

The

# PHI-ALPHA-DELTA QUARTERLY

MARCH % % % 1929



#### The

#### PHI ALPHA DELTA QUARTERLY

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# KEENER CHAPTER

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# THE PHI ALPHA DELTA QUARTERLY

NO.

# LAW FRATERNITIES IN WASHINGTON HOLD JOINT MEETING

A very interesting experiment is being carried out now in Washington through the leadership and cooperation of the P. A. D. Alumni Chapter there. Meetings have been held at which the alumni of all the various law fraternities and sororities have attended. These meetings have been held on the night, at the place of meeting and with the speakers of the P. A. D. Alumni Chapter. P. A. D. has been principally responsible for the fostering of these meetings, Brother Aitchison, retiring Justice of the Washington Alumni Chapter and P. A. D.'s representative of the National Executive Committee of the Conference of Law Fraternities, having been particularly active in this regard. While the meetings have been held under the auspices of the Conference of Law Fraternities P. A. D.'s have been the most numerous in attendance and as above noted it has been at their place of meeting and with their speakers that the meetings have been conducted.

At the first of these meetings, which was held in November of last year, Hon. Ira Robinson, formerly Justice of the Supreme Court of West Virginia, and now Chairman of the Federal Radio Commission, was speaker.

The speaker at the second meeting, which was held on February 25th, was Senator King of Utah. The second meeting was naturally more largely attended than the first because at the second meeting the sororities were included. About eighty-five people were present. Senator King spoke at first upon the continuance of legal study by lawyers when they are in active practice, and in this connection urged an endeavor on the part of lawyers in practice to continue the search for the general principles which characterized their law school studies, rather than a frantic digging through the law books to find some precedent to fit the case.

The Senator also spoke of a trip which he had made to Russia and of the relations of this country to the Russian Government. He was particularly interested in the question as to whether or not the time was right to recognize the Soviet Government either as de jure or de facto. He was rather of the opinion that the Russian Government was stable enough to be recognized as a Government defacto.

But one unfortunate incident marred the evening. This incident was the Sergeant at Arms of the United States Senate, who corralled Senator Borah of Idaho and compelled him to attend a night session of the Senate in place of attending the meeting, as he had intended to do. The Quarterly commiserates with the Senator from Idaho because it knows from experience what a good time he missed.

## ANNUAL FORMAL DANCE OF CHICAGO CHAPTERS

The evening of Saturday, February 16, 1929, yielded one of the most pleasant functions in the social history of the Chicago Chapters of Phi Alpha Delta. Under the auspices of the Inter-Chapter council, the local chapters, Marshall, Fuller, Webster, Story, Blackstone and Chicago Alumni made merry at their Annual Formal dance, this year at the St. Clair Hotel.

To the tantalyzing rhyme of the celebrated Fisk O'Hare's orchestra, one hundred pair of shoes and one hundred pair of dainty slippers, were swinging lightly up and down, across and around the wax. This was at nine-thirty. According to reports some of the brothers started proceedings earlier. Your reporter is not advised when they ceased. At any rate there was plenty of action and nobody counted out when midnight arrived and a "continuance" was ordered taken to the dining room for supper. The supper proved not only tasty, but an enjoyable hour of merriment and good fellowship, and it was with regret that the hour of adjournment "sine die," finally arrived, making history of another splendid success to the credit of Phi Alpha Delta.

JAMES H. TURNER,

Associate Editor.

# TONY SAVERESE RESUMES PRIVATE PRACTICE

Every P. A. D. in and around New York knows Anthony P. Savarese, until recently Assistant United States Attorney of the Eastern District of New York. Tony, who is a Rapallo Chapter man, and a Director and Secretary of the New York Alumni Chapter, tendered his resignation to Mr. DeGroot, the District Attorney, on March first. While in the District Attorney's office Tony's work involved the National Prohibition and Traffic Act, the Internal Revenue Act and the Food and Drug Act, and when he resigned he received an extremely complimentary letter from his chief.

Interviewed by a reporter from the Quarterly Mr. Savarese stated that he intended to resume his practice at 80 Wall Street, New York City, giving a little spare time to the running of the Republican organization in New York, as he is a member of the Queens County Republican Club, the National Republican Club and the Columbian Republican League.

Brother L. A. Cambridge, Webster '08, has been re-elected President of the Casualty Adjustors Association of Chicago. Brother Cambridge is also Superintendent of Claims for the Illinois Manufacturers Mutual Casualty Association, Inc., 231 South La-Salle Street.

#### SUPREME JUSTICE'S PAGE

How much greater progress we could make as a National Fraternity, if we could impress upon many of our chapters and our alumni the need for closer co-operation.

Active and alumni chapters should give prompt attention to their duties, and particularly, to their correspondence, that an efficient and business-like administration of their effairs might be maintained.

We are earnestly endeavoring to organize alumni groups but local leadership is either uninterested or lacking and we trust that each member of our alumni reading this Quarterly will immediately do his part in acquainting himself with the other members of our Fraternity in his community with a view toward petitioning for an Alumni Charter. You can obtain a Directory from Brother Allan T. Gilbert, 120 South La Salle Street, Chicago, Illinois, or you desire, a letter to the Supreme Board will bring you the list without delay—it is worth while not only to the alumni but also of vital importance to our active chapters.

We can develop great strength only by widespread interest and the active participation of a large portion of our membership. We need your assistance and are depending on you.

Sincerely yours,

JOHN J. NANGLE.

# JOHN MARSHALL AND THE TRIAL OF AARON BURR

Stenographic Report of An Address by Brother Edgar A. Jonas at the Annual Meeting of the Chicago Alumni Chapter, January 15, 1929

Mr. Justice,— I should say outgoing Justice and our new Justice, brethren and members of the Bar, I hope that you will forgive me if this talk that I am going to give tonight is rather lengthy. It will be a little bit longer and a little bit more involved than the former talk, that I had the pleasure of delivering to the Alumni Association in October, and before I venture forth and embark on my journey in dealing with the subject matter, I want to take this occasion to congratulate you all upon the judgment and sagacity that you have displayed in choosing your new P. A. D. officers for the ensuing year and I will express my deep appreciation to the outgoing corps of officers for the consideration and the courtesies that they have always extended to me in this, our fraternal and private life as well as in my public and judicial duties and functions.

I volunteered last Summer to deliver three lectures, if you want to call them that, dealing with the life of probably one of the greatest, if not the greatest of jurists, who was ever raised to a bench in a country, where the people had to do with placing him there and where the people fundamentally are the government.

In the October lecture I confined myself to the text or thesis dealing with the case of Marbury against Madison.

In this talk tonight I am going to dwell upon the subject of Marshall's conduct at and during the trial of Aaron Burr. I think it would be almost remiss if I spent any time upon the question of who Aaron Burr was or what his connection with our historical progress was, or his activities in the earlier period of our formation of government in our country. Every school boy, every American child that attended our public schools is fully conversant with his activities, at least in an abbreviated way.

On the 2nd day of March, 1805 there arose in the Senate of the United States a gentleman who had presided over that body for the past four years. He was about to deliver his farewell message. As he stood on the floor of that Senate chamber there was something peculiar about his appearance. Burr had about him a certain magnetism and a physical attraction that no one has yet been able to explain, either from a historical or a psychological standpoint. He spoke extemporaneously, and so forceful and so appealing were his remarks that all of his colleagues were visibly affected and three were virtually in tears. That ended his regime in public life.

Prior to that time, he had held various positions of honor and trust and had been one of the great outstanding and conspicuous characters in organizing and promulgating the principles that ultimately led to the formation of our government.

Burr walked out of the Senate chamber and up the streets of Washington, muddy as they were, and he embarked upon an enterprise which ultimately was to make him the conspicuous and international character that he became.

In order to understand the importance of this man in public life or why he became such a factor of historical note, it is necessary to go a little into his background, to see how colorful it was, and what prompted him to do the many things that he did, prior to the time he got into his serious trouble, and also what prompted him to do these things, if anyone knows, subsequent to the time he left public life.

Burr came from an excellent family. At the time when he left the Senate Chamber or sometime at least shortly prior to that time, his father had been elected to the exaulted position of President of Princeton University. On his maternal side he was the grandson of John Edwards, one of the greatest educators this country has ever produced. Burr himself had an excellent education and he was and had been enterprising, progressive and agressive during all the time he was in public life, as he had been before he became a public official, but was conducting his law practice.

When he resigned from the Senate, he was what was known commonly, or speaking in street parlance, as being absolutely broke. He lost all his friends. His fortune had been entirely dissipated and depleted, his political standing was at the lowest ebb and all those he had sponsored theretofore in public life and who had been his sponsors and who had been shouting his abilities and all of his enticing characteristics from the house tops, had completely abandoned him and many of them refused to recognize him. The reason for this was that he had got himself into very serious difficulties.

At that time, as well as now, our country was divided between the issues of two great political parties and people were taking a standpoint from partisan views.

Burr was a confirmed enemy of Alexander Hamilton, who was at that time Senator in the State of New York and while Burr had many great abilities that Hamilton possessed. Hamilton had as much if not more knowledge and shrewdness than Burr. Hamilton was one of those vitriolic, vituperous, vitalic individuals who never let up when it came to attacking anyone, either attacking them through the press or by word of mouth; he hadn't his peer in that kind of work and the educated and trained mind of Burr soon discovered how great an obstacle to progress was an attack by Hamilton. As you know, ultimately it ended up in a duel in which Hamilton was killed. Now bear in mind, gentlemen, that when Aaron Burr left the Vice-Presidency of the United States, and prior to that time, he had been a distinguished lawyer, he had served in a prominent political position in the state of New York, he had accredited himself on the battle fields of the Revolutionary War with distinction and had been twice cited for bravery, especially at the Battle of the Brandywine and at the Battle of Monmouth. In the political conflict of 1800 he lacked but one vote to become President of the United States. He always blamed Hamilton for that.

At the time he walked out of the United States Senate, Burr was under indictment in the State of New Jersey in two counties. They had indicted him with a charge of murder. There was an indictment against him in the State of New York for challenging a man to a duel which ultimately ended in the death of the individual he had challenged. He lost the background which he possessed, as I said,—he had no fortune, no money, he possessed no friends, he was a fugitive from justice at least in so far as the States were concerned I have mentioned, and in order to recuperate whatever he had lost, it became necessary for him to embark upon some entirely new enterprise. Aggressive and farseeing as he was, he at once began upon that task; and so it developed that Burr concocted the scheme or the idea that the time was ripe whereby he could form a new nation and have certain sections of the country secede from the Union and thereby set himself up as the President or the dictator in that given territory.

At that time, however, Aaron Burr had another enemy who possessed as much ability and probably more than he did—the strongest man in public life at that time—Thomas Jefferson. There probably has never been a man in the President's chair that ever possessed the instinctive ability that Jefferson possessed; he was the finest student of psychology that the American people have ever put forth as a President or aspirant to that chair.

Jefferson could read all of Burr's activities. He was always a step ahead of him in realizing or planning or thinking about what he was going to do; and so when Hamilton was out of the way. Burr, hoping to realize his ambitions, found he had another antagonist who possessed equally as much or probably more ability along the same lines than Hamilton did. Jefferson began to oppose Burr and the reason he did so was due to the fact that, when the fight was on to depose or dispossess the judiciary, as I have explained to you during the last lecture. Burr deserted the party and went over to the Federalists upon this problem, which was so close to the heart of Jefferson and Jefferson never forgave him. In order to rub it in, as we might call it, at one of the celebrated dinners given at Washington, at which Burr was present and called upon to speak-and he was known as one of the greatest speakers in the country at that time—he arose and he gave a toast, he said. "Here is a toast to the union of all honest men", which Jefferson took as a affront to him. From that day on Burr and Jefferson were enemies and the fight was on.

It is needless to dwell upon the activities of Burr from the time he left the Senate Chamber, of how he went into new territory and how he met new people and how he attracted them. The fact remains that when Burr traveled from Philadelphia to Pittsburgh and there learned of the great outlet in the new country west of the Alleghanies he and a man by the name of Morgan conceived the idea of misleading the public by telling them that he proposed to establish a colony under a grant known as the Washington Lands in the South-West part of the country, which would afford an opportunity to collect arms, men, ammunition, beats and equipment necessary to go into the new territory then known as the Southwest.

Those of you who have followed the story of Blennerhasset Island and the other events surrounding this great conspiracy know that ultimately Burr's activities in this notorious matter or part of them began to seep back and become the topic of the conversation at the capitol at Washington.

In the State of Kentucky at that time there was a United States District Attorney who was a brother-in-law of Thomas Marshall who had always been an avowed friend and comrade of Alexander Hamilton; in fact, he took the middle name of Hamilton. He was John Hamilton Daveiss. When he heard about Burr's activities near and adjacent to the territory where he was acting, and finally learned that Burr had entered the State of Kentucky, he appeared before the United States District Judge and asked that Burr be indicted for treason.

It is a historical fact to note that at that proceeding a young and aspiring lawyer not very well known then but who later became a national character defended Burr. It was Henry Clay. Nothing became of that proceeding. Burr was a very popular man. The grand jury called together the witnesses, brought in their verdict after a short session in secret and reported that there was nothing to indict upon. They quashed the whole thing as political blackmail and an interference with a man's private life.

To illustrate the hold and power Burr had gained, the citizens of Kentucky got together and put on a grand ball and a great celebration in honor of Burr. Indeed Burr's influence upon the people reached into Tennessee.

In Tennessee at that time the state was in the making and under the leadership and guidance of that well-known national character, who later became another President of the United States. It was Andrew Jackson, who had been a district attorney and, as you know, in Congress, went to the Senate subsequently, was also Major General of the Militia of that state and hoped to be promoted to the position of Commander of the Armies of all of the Southwest portion of the country.

A friendship was struck up between Jackson and Burr that lived to practically the end of their public and private careers.

The weakness of Burr's whole life was this: he was a prevaricator and a philanderer. His one weak spot was that he could not get along without confiding his secrets to women and wherever Burr traveled, he usually had a woman or two following him or he was following a woman or two. That was his trouble in Kentucky, that was his trouble in Tennessee and that led to part of his exposure and downfall when he finally ended up in New Orleans, Natchez and the southern part of Mississippi.

The commander of the United States Army at that time was a man by the name of Wilkinson. I am going to show you, if I may, and if you feel that you can bear with me, the situation already existing at that time in this country with reference to public officials.

Wilkinson had the confidence of the President of the United States and the Congress and the people. He was considered as an upright, straight-forward national character and an excellent military man. The fact remains that Wilkinson at the time he was masquerading under this cloak of respectability, was in the pay of the Spanish Government and that he was entering into and carrying on negotiations with the men who had charge of the Spanish territory in the South, and had also opened up lines of negotiations with the people who were controlling in Mexico. This brought him in contact with Burr, on the theory that Burr wanted the excuse for invading Mexico in order to set up a position of his own in the Southwest and Wilkinson wanted the excuse of having someone march against Mexico in order to shake down the dictator in Mexico for \$110,000,00.

It developed sometime later that Wilkinson had sent a messenger to the dictor in Mexico and had asked him to pay \$110,000.00 in order to keep Burr's army, as he said, of ten thousand men out of his territory. The shrewd Mexican, however, whom you can only know from contact with him,—some of you who have been down to Tia Juana or in Mexican territory know his shrewdness when you have been in a restaurant and look over the bill, it is always well to look over them twice and count up your figures twice, others know who have bought from the hot tamale seller that he will put one over on you if you let him,—this commander of Mexico boldly wrote back that he feared no army of ten thousand or a hundred thousand and while he thanked him very much for the information, nevertheless, there were no money bags, or indeed anything to give the messenger that looked like \$110,000.

Wilkinson then turned his attention to how to destroy Burr and he wove a web around him with such shrewdness that it ultimately led to the trial of Aaron Burr.

There were two men in this country at that time who were directly in league with Burr and both probably from an innocent standpoint. One was a young man named Samuel Swartwout; the other man was a German student by the name of Erich Bollmann. Burr inveigled these two men to become his emissaries giving them each a code letter. Through this misstep, one of the letters fell into the hands of Wilkinson who had an understanding of the code. The other letter fell into the hands of the authorities at the city of New Orleans.

When Swartwout got down to New Orleans, where this conspiracy was supposed to take place, Wilkinson realizing the danger that was in this enterprise and knowing that the President had always declared himself against the activities of Aaron Burr, he, Wilkinson, sent an affidavit with the two letters to Jefferson, and the President issued a special message to Congress that Burr was trying to undermine the very fabric of our government and set up a new government of his own.

Wilkinson also saw he had to do something to cover up his own activities or something would happen to him. Therefore, the General very carefully

omitted the fact when advising the President of Burr's letters that the message from Burr was in reply to a despatch from himself.

Wilkinson immediately upon advising the President what was going on, declared marshal law in New Orleans and had everybody and everyone promptly arrested. When Swartwout presented the letter to him, he clapped him in chains, put him on a boat and asked that he be sent to Washington. Bollmann suffered the same penalty, and two or three other citizens were arrested also, one of them John Adair, who had been a popular, brilliant soldier in the Revolutionary War and who went down to that territory merely for trading purposes. He however was arrested and thrown into prison. His lawyers filed an application for a writ of habeas corpus and it was served upon the Commanding General of the United States Army. He promptly ignored it and he ordered the arrest of the Federal Judge who had issued it.

That Federal Judge promptly resigned and only escaped imprisonment because another Federal Judge in the same district took charge of the court and issued a writ of habeas corpus preventing his arrest by the commanding general of the armies.

I cite these instances just to show how the questions of law were involved, and how far the people even went in those days when they were carried away by their emotions in great public excitement about which they had stirred up everybody, due to this condition that existed in the Southwest.

Then Burr was given a tip, as you may call it, that if he was caught in New Orleans that he would be arrested and he stayed on the Mississippi side.

He still had a great many friends.

It is not necessary for me to detail to you the fleet he had built up or the army that he had, because he had none. He had gathered together about ten boats, half of which were paid for by Jackson and he picked up about sixty men, about 30 of which were college students and young adventurers who wanted some fun and excitement in life and who did not really understand what it was all about. While in Mississippi, however, he was under the protection of many of his friends because many of the Federalists, after the Republicans got into power in Washington, moved into the Southwest and became wealthy plantation owners in that territory.

True, Aaaron Burr had certain enemies in this section of the country too, but he evaded them all until one evening while riding in disguise on horse-back, he stopped at a tavern to inquire his way along the uncharted roads. A man, at that time a lieutenant in the Tennessee Army, happened to recognize Burr. He promptly arrested him and took him in charge until he could communicate with his superior officers and thus started the march across Mississippi, across country on to Virginia and to Richmond. News of Burr's arrest was sent to the President and then they began to prepare for the trial of Aaron Burr, charging him with treason.

The preliminaries of this trial developed this way: Before Burr could arrive at Richmond, Bollmann and Swartwout were brought by boat to Baltimore, Maryland, taken into charge by the military authorities and brought to the District of Columbia, to stand trial for conspiracy to commit treason before Justice Marshall.

Swartwout and Bollmann both hired attorneys. One of their attorneys was Charles Lee and another Robert Harper. If you read some of the early Supreme Court authorities, you will find that he was practically always on one side or the other of important cases that came up in that distinguished tribunal. Another man that defended them was Francis Scott Key, who is the man who immortalized his name later by the National Anthem he wrote. Another one of the attorneys was the best and most distinguished criminal lawyer in that jurisdiction of the United States at that time, who hailed from Baltimore, Luther Martin. It has been said many times that he never had his peer, at least in that period or for many years thereafter, in the ability

which he possessed to argue to juries and in the ardor and forefulness of his speech.

The first step was the filing of a complaint against Bolling and Swartwout for a conspiracy to comfit treason against the Government. There were long and tedious arguments about that question, but the complaints were filed by the District Attorney, there was a quo warranto hearing and the complaints issued to a Judge by the name of Cranch. Some of you gentlemen who read our early reports find 1 Cranch, 2, 3 and 4 Cranch and so on. Well, you connect those volumes with this distinguished Jurist who had to do with writing some of those opinions later on.

There was a preliminary hearing before Cranch and those judges associated with him. There were two Republicans and one Democrat on the Bench then and the Democrats at that time were New England's Federalists on the Bench.

Three of them heard the arguments and Cranch held that there was not sufficient charge to hold these men on any ground. There was no evidence against them that they had committeed treason. All they had was an affidavit from one or two of the men who had been guards, as gentlemen of the military forces at Blennerhassett Island and one letter from Wilkinson stating what he knew or thought he knew.

The whole situation, as now we know, was absolutely inadmissible, but the pressure of public clamor was so great that it even affected Marshall, and these men were promptly clapped into a military prison after the hearing was over, on the vote of two judges.

The lawyers then succeeded in going to the United States Supreme Court and made an original application before Marshall for a writ of habeas corpus on the theory that there had been no evidence whatever to hold these two men on a charge of treason. Marshall ordered the petition to be filed and granted the writ. There was then a hearing on the question. It was a long cumbersome, irksome argument in which they went into questions of evidence. Marshall, contrary to his best judgment, in order to satisfy the mob, permitted the affidavit of Wilkinson to be introduced, also the affidavits of two other people and the testimony given by a sergeant who had been one of the guards at the island. All this was rambling, far-fetched, and nothing but hearsay, yet it was admitted, and at the same time everyone knew that the President and Congress desired that these men be held as an object lesson or as an introductory factor in the trial of Burr, to aid in establishing a charge of treason against him.

Marshall, after due deliberation, was true to form and he said, "Gentlemen, I am not prepared to deliver my opinion now, but after further consultation with my colleagues", or words to that effect, "I will prepare an opinion and I will deliver it in writing within forty-eight hours."

Marshall appeared within the time promised and delivered an opinion, long, tedious and cumbersome. You will find it in the library. Marshall held that there was no evidence against these two men and ordered them released and discharged.

You can appreciate what this action of Marshall did to the people who at that time were obsessed with the idea that treason was running rampant in this country. He at once became the subject of attack and villification in the newspapers, such as they had, and he became a byword on the tongues of every individual who was led, as they were, by public clamor.

The fact remains that in that opinion, from which I hope to read to you in excerpt, Marshall adopted a statement that was to plague him forever in the subsequent trial of Aaron Burr and it had to do with "constructive treason."

Immediately after this trial in the District of Columbia, Aaron Burr was brought to the city of Richmond and Marshall, being Judge of the 7th Judicial

District in that territory, became the trial judge. While this was going on, Giles, who was a conspicuous member, and one of the most able men that the State of Virginia had ever sent to the Congress, introduced a resolution that all jurisdiction in the Supreme Court having to do with questions involving treason and felonies be taken away from it.

Now, you would hardly think it was possible for a man to do such a thing, but he demanded that the resolution be voted on and it was voted upon and carried in the Senate and only by the voting of the House was the resolution destroyed. So he was stopped from ultimately passing a law providing for the abolishment of criminal powers vested in the Supreme Court of the United States, in so far as questions of treason or writs of habeas corpus, were concerning.

Now let us get down to the time of the trial of Aaron Burr. While Burr was being transported through the country, he was doing his own thinking. He was a complacent prisoner. He gave his guards no trouble. He seemed to be in a happy mood. He spoke freely to them and even talked out of his turn if it came to a question of having witnesses going on the stand and saying that he had made certain incriminations; but, when they got to a village in South Carolina near Charleston, he saw a number of citizens standing upon the sidewalk and he jumped from his horse and said, "I demand the protection of the laws of the State of South Carolina, I am being illegally dispossessed of my liberty and I am in the hands of the Military Authorities and I demand your protection."

This was how shrewd he was. But it was to no avail and he was promptly grabbed and put back on his horse again and from there carried on to Richmond.

There has been probably only two or three trials that had attracted much attention throughout the world before the trial of Aaron Burr occurred. One was the trial of Socrates, another was the celebrated trial of Lord Hastings in connection with his acts of larceny and corrupt practices; the last trial, as many of you will remember, was the trial of Captain Drerfus in France, which had so much to do with the power of military forces and its contacts with the civil authorities in that great country. This trial of Aaron Burr however has been recorded in history as the most conspicuous and most important trial that has ever occurred in the thought or mind of man, and it was about to begin.

Marshall called in Burr when his captors brought him in and had him present himself in a place known as the Eagle Tavern,—it was the hotel where he stopped,—and interviewed him alone. He did not permit anyone to come into his room whatsoever, and what transpired there, no one has ever been able to learn. At any rate, after that he ordered that a complaint be filed by the District Attorney of that territory against Burr, which was done so that he might have a preliminary hearing.

Now, if some of the peculiar facts and circumstances which took place there, had occurred in modern times, I wonder what would have happened to the Judiciary?

Burr promptly proceeded to hire himself the best legal talent in that territory. One of the men who were to defend Burr was John Wickham, the ablest lawyer that Virginia possessed at that time. He also engaged the services of a man by the name of Benjamin Botts, who was considered a very able and learned counsel, and Edmund Randolph, who was one of the oldest members of the Bar and a ponderous and pontifical gentleman; and he hired himself an indictment expert.

The Government retaliated with a prosecuting attorney by the name of Government and they engaged another lawyer by the name of William Wirt, who has the reputation as being the greatest extemporaneous orator that the people in this country have ever produced. If any of you have any doubt

about that fact, you go to the books and dig up the speech or the argument that Wirt made when the motion was before Judge Marshall to instruct the jury that Burr was not guilty of treason but that Blennerhassett was because he was the owner of the island and seat of the expedition. Wirt was made an extemporaneous argument to the court and it is recorded practically verbatim by the reporter who was present at the time. It is one of the greatest word pictures you will ever read. There is nothing I have ever seen that equals it and I am sure you will have to go far if you ever find anything in comparison with it. He made a great talk. Some of the arguments in the books by Burr, and Fox in England are very great, but none of these remarks ever compared with what that man did in painting a word picture of the rise and fall of this Irish immigrant, Blennerhassett, and history records the fact that he made it all extemporaneous. He had a great failing, he was an addict to liquor and it was only under rare circumstances that they found him sober and that brilliant mind was virtually eaten up and washed out by alcohol.

With William Wirt and with George Hay was another lawyer, a sour, cold-blooded, psychical, vicious chap with a great deal of ability, as history describes him, by the name of MacRay. These three men were to do the prosecuting. Of course, the first thing that they must have out before Marshall was the question of what Burr should be held for.

Hay proposed to charge him with the commission of treason against the Government and his lawyers demanded a hearing to see whether there was sufficient evidence. There was a long hearing. I can't give you the details of the arguments because it would consume too much time, but, as the hearing progressed, the arguments became more brilliant, the authorities were read and it all hinged upon the question of, "What is the interpretation of treason?" Marshall read from the Constitution, "Treason shall consist only in levying War against the United States, or adhering to their enemies, giving them aid and comfort."

The defense argued that no man could be charged with treason in this country, unless he had actually levied War against the United States.

The Government admitted at the time when they claimed that the caravan had started from Blennerhassett Island, and when ten or twelve or fifteen boats and forty or sixty young adventurers proceeded down the Ohio or Mississippi River, that Burr was in Louisville, Kentucky, but they claimed he was responsible for them. While some authorities or authors propose to impress upon you that Burr was a very much abused public character, and that it was all a political scheme, in my humble opinion, and some writers seem to have the same view, there was no doubt that Burr was absolutely guilty of the crime with which he was about to be charged, that he had treason in his heart and his soul, and to me it appears as if he planned the various activities and even minute parts of them.

If you have studied the question of psychiatry, and you will pardon me, because I am not a Professor of Psychiatry—but, from my little knowledge gained in studying the life of Aaron Burr, his activities, his personel, his shrewdness and method of covering up his tracks, I am positive that if he lived in this day and age, he would be the most conspicuous and best trained and most prominent "con" man that any community has ever produced and who would stand out, in modern parlance under the analysis of psychiatry as the finest character and specimen of humanity, who was afflicted with the disease known as dementia praecox, that you could ever find.

The man was absolutely emotionless. He could walk off the dueling ground with the blood of Hamilton dripping off of his fingers and from there go into a public or private institution and be affected no more by it than if you stepped on an ant walking down the public highway. He was a man, who was on the exterior entirely alert to and above any sympathies or anything that tended to arouse the emotions or deep feelings of any human being, and

that was his great advantage when it came to putting it over on the public as he did at this great trial.

When the preliminary hearing was about to be called in Virginia, in spite of the little money he had, he spent it for an elegant suit of clothes. Put him in a drawing room and he would outshadow and overpower everyone by his winning manner and by his suaveness and by his method of speech and by his magnetism attract anyone about him, and thus win them over and get their sympathies, and attention; and while the whole State of Virginia and the whole territory around at that time had been aroused against him, because of the activities of the National administrative officials, yet, he was able, when he came there single-handed, barefooted and alone you might say, to gradually win to his cause the best bred and most wealthy and best thinking and most socially prominent families of the State of Virginia,

At the preliminary hearing, the question was discussed of what was treason. Marshall heard the case, and Beveridge states that he heard it with just as much care and attention as upon the habeas corpus proceeding of Bollmann and Swartwout.

The President sent a message to Congress and said, "This man is guilty beyond a doubt" and he broadcast the message throughout the country as much as he could under those restricted means they had for the method of carrying on communications.

Then out came Marshall with his opinion. He again adopted the old rule of presenting his opinions in writing-God bless him, it is a great art to have when you are sitting in a judicial capacity, even in most humble positions, because it is there and you have written it and you have to stand or fall or sink or swim or survive or perish by what you have done. By word of mouth however you never agree on what the other person has said, because you can't collect your thoughts sufficiently to repeat them from time to time. Marshall then found himself in this position. The Government argued and said it is not necessary for Burr to be present at Blennerhassett Island when these boats pulled out and these troops started to march there. "This man is guilty of treason by reason fo a constructive act; they said. "Mr. Justice, you have so indicated in your opinion when you delivered your opinion in the case of the United States vs. Swartwout-Bollmann." Let me see if I can find a short paragraph for you, here is the language, "If a body of men actually assemble for the purpose of effecting by force a treasonable purpose, all those who performed a part however minute or remote from the scene of action and who are actually leagued in the general conspiracy are to be considered as traitors."

This was the very thing Marshall wanted to get away from. After due thought, deliberation and consideration, being a student of English history and English progress and being a strong agitator for getting us entirely aloof and divorced from the method of Government carried on with reference to criminal prosecutions in Europe, Marshall wanted to get away from the idea of constructive treason. He however had committed himself somewhat in the preliminary hearing in his opinion, and so the Government argued that it doesn't make any difference whether you prove an overt act or not, a man may be guilty of treason, and it promptly moved that he be held guilty of treason, Marshall however wrote an opinion and said he was not guilty of treason and said that all he could be held for was a high misdemeanor against the Government, that the evidence produced against Burr had not proven any treason against him "Because I hold, my friends, that the Constitution says that treason against the government consists of "levying war against the United States" and as to this provision, under the words "levying war", you must have some warfare and of this the Government have not shown anything whatsoever. They have shown a lot of ideas and some activities and questionable doing and so one, but, generally speaking, nothing was done that anyone

could judge as an actual war. There was no attack on Spain, there was no open warfare against Mexico, there was no open warfare among Burr's following in the Southwest Territory and the Government did not so charge."

He promptly held that Burr could only be booked for high misdeameanor.

Burr was of course absolutely broke but he managed to raise ten thousand dollars and was admitted to bail. This is the first time he was admitted to bail since he was brought into the State of Virginia. The Government deemed it proper to go ahead in the trial of high misdemeanor but the District Attorney asked that he be given further time so as to bring in Wilkinson, who was the Commanding General of the United States Army and one or two other characters. Among these was a man by the name of Albright, who would be able to testify that Burr had made to him many incriminating statements. Albright brought with him a sergeant who had the most vivid and glowing imagination of his films, who evidently was getting a free trip from the territory where he was to the seat of government. Being in the frame of mind where he wanted to get to the seat of excitement, he was ready to testify to almost anything on such an event as that.

The case was continued from the 3rd of May until sometime in June when the question came up again. Between May and June these witnesses arrived at Richmond, Virginia and there was another hearing. The question now came up as to how they should proceed.

The Government proposed to indict him for treason and it required a grand jury. Now, may I call your attention to something that occurred, and to you gentlemen of the Bar who wish to belong where I do, should use it by way of contrast, and see the courage that Marshall possessed and what an object lesson it ought to be to everyone. Marshall was a man with so much vision, sagacity and foresight, he could see that Burr was absolutely guilty, there could not be a shadow of doubt in his mind that this man had committed a treasonable act, that he had acted exactly as the Government charged him; but, Marshall was charged with the task under oath, as presiding over a judicial body to see that any human,—no matter how hard the task might be or how high or how low the individual might appear in life,—should receive a fair and impartial trial, unbiased by prejudice or foresight.

Marshall saw there was not a possibility in this situation of a jury acquitting Burr, because there was not a man or woman in the country who could serve on the jury, who was not already absolutely committed to the theory that Burr was guilty. So he began a kind of underhanded method to break down that belief of the people in general so as to get a fair and impartial trial by jury to determine the guilt or innocence of the man who was charged with treason against the United States, to get them in a frame of mind so they could give deliberation and consideration to the evidence heard without prejudice or without passion, and to do it fairly and impartially. One fine day this situation occurred while Burr was out on bail and out on his social activities for which he was so adept and so well known. It was the habit and custom of the lawyers in Richmond, Virginia, to hold what they called their monthly dinners or bi-monthly. They would have them from time to time, a prominent lawyer would invite all the other members of the Bar to his house and if there were any members of the Judiciary present, they would be called in. So John Wickham, who was then the attorney for Aaron Burr, decided he would give one of his social dinners.

Marshall lived two doors away from the home of John Wickham. The dinner was given. Toasts of the usual kind were given. The lawyers sat about enjoying the convivality and fellowship of the evening; food and victuals of almost every kind and character, which were available at that time were served, spiced of course and exhilarated and given further impetuous by the wines and liquors that they consumed with it. At this time it developed that Marshall was invited and attended the dinner with the members of the

Bar of Richmond. He took his seat in a conspicuous and prominent position near Aaron Burr, he, the man who was to preside over the court where Burr was to be tried, and there he sat with Aaron Burr and his chief counsel, all participating at the same festive board.

Now, compare this situation to a modern one and see what would happen. As a matter of illustration, when the Governor of this State was tried in Waukegan, you know that feeling ran high, as it always does. Assume that about two days before Judge Edwards was to hear the evidence and he and LeForgee, counsel in the case and the Governor and the presiding Judge of this case had all gone to the home of LeForgee, assuming he lived in Waukegan, that he had a fine party and the Governor and Judge who was to try him and the lawyers who were to try him all ate there at the same festive board, what do you think the result would have been in this modern day and age?

It would have been heralded all over the country and it would be bolstered up and branded as a situation next door to a civil revolution, if you want to call it such. Such was a situation which occurred at that time, and Marshall was very seriously criticized by people.

Passing that over and getting down to the time the trial was called for hearing, we find Marshall again taking a hand in the proceedings.

Burr during the trial arose and asked to address the Court. He challenged the jury and gave as his reason that the Statute of the State of Virginia provided that the grand jury was to be chosen from 24 free holders and that Marshall had not complied with the Statute, that some of the men had not complied with the summons and, he said, other people had been picked up promiscuously and made them a part of the grand jury. The District Attorney, upon going through the records, of course could not find anything else but that it was the truth and he confessed that it had been done.

Who do you think was on that grand jury? The first one who sat on the jury was the very Giles, who had introduced a resolution sometime previous in Congress to take away all criminal jurisdiction in the Supreme Court of the United States and to suspend the writ of habeas corpus. He was there.

The second man who sat in on that grand jury was a man by the name of Wilson Carry Nichols, who had been in the United States Congress and who had sponsored all these resolutions and had been its greatest advocate.

Of course, the prosecution admitted these two men should be excused and they were.

Then came, as you all know, Marshall sized up the grand jury in the assembly room and who did he find in the panel but an old friend, John Randolph. John Randolph hated the Administration with all the venom and spleen he possessed and he was a very he-devil incarnate. He never stopped in attacking anyone. As you know, from the records of Congress, he fought every move of the Administration, right or wrong, and he was as brilliant as he was venomous and he was as bitter as he was an gentleman. Marshall knew that Randolph was for Burr and keen for him, body and soul, prejudices and all, and he said, "Randolph, I appoint you foreman of the grand jury" and he was made the foreman of the grand jury"

Well, the jury heard the evidence and Wilkinson came in and all these new people came into testify and, to get to the next step, after a greal deal of deliberation, the grand jury pointed out that they wanted some legal instructions and what was it about? "We want," they said, "to know if a man was not at the place where they claim the treason was committed, whether he can be indicted for that crime."

Whereupon Hay steps up and says, "Why, yes, he can, your Honor; you have already held that in this Swartwout case. I want to read it to you again so you won't forget it and", he says, "that is still the law, unless you rule otherwise, because now we have the evidence here and the grand jury ought to be instructed."

Well, Marshall did not want to instruct the jury that that was the law because he knew that he would be indicted and he got around it this way. He said, "Well, I think the jury have the facts" or words to that effect—you have heard that before, haven't you—"and I think they will do what should be done and so I refuse to instruct them." Ten minutes after out marched the grand jury, and indicted Burr for treason.

Then came the motion to deliver him on bail. I will show you another situation that occurred in those days, and we are not so far behind in our public life. They knew they had to refer to previous decisions in those days, and when the motion was made for bail, Marshall said, "There is no decision and no precedents for that action at all and I refuse to bail the prisoner."

Burr was then taken in charge by the marshal and taken to the bastile or prison they had there at that time.

The next morning in marched counsel with a number of affidavits and said, "We desire to make a motion." "What is the motion?" "Well, the affidavits show that it is dangerous to the health of one Aaron Burr to stay in this jail; that he is afflicted with rheumatism; that he has various other ailments; that he must carry on communications with his lawyer and enter into long, deep, cumbersome conferences with him; that the man's quarters have not been prepared there out of the earshot of others and his rights will be unduly prejudiced threeby; consequently we ask that this man be removed and be placed in a private home.

One of the lawyers that had furnished bond was one of the staff which defined Burr, Luther Martin of Maryland. Martin, like William Wirt, was as able a drinker as the country had produced up to that time and his drinking ability was commensurate with the great inherent legal ability he possessed.

If you will take the early Supreme Court Reports and examine them, you will find that in practically all the problems having to do with post-roads and waterway problems and property frontages and territorial disputes Luther Martin was the leading counsel.

At this time, Jefferson wrote a letter to his District Attorney, George Hay, and said, "I wish to warn you", or words to that effect, "That you are not compared with that well known apologetic, Federalist Bull Dog known as Luther Martin, and I warn you."

At that time Martin completely overwhelmed Marshall in this argument and he sold him the proposition that his good client was in dire straits physically and could not live in this jail and had to be taken out. Marshall assented to that, stating, "You take him to your house, I will provide eight soldiers as guards, go ahead". And low and behold, here was Aaron Burr, who was supposed to have committed treason against the United States, taken to the home of his lawyer where he was housed in the best bed room.

But, the public became so aroused that finally Marshall cancelled his order, and Burr was taken to the penitentiary.

The records show that in this penitentiary Burr occupied one or two suites of the Governor's quarters, that men and women were permitted to come and go when they chose, that he seemed to be part of his guards and his guards seemed to be part of him, that his shelves were loaded with good clothes, fine edibles and drinking material of every kind and character and he stayed there until the summer months, till his triall came up on the 3rd day of August, 1807.

Then the celebrated trial began and the Government introduced all their evidence. Wilkinson was there. Albright was there. The top sergeant was there. Bollmann was there.

Then the President issued a Proclamation to all United States District Attneys south of the Ohio River to go to every Justice of the Peace and into every district in the country and take the testimony of every individual who knew or professed to know anything whatsoever of Burr's alleged treasonable activities, instructing them to answer the interrogatories that had been sent to them by the District Attorney from Virginia having to do with the activities of Burr. Some of these men, in their zeal, probably having in mind a trip to the seat of the great trial or what not,—you can appreciate what they answered in their interrogatories about his innocence or guilt. Anyway, the trial began in an orderly manner and the Government began to introduce its evidence.

Then Marshall had for once and for all to pass upon the question of actual constructive treason.

When the Government started putting in their evidence, the testimony had hardly commenced when the defendant's counsel argued that they must first prove the overt act. Of course, Hay and his lawyers knew that could not be done. No one had seen Burr anywhere carrying on war against any nation. He was not there when the boats had gone down the river with the guns or soldiers or his co-conspirators. Marshall asked for time to consider the question. Finally he wrote another opinion and held that unless the Government proved an overt act and to it first, regardless of how they introduced their proof, unless they were prepared now to introduce evidence to show that there had been an overt act committed, that the defendant had actually levied war against the Government, and unless they were able to substantiate the overt act by two witnessess' testimony and establish it in open court, then they could not make out a case.

Before this time, every Judge in the United States had been a believer in constructive treason.

By way of digression, I might state that there were waiting in the room three distinguished gentlemen who had been called as witnesses. Sitting there as a witness was Commodore Truxton. This gentleman was one of the greatest naval advisors this country has ever produced. He was a great believer in the necessity of a naval power to this country because of our exposure to European attacks. Sitting with him in the room was Commodore Decatur, the young Commodore who had made that brilliant attack sometime ago in the Mediterranean. Between them sat a man by the name of Stoddert, who had been Adams' Secretary of the Navy and who was a confirmed advocate of a strong and well equipped navy.

These men were witnesses because Burr had communicated with them and told them what he proposed to do in setting up this new empire.

But, when all the evidence was in against Burr, the Chief Justice then said unless the Government proceeded in the manner that he had outlined, that he would not instruct the furr in any other way.

The Government then rested its case and the jury retired. The defense didn't put Burr on the stand and the jury came out of their jury room and stated, "We, the jury, find the defendant Aaron Burr not guilty", they wrote out a verdict and said, "We the jury find the defendant Aaron Burr not guilty because we haven't got sufficient evidence to do it."

When the jury was selected, it took two weeks to do it, and they thought it was quite an event then. The original panel contained only four men who had not expressed opinions unfavorable to the prisoner Burr. They thought they were performing wonders at that time, for they thought it a long criminal trial. You can compare it with how long it takes in modern times to pick a jury in many criminal trials or in an involved suit on National troubles and matters of that kind. But, at any rate, when the jury returned its verdict counsel for the Government were on their feet and demanded that the jury be sent back to correct their verdict.

Marshall knew that this was an equivalent of "Not Guilty" and the Government, he knew, couldn't appeal and so he said, "No, leave the verdict stand, we will go home" and Burr then walked out of the court room.

I am not going to tell you anything more, because the rest is side-play besides the point.

It develops in history that many people who have discussed Burr's trial are under the impression that Burr was indicted only for treason at first. He was indicted for high misdeameanor. That indictment was pending against him when he was indicted for treason; he was tried on that indictment; he was acquitted on that indictment by the form of verdict that I gave you, and after that he was at liberty for a short time. The Government moved at once to try him on the question of committing high misdemeanor and while it was not generally known, Burr was tried on that charge with the same evidence and with the same method of proceeding and he was found not guilty on that charge. During the trial, to show you how far the things went at that time, Bollmann was a very important witness and the Government tried its best to have him turn state's evidence. Jefferson sent for Bollmann, inconspicuous character that he was, had him in his room in his executive mansion, got his story and had it taken down in the presence of a witness. James Madison was with him, and gave a pledge to Bollmann that he would never expose to anyone what occurred there and presumably he never did in a direct way, but he sent down to Hay a blank form of pardon and he said, "Now, get Bollmann on the stand and if he doesn't want to testify, hand him this pardon."

So you see that we haven't varied so much from the time of the trial of Aaron Burr in the present day when they give us pardons. They showed Bollmann the form of pardon and said to him, "If you testify, all right, you get it, and if you don't, you don't get it". He looked up and said, "Here is the child they can't bribe," he said, "I don't want to be pardoned".

That is the actual proceeding they had in Marshalls court at that time. It actually occurred and it showed in those days that people were thinking virtually along the same channels as in modern times, when men get into the heat of a battle and trial. Thus however ended the great trial of Aaron Burr. He was acquitted of high misdemeanor, the indictment against Blennerhassett and the co-conspirators of Aaron Burr was lifted. Then opened a bombardment against the Chief Justice of the United States as probably will never be witnessed again. Every paper, every church, every civic society, every bombastic, vociferous politician was out telling the people what a crook and what a tramp and what a deceitful person he was. How he had sold out the Judiