Cutting built up a successful practice during the next twenty years, especially in probate law. He formed partnerships with several different lawyers, including Charles H. Austin. As Probate Judge of Cook County from 1900 to 1913, he gained the high esteem of the Bar and the general public. Indeed, some say that Chicago lawyers had such confidence in Judge Cutting's knowledge of probate law that they went into court relying on him to correct their mistakes. Elected four times and facing another campaign, he resigned in 1913 explaining to Governor Dunne, "I should prefer to remain on the bench if the term were long enough to make it an object. A four-year term of office is absurd."

He then entered the firm of Holt, Cutting & Sidley which became Cutting, Moore & Sidley in 1919.

Despite his busy professional life, Judge Cutting found time for continued interest in the good of the community. He was twice president of the Chicago Bar Association, served for three years as a member of the State Board of Law Examiners, and was one of the principal draftsmen of the proposed new Illinois Constitution in 1920. He was a trustee of the Lewis Institute, one of the originators of the Chicago Community Trust, a director of the Chicago Title & Trust Company, and President of the Cook County Board of Education. Willamette University of Salem, Oregon, which he attended as a young man, granted him an honorary A.B. degree in 1916, and the University of Michigan conferred an honorary Doctor of Laws degree upon him in 1907.

Judge Cutting remained active in the law until a few days before his death on April 16, 1936, at the age of

eighty-two. In his twenty-three years of post-judicial practice, no man at the Bar was more respected, both for his great professional talent and for a fine ethical sense; no man enjoyed more the universal confidence of the community. Litigants frequently submitted cases to him for arbitration rather than taking them to court. Much of his practice came from other members of the Bar, the surest mark of outstanding ability. He participated in some sixty-five cases before the Supreme Court of Illinois in this period and represented the rich, the poor, the great, and the lowly alike. But he always refused any cause he did not consider just.

*Edgar A. Bancroft* was president in 1907 and, according to Tolman, "one of the most brilliant figures at this bar". He was a railroad attorney, represented the International Harvester Company, and "was enthusiastic in his devotion to the public interests of Chicago". Among the causes to which he devoted his life were civil service reform and "the rights and privileges of the colored race".

Bancroft was also an associate editor of the *American Bar Association Journal*, along with Horace K. Tenney and was later named as our Ambassador to Japan. After he died, his friends in Chicago "raised a very generous sum of money and gave it to Tuskegee Institute, to found a fund to forward the interests of that cause to which Edgar Bancroft was so greatly devoted."

*Frank H. Scott* served as president of the Law Club in 1909. He was born in Iowa in 1857, graduated from the Union College of Law in 1887, and practiced for the rest of his life in Chicago. He was a member of the firm of Hamline, Scott & Lord. Charles O. Rundall, also a club member, told Tolman that Scott "was the ablest lawyer that he ever knew".

*Major Edgar B. Tolman* followed Scott as president in 1910. He was born in British India in 1859, the son of Reverend Cyrus Fisher Tolman, D.D. He graduated from the University of Chicago with an A.B. in 1880 and an A.M. in 1883, received an LL. B. from the Union College of Law in 1882, and was honored by Northwestern University with an LL.D. in 1927. He was Corporation Counsel of Chicago from 1903 through 1906, president of the Chicago Bar Association 1911-1912, and president of the Illinois State Bar Association 1917-1918.

Tolman also served as Special Assistant to the U. S. Attorney General from 1934 to 1938 and as a member of the Advisory Committee to the U. S. Supreme Court to draft Federal Rules of Civil Procedure.

He served as a Major in the 1st Illinois Volunteer Infantry during the Spanish-American War and participated in the Santiago campaign. During World War I, he supervised the draft in Illinois from 1917 to 1918 as a Major in the regular army, was awarded the Distinguished Service Medal, and was promoted to the rank of Lt. Colonel, J.A.G.

On July 12, 1939 he was awarded the American Bar Association Medal and was Editor in Chief Emeritus of the *American Bar Journal* from 1946 until his death. He authored the column, "Review of Supreme Court Opinions". The *Journal* hired a young University of Chicago law student to assist him in his editorial work because, at the age of 86, his eyesight was failing. He was almost unable to read without strong magnifying glasses and both his health and hearing were poor. But his mind, his spirit, and his sense of humor were intact to the day of his death.

Tolman told many interesting stories about his service in Cuba with Teddy Roosevelt's Rough Riders during the

Spanish-American War. One of his favorite incidents occurred on a very cold night when he was making an unsuccessful effort to sleep in his hammock during a down-pour. A runner shook him and announced, "Major Tolman, Colonel Roosevelt sends his compliments. The Spaniards are attacking."

On the day of his death, although too ill to work, he had his assistant read to him the draft of a Condemnation Rule he had been working on for the Supreme Court Advisory Committee. While it was being read, he fell asleep and died a few hours later. Perhaps his last conscious thoughts concerned some changes he wanted to make in the draft of Rule 71 A.

*Frank W. Walker* served as the 30th president of the Law Club in 1913. Major Tolman guessed that he tried "more cases in the courts of Cook County than any other man of his time" and Walker once estimated that "for fifteen years he had averaged 150 days per year in the actual trial of cases". According to Tolman, "He tried all of the great land damage cases brought by abutting owners against the elevated railroads here."

Stories about Frank Walker are legion, but I will relate one in which he represented the plaintiff and "Judge" Page, the defense. The case was tried in a temporary courtroom while the County Building was being erected on North Clark Street and there was no barrier between counsel and the jury. Day after day Frank Walker would come in, put on his best smile, and say, "Good morning, gentlemen of the jury." Sometimes the jury smiled back satisfactorily and sometimes they did not. One day he came in first and greeted them as usual, bowing in the best manner his figure would permit, but the jury as a whole did not respond as cordially as Walker would like.

Shortly thereafter "Judge" Page came in and most graciously greeted the jury and they all smiled back and responded much more cordially than they had for Walker. Walker then took his 240 pound frame and planted it in the lap of one of the jurors in the front row, put his arm around his neck and said, "Gentlemen of the jury, I want all of you to know that I love you just as much as 'Judge' Page but I don't seem to be able to express my affection as well." At that moment the presiding judge came upon the scene and, in due time, order was restored and the trial of the case proceeded.

*Kemper K. Knapp* became a member of the Club in 1896 and served as president in 1920-21. Born in Green Lake County Wisconsin on March 7, 1860, he was a classmate of Senator Robert M. La Follette at the University of Wisconsin and was graduated with a B.S. in 1879. In 1882 he received his LL.B. from Wisconsin, was admitted to the Illinois Bar, and began practicing in Chicago.

Much of his early professional activity involved representation of railroads, among them the Chicago and Great Western from 1885 to 1890, the Chicago and Northern Pacific from 1890 to 1893, and the Wisconsin Central from 1893 to 1897. As receiver of the latter, he purchased much of what is now the right-of-way of the Soo Line from the Wisconsin state line to Chicago.

Claims against the railroad arising from the wreck of a special train of picnic-bound steel mill employees brought Knapp into contact with Judge Elbert H. Gary, who was then organizing the Federal Steel Company. In 1897 the Judge made him general attorney for the Chicago-based companies in the Federal Steel complex, which included the Illinois Steel Company and the Elgin,

Joliet & Eastern Railway Company. He became general counsel of these companies in 1899 and in 1903, following the merger of the Federal Steel companies into the new United States Steel Corporation, he organized the firm of Knapp, Haynie & Campbell. The firm, with its successors, has represented U.S. Steel and its subsidiaries since that date.

His successful planning and direction of the defense in the "Commodities Clause Case", *United States v. Elgin, Joliet & Eastern Ry. Co.*, 295 U.S. 492, was one of his most notable accomplishments.

Knapp was a member of the Legal Club and served as president of the University Club in 1920-22. A devoted and loyal alumnus, he gave generously to the University of Wisconsin and was honored by the University in June, 1930 when it conferred an honorary Doctor of Laws degree on him.

He never married and at his death on February 23, 1944, he left no immediate surviving family. He left the bulk of his estate to the University of Wisconsin to carry on the Student Loan Fund which he had founded.

Judge Evan A. Evans and George Haight (both honorary members), long time friends and fellow Wisconsin alumni, wrote a tribute to Kemper Knapp in the Wisconsin Law Review following his death. The greatest legacy of his life, they said, was his "outstanding example of a courageous, diligent, trustworthy, hard-working intellectually honest lawyer".

*John Donald Black* became a member of the Law Club in 1911 and served as its president in 1925. He was born at Urbana, Illinois, on September 11, 1872, the son of General John Charles and Adaline L. (Griggs) Black.



Both his father and his father's brother were awarded the Congressional Medal of Honor for their Civil War service, a fact of which Mr. Black was very proud. He was also proud of the fact that his father was Commander of the Grand Army of the Republic for many years subsequent to the Civil War. He made his home in his last years at the University Club of Chicago. He died in the city on June 24, 1959.

Black was educated in the public schools of Danville, Illinois, and Washington, D.C., and studied law at Harvard and the John Marshall Law School in Chicago. He was admitted to the Illinois bar in 1896. From then until his last illness he practiced continuously with, and as a partner in, the Chicago firm of Winston, Strawn & Shaw and its successors.

Mr. Black became the head of the firm following the death of Ralph M. Shaw in 1949 and continued in that capacity until shortly prior to his death. For many years he was one of the leaders of the Chicago Bar and one of the best known lawyers in the middle west. He was an eminent trial lawyer and tried some of the most important civil lawsuits of his time.

He was one of the organizers and leaders of the "Christmas Spirits" show put on annually by the Chicago Bar Association. As a singer of lawyers' ballads John Black was without a peer. He was one of the stars of the Law Club and Bar Association productions for over a quarter of a century and repeatedly stole the show by his rendition of such songs as "Junior Partners" and "Aunt Clara". His renditions of these songs were so popular that he was, on many occasions, called upon to sing them at the New Year's dinner party of the Chicago Club, the University Club, and other organizations. At

one time, he expressed the thought that perhaps he had missed his calling; and there are thousands of others in Chicago and other cities who, having heard him sing these ballads, would agree with that conclusion.

For many years toward the end of his life, he invariably, when his affairs permitted, met with his friends at the Mid-Day and other clubs and recounted humorous events of the past. One of these friends, Frank Dammann, once stated that he and the others always had stories which were largely pure fiction, but that Black's narratives almost invariably involved actual occurrences.

He was a member of the American, Illinois, and Chicago Bar Associations, was president of the Illinois State Bar Association 1929-30, and served as president of the Chicago Bar Association in 1933 and 1934. He was also a member of the New York Bar Association.

Black was a leader in civic affairs. He was a member of the Art Institute; a life member of the Chicago Historical Society; a member of the Chicago Association of Commerce and Chairman of its executive committee in 1934 and 1935, and a Director of that organization in 1944. He also served as President of the Chicago Law Institute from 1931 to 1943. In addition, he was a member of the Chicago Club, the University Club, the Harvard Club, the Mid-Day Club, the Saddle and Cycle Club, the Racquet Club, and a member and past president of the Chicago Golf Club of Wheaton.

John Black was a rare man, great in the understanding of his fellowmen; generous and considerate in all respects and in all his dealings. He had an extraordinary talent for making personal friends, and those friendships endured throughout his life.

*Governor Henry Horner* (1878-1940) became a member in 1916 and was president of the Club in 1929. He attended the University of Michigan, University of Chicago and Chicago Kent College of Law, class of 1898 (LL.B.). He received many honorary degrees; the list included LL.D's from Knox College and Northwestern University.

He began the practice of law in Chicago in 1899, was elected judge of the Probate Court of Cook County and served from 1914 to 1933. Like Judge Cutting, he earned the highest respect and admiration of the legal profession.

In 1933 he was elected Governor of Illinois and was re-elected and was serving his second term when he died in 1940. Few men have held that office who were more respected. He was the owner of a remarkable collection of Lincolniana.

*Lessing Rosenthal* (1868-1949) became a member of the Club in 1894 and was elected President in 1911. He received an AB degree from Johns Hopkins in 1888, an LLB from Northwestern in 1891 and an LLD in 1931. He was admitted to Illinois Bar 1891 and was a member of his father's firm, Julius and Lessing Rosenthal, from 1894 until his father's death in 1906. In 1906 he organized the firm of Rosenthal & Hamill, with Charles H. Hamill, a member of the Club from 1903 until his death in 1941. Later he was senior partner of the firm of which Willard L. King, President of the Club in 1953, was a member.

Lessing Rosenthal was remarkably popular and had a host of friends. He had a reputation for never being on time for any appointment—being late maybe an hour or a day or even sometimes a week. He attended the monthly meetings of the Club regularly but would generally arrive when the dinner was half over, and his popularity was

apparent when he was always greeted with cheers from the seated members.

To show his broad interests and his activities, we mention: Director, Hart, Schaffner & Marx and member of executive committee; President of Civil Service Reform Association of Chicago; Municipal Voters' League; Chairman, Committee on Municipal Elections, etc. of Chicago and Charter Conv.; Member Executive Committee Chicago Council on Foreign Relations, English Speaking Union of Chicago, Trustee, Brookings Institution, Washington, D.C., Johns Hopkins University; Member Visiting Committee Harvard Law School; American and Illinois State Bar Associations, Chicago Bar Association (V.P. 1903-04); Northwestern Assn. of Johns Hopkins Alumni (Pres. 1921-24), Book and Play Club (Pres. 1925-28). Clubs: Union League, City, Caxton, Chicago Literary (Pres. 1930-31), Executives', Tavern, Standard, Mid-Day (Chicago), Grolier, Harvard (N.Y.).

*Charles M. Thompson* was the 60th president of the Law Club in 1943. He was born in Chicago in 1877, was graduated from Washington and Jefferson College in 1899, received an LL.B. from Northwestern Law School, and was admitted to the bar in 1902. He was elected judge of the Circuit Court of Cook County in 1915 and was elevated to the Appellate Court in 1917. He returned to private practice in 1927 as a member of the firm of Chapman & Cutler. In 1939 he was appointed as the sole trustee of the Chicago and Northwestern Railway Company. He died in 1943, said Tolman, "after a life full of devoted service to the cause of justice and the public interest".

*Tappan Gregory* was born on August 20, 1886 in Madison, Wisconsin, the son of Stephen Strong Gregory. Like his father, he had the distinction of serving as President

of the Chicago, Illinois State, and American Bar Associations, as well as president of the Law Club.

He was graduated from the Chicago Latin School in 1906, entered Yale University in the class of 1910, and took his LL.B. at Northwestern University in 1912. He was admitted to the Illinois Bar in that year and practiced the rest of his life in Chicago, most recently with the firm of Gregory, Gilruth & Hunter.

He served during World War I as a First Lieutenant in the 313th Field Artillery regiment from 1917 to 1919. He was also a member of the Illinois State Board of Law Examiners from 1942 to 1947, collaborated with the United States Bureau of Biological Survey from 1937 to 1940, was a consultant to the American delegation at the United Nations Conference which met in San Francisco in 1945, and attended the Nuremberg Trials as an observer for the American Bar Association upon the invitation of the War Department in 1946. Gregory was Chairman of the House of Delegates of the American Bar Association from 1944 to 1946. President of the association 1946-47, and Editor-in-Chief of the *Journal* until his death on April 29, 1961. He also served as President of the Chicago Bar Association from 1939 to 1940 and President of the Illinois State Bar Association from 1945 to 1946.

Tappan Gregory was also National President of the Isaac Walton League, Vice President of the Chicago Zoological Society, and was a member of Psi Upsilon, Phi Delta Phi, and the American Legion. In addition, he held memberships in the Chicago Literary Club, the University Club, the Commercial Club, the Cliff Dwellers, and the Lawyers Club of New York. He was a member of the Executive Committee of the Law Club from 1940 to 1942 and President from 1944 to 1945.

Photography was an absorbing interest, especially when the subjects were wild animals. He had a most unusual collection of such photographs and authored *Deer at Night in the North Woods* in 1930, *Mammals of the Chicago Region* in 1936, and *Eyes in the Night* in 1939.

In spite of his successful practice and the prominence which he attained, Tappan Gregory was essentially a humble man. He rarely spoke of himself except in self-deprecatory terms, was generous in his praise of others, and was capable of seeing the other side of any question which he discussed.

*Stephen Edward Hurley* was Secretary and Treasurer of the Law Club from 1940 to 1942, Vice President in 1946-47, and President in 1947-48. He was born in Tenney, Minnesota, on December 31, 1893, attended St. Thomas College in St. Paul from 1909 to 1911, and received an A.B. from the Catholic University in 1913. He was graduated with an LL.B. from Georgetown University Law School in 1914 and was admitted to the Illinois Bar the following year.

Hurley came to Chicago after a year of practice in Quincy, Illinois, and became associated with the firm of Defrees, Buckingham & Eaton. He was a member of that firm from 1922 until 1940 when he formed the partnership of Hurley & Simmons. He died on May 10, 1955.

He served as an officer in the United States Army from 1917 to 1919, was Coordinator of the Cook County Selective Service Boards from 1940 to 1947, and was President of the Chicago Civil Service Commission from 1947 to his death.

He was a member of the Chicago, Illinois, and American Bar Associations, served as President of the Chicago Bar

Association in 1944-45, and subsequently was a director of the Chicago Bar Association Foundation. He was a member of the House of Delegates of the American Bar Association from 1945 to 1951, the last three years as State Delegate of Illinois.

Hurley was a member of the American Law Institute, the International Bar Association, the American Judicature Society, the Medieval Academy, the American Classical League, and the Academy of Political Science. He was also a member of the Chicago Natural History Museum, the Chicago Historical Society, the Council on Foreign Relations, the University Club, the Caxton Club, the Cliff Dwellers, and an honorary member of the Order of Coif. He was also a member and president of the Legal Club, 1941-42, and the Chicago Literary Club, 1947-48.

One of the most notable characteristics in delivering papers was the informality of his presentation as if he were improvising his talk as he went along. Actually he had carefully written it out and memorized it perfectly.

Many of his closest friends did not know that he was a serious student of the classics, particularly the works of Horace, and that he had compiled a library containing a collection of the works of Horace which was noted among scholars from coast to coast. Most of the library was purchased from his estate by Northwestern University after his death.

Stephen Hurley was one of the most popular and interesting figures at the Chicago Bar. A man of infinite, if sometimes sardonic, wit, he was a unique character in the experience of those who knew him best combining delightful humor and good fellowship in an unusual combination with deep erudition.

*John R. Heath* was president of the Law Club in 1951. He was a versatile young man with much drive and curiosity which led him to roam in the fields of literature, law, travel, sports, fishing, and fox-hunting. He was a member of the Oak Brook Hunt Club and one of his duties at the beginning of each season was to arrange for the "blessing of the hounds" before they took off after the fox.

He was an active member of the Chicago Literary Society. Heath's interest in and loyalty to his alma mater, Grinnell College, may be judged by the fact he served as President of its Board of Trustees for many years and was once required to spend much of his valuable time searching for and selecting a President.

#### **Some Other Prominent Members**

*Senator Charles S. Deneen* was admitted to practice in 1886 and became a member of the club in 1901. He passed away in 1940 after a distinguished career. He was attorney for the Sanitary District of Chicago in 1896-96 and State's Attorney of Cook County in 1896-1904. After serving as Governor in 1905-09, he resumed the practice of law until February 25, 1925, when he was appointed U. S. Senator to serve the unexpired term of Madill McCormick, deceased, and he was elected to the same office for the term of 1925-31. He served his state and country loyally and well.

*Governor Adlai E. Stevenson* was born in 1900 and died in 1965. He became a member of the Law Club in 1938 when he was a partner of the firm of Sidley, Austin, Burgess & Smith, from which he retired in 1941 to become Assistant Secretary of the Navy. He held that position until 1944, served the government on several foreign missions, returned to Illinois and was elected Governor.



He served from 1949 to 1953. He was highly admired and respected throughout his life for his many talents and great ability.

In 1955 he became a partner of a New York law firm, Paul, Weiss, Rifkind, Wharton & Garrison, from which he retired in 1960 to become more active in politics. His popularity was nationally recognized and he was twice nominated as the Democratic candidate for President of the United States in 1952 and 1956. Unfortunately he had to run against a war hero, General Dwight Eisenhower, who defeated him in both elections.

He was a member of many clubs, the author of many books and magazine articles, and the recipient of honorary degrees from many American universities and from Oxford. Few men had the ability to use the English language with greater charm and effectiveness than Adlai Stevenson. His sudden death on the streets of London in July, 1965, was shocking news to the entire world, especially as he was then serving as Ambassador of the United States to the United Nations. Many of the members of the club were more intimately acquainted with Ad Stevenson than this historian, so I will leave to some of them the intimate stories and further descriptions of our departed friend.

*Governor Otto Kerner* became a member of the club in 1941, served as a Cook County Judge, and was elected Governor of the state on the Democratic ticket. He is highly regarded as a man and as our Governor, but this should be expected as Governor Kerner's father sat on the Federal Bench for many years and was admired and respected by all. Recently he followed his father onto the Federal Bench. We hope he forgives us for listing him among departed members of the Club.

*Judge Kenesaw Mountain Landis* became a member of the Law Club in 1889 and died in 1944. He was one

of the most colorful members of the bench and no lawyer appearing before him could anticipate what might happen or be said. Landis always enjoyed a brisk argument with counsel and often would say and do the unusual. Some lawyers became so upset that they refused to reappear before him.

He lived on the South Side and rode the local Illinois Central, but not with the other passengers. He was always up front with the engineer.

He resigned from the bench to become the Czar of Baseball, a game which he had always been fond of. As was expected, Landis had a great influence for good and soon restored public confidence in the great American game which had been shattered by the "Black Sox" scandal.

*Silas Hardy Strawn* was a member of the Executive Committee of the Law Club in 1911-12 and again in 1912-13. He was born near Ottawa, Illinois on December 15, 1866 and distinguished himself on a national if not an international basis.

Mr. Strawn was admitted to the bar at Ottawa, Illinois, in 1889 and practiced there until 1891. He came to Chicago on a bicycle in that year and became associated with the Winston firm, with which he continued until his death in February of 1946. His personal practice was almost entirely in the field of corporation law although the firm grew substantially as the years went by and was equipped to handle legal problems of any type or character.

He was elected president of the Chicago Bar Association, the Illinois State Bar Association, and the American Bar Association. He was later elected president of the

United States Chamber of Commerce. In the 1920's, by appointment from President Coolidge, he spent two years in China as chairman of a committee working on Chinese customs matters and the extra-territorial rights of the United States. He was elected president of the Commercial Club, was a Life Trustee of Northwestern University, and served as a Trustee of the Carnegie Endowment for International Peace. He was a member of most of the leading clubs in Chicago. He was a public spirited citizen who devoted much of his time in later years to civic problems, among them the effort to raise funds in order to pay the teachers in the City of Chicago when no funds were available for that purpose.

He had a great supply of stories and enjoyed nothing more than telling a story which pointed up any problem at hand.

After his arrival in Chicago he took up the game of golf seriously and played an excellent game until the last year of his life. At one time he served as president of the United States Golf Association.

He was a most generous individual and contributed heavily from his income to put worthy men through college and law school. His lack of selfishness was always demonstrated by the fact that he frequently allowed some of his juniors in the firm to earn more than he did, even though he was the unquestioned head of the firm and one of the outstanding lawyers in the country.

*Donald R. Richberg* began the practice of law in Chicago in 1904 with his father, who was one of the city's outstanding lawyers from 1868 until 1917. He became a member of the Law Club in 1919 and read the first of his five papers as well. No other member of the club has

addressed the members more frequently although the names of Judge Charles G. Cutting and Silas H. Strawn also appear five times on the club's programs.

From 1915 to 1927 Richberg was Special Counsel for the City of Chicago in litigation over gas rates; Chief Counsel for Railway Unions in the government's injunction suit in 1922; General Counsel for the National Conference on Valuation of Railroads 1923-1933; Executive Director of the National Emergency Council 1934-35. In this last post he was a super cabinet officer with a rank superior to members of the cabinet. Cabinet members communicated with President Franklin D. Roosevelt through him and he was frequently referred to as the "Assistant President" or as the "Number One Man".

He was co-author of the Railway Labor Act passed by Congress in 1926 and the National Industrial Recovery Act which was passed in 1933. He was the first General Counsel of the National Recovery Administration and served as its Chairman of the Board until 1935 when he resigned to return to the practice of law. Then during the late 1940's and early 1950's there were few speakers in the country who attacked the growing power of "Big" government and "Big" labor with greater vigor and clearer understanding.

He was the author of many books, some being novels, while others involved the political, economic, and social problems of the country. He was a contributor to many leading periodicals and his versatility and broad knowledge are demonstrated by the variety of subjects his writings have covered in plays, poetry, and prose.

*Ernest Palmer* became a member of the club in 1919 and passed away in 1964. He was highly regarded in insurance circles and by the legal profession, served for

many years as Manager and General Counsel for the Chicago Board of Fire Underwriters, and provided leadership for important civic and educational activities.

Governor Horner persuaded him to accept the appointment as State Superintendent of Insurance. When Palmer took over the duties of his office, he found the insurance laws of Illinois to be utterly inadequate. He started a program to codify the laws to better protect policyholders and to make certain that the insurance companies doing business in the state operated efficiently and were financially sound. Many insurance companies vigorously opposed any efforts that might result in restricting the loose way in which they did business.

Palmer, as an experienced lawyer, fully appreciated the need for a complete codification of the insurance laws, but he did not fully realize the difficulties involved. After extended hearings and two proposed codes had been defeated, Palmer was finally able to get a code drafted that was acceptable to the legislature. It was enacted into law on June 30, 1937 as it now appears on the books.

*William Pratt Sidley* was a member of the Law Club from 1898 to 1958. His membership was one of the longest in the history of the club.

He was born in Chicago on January 30, 1868, graduated from Williams College in 1889, and received an LL.B. from the Union College of Law, which later became the Northwestern University Law School, in 1891. During his attendance at the Union College of Law, he was also a student in the law office of Williams, Holt & Wheeler and thus began a connection which lasted almost without interruption until his death on April 25, 1958. He was a student with the firm from 1889 to 1891, law clerk from

1892 to 1896, and a partner after January 1, 1897. The firm became Holt, Wheeler & Sidley on January 1, 1900 and his name has since remained a part of the firm name. The firm is now Sidley & Austin.

William P. Sidley represented his clients with energy and tenacity. In the early months of 1896, for example, he went into the mountains of Croatia, in what is now Yugoslavia, and overcame formidable linguistic, physical, social, and psychological obstacles in exposing a conspiracy to defraud the Illinois Steel Company through a false personal injury claim. Early in his career he was drawn into work for the Western Electric Company, which his firm had organized as a successor to an earlier company established in 1872. He served as Vice President and General Counsel of Western Electric, with offices in both Chicago and New York, from 1908 to 1933. After World War I, Sidley spent much of his time in the settlement of war claims against Germany and, as chairman of the American War Claimants' Association, represented nearly ten thousand American corporations and individuals with claims aggregating more than \$100 million. He also had many other corporate clients and a large probate practice.

After the death of Charles S. Holt in December of 1918, Mr. Sidley was the active managing partner of the law firm for some thirty years, determining its policies and presiding over its destinies in the years of expansion following World War I.

In addition to serving as president of the Chicago Bar Association in 1930 and 1931, he gave of his time, energy, and wisdom to affairs outside the profession of the law. As early as 1874 his firm had been counsel for the Chicago Y.M.C.A. Sidley became a member of the Board of Man-

agers in 1899, served as president from 1911 to 1915, was president of the board of trustees from 1944 to 1948, and became the first chairman of the board of the Y.M.C.A. Hotel. He was also one of the founders of the Chicago Sunday Evening Club in 1907, a trustee for fifty years of the Art Institute of Chicago, a trustee of the Newberry Library, and a life trustee of Williams College. In the field of business, he was a director of the Harris Trust and Savings Bank for over thirty years, a director of the Chicago Association of Commerce and Industry, and a member of the Executive Committee of the Commercial Club of Chicago.

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Finally, back to 1883—it was then that the founders of The Law Club declared in its constitution that it was organized “for the purpose of advancing . . . . the condition of the law by social intercourse and friendly interchange of views.” May these stories about distinguished members of the club confirm what we realize, but sometimes forget, that their lives were dedicated to the advancement of their profession and the betterment of this great city of Chicago in which they lived. May we and future club members give to our profession the same dedication and capacity as those did who preceded us or were contemporaries of some of us, such as I.

## Notes

### Notes to Chapter I

1. The information on the status of the legal profession in the 1880's in this paragraph and the four which follow is based primarily upon James Willard Hurst, *The Growth of the American Law: The Law Makers* (Boston: Little, Brown and Company, 1950) 306-307, 297-298, 280-281, 286-287, and 288.
2. The most useful source in compiling biographical sketches of those who joined the Law Club in 1883 was John W. Leonard ed., *The Book of Chicagoans: A Biographical Dictionary of the Leading Living Men of the City of Chicago* (Chicago: Marquis and Co., 1905 and 1911) and, to a lesser extent its successor, *Who's Who in Chicago*. These sources provided data on all of those represented here except John H. Hamline. John M. Palmer ed., *The Bench and Bar of Illinois* (Chicago: Lewis Publishing Co., 1899) provided additional information on Edward O. Brown, Stephen S. Gregory, John H. Hamline, and Azel F. Hatch. Also useful were James Grafton Rogers, *American Bar Leaders* (Chicago: The American Bar Association, 1932) for its excellent biographical sketch and portrait of Stephen S. Gregory, *A History of Chicago* (Chicago: The Inter-Ocean, 1900) for biographies and pictures of Thomas Maclay Hoyne and George Mills Rogers, and the *Encyclopedia of Biography of Illinois*, Vol. II (Chicago: Century Publishing Co. 1894) for its sketch of John H. Hamline. In addition, further data on Azel F. Hatch may be found in *The Biographical Dictionary and Portrait Gallery* (Chicago: American Biographical Publishing Co., 1893) and the *Genealogical and Biographical Record of Cook County, Ill.* (Chicago: Lake City Publishing Co. 1894).



Notes to Chapter II.

1. This chapter is based upon a synthesis of information available in Major Edgar B. Tolman's address, "Law Club Remembrances, 1895-1945", and my own recollections.

Notes to Chapter III.

1. The biographical sketches in this chapter are based on Major Tolman's address and/or my own recollections of Law Club members. Additional contributions were made by: Harold A. Smith on Silas-Hardy Strawn and John D. Black; Edwin C. Austin on William P. Sidley; Robert Diller on Charles S. Cutting; R. Newton Rooks on Kemper K. Knapp; Richard Bentley on Stephen E. Hurley and Tappan Gregory.

## APPENDIX

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### Presidents of The Club 1883 - 1968

(The figure in parentheses following each name is the year of election. The next date is the month and the year each read a paper before the club. All served one year, except Frederick A. Smith, who served for two).

Adams, Samuel ('34)—Nov. '30

Aldrich, Charles H. ('93)

Amberg, Harold V. ('42)—Dec. '36

Austin, Edwin C. ('66)—Dec. '63

Bancroft, Edgar A. ('07)—Nov. '95; Apr. '17

Bell, Laird ('28)—Dec. '24; Mar. '30; Nov. '37;  
Mar. '46

Bentley, Richard ('58)—Feb. '38; Oct. '44

Black, John D. ('25)—Nov. '12; Feb. '30; Oct. '30;  
Jan. '36

Bowers, Lloyd W. ('00)—Jan. '03

Boyden, William C. ('02)

Boyesen, Ingolf K. ('94)—June '83; Jan. '87

Brown, Edward O. ('18)—Nov. '84; Nov. '87; Apr. '02;  
Oct. '08; Oct. '09

Burley, Clarence A. ('89)—Feb. '86; Sept. '03

Burry, William ('91)—Apr. '91

Byron, Charles L. ('59)

Carpenter, George A. ('12)

Cattell, Archibald ('30)—Apr. '32; Mar. '35

Chadwell, John T. ('65)—Mar. '51; May '64

Cooper, Homer H. ('38)—Oct. '21; Nov. '24; Oct. '31

Cutting, Charles S. ('05)—Feb. '96; Feb. '04; Dec. '14  
Oct. '20; Oct. '22; Feb. '27

Dammann, J. Francis ('40)

Denning, Clarence P. ('45)—Oct. '30

- Gardner, Henry A. ('41)  
Gregory, Stephen S. ('92)—Jan. '00  
Gregory, Tappan ('44)—Jan. '38; Sept. '45  
Hamlin, Frank ('17)  
Hamill, Charles H. ('19)—Jan. '04; Mar. '18; Oct. '20;  
Oct. '22  
Hamline, John H. ('90)  
Hatch, Azel F. ('96)—Apr. '85; Apr. '95; Nov. '00  
Hawkins, Kenneth B. ('52)—Feb. '37  
Heath, John R. ('51)  
Horner, Henry ('29)  
Hoyne, Thomas M. ('85) (The first paper read, April  
1883)  
Hurley, Stephen E. ('47)—Oct. '38; Nov. '50  
Johnstone, Bruce ('26)—May '12  
Johnston, Edward R. ('36)—Dec. '32; Sept. '60  
King, Willard L. ('53)—Nov. '34; Jan. '46; Mar. '52;  
Dec. '65  
King, William H. ('46)—Jan. '34; Mar. '43  
Knapp, Kemper K. ('20)—May '14; Apr. '20  
Kremer, Charles E. ('95)  
Lautmann, Herbert M. ('54)—Apr. '43  
Loesch, Frank J. ('22)—Mar. '97; Dec. '22; Oct. '36  
Lord, John S. ('49)—Mar. '34; Oct. '64  
Lowden, Frank O. ('98)—Mar. '93  
Marshall, Thomas L. ('50)—Mar. '27; Dec. '54  
Marston, Thomas B. ('99)—Oct. '98  
Mason, Henry B. ('86)—Jan. '85; Oct. '90  
Mason, Roswell B. ('14)—Mar. '19  
McConnell, Samuel P. ('84)—May '83; Feb. '88;  
Nov. '94  
McIlvaine, William B. ('16)—Jan. '96  
Miller, Amos C. ('21)—Oct. '20; Oct. '22; Oct. '28;  
Oct. '30  
Miller, Henry G. ('35)  
Montgomery, John R. ('31)—Sept. '15; Feb. '22  
Mulroy, Thomas R. ('62)—Oct. '47  
Musgrave, Harrison ('01)

- Niblack, William C. ('97)—Mar. '89; Feb. '99  
Oakley, Horace S. ('03)—Oct. '01; Feb. '17  
Osgood, Roy C. ('32)—Dec. '23  
Paxton, Glenn G. ('68)  
Peterson, Abe R. ('62)—Oct. '62  
Prussing, Eugene ('83)—Oct. '25  
Raymond, Anan ('56)—Nov. '31; Apr. '40  
Rosenthal, Lessing ('11)—Mar. '96; Apr. '31  
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Mar. '20; Mar. '31  
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Tolman, Edgar B. ('10)—Nov. '36; Dec. '45  
Trude, Daniel P. ('27)  
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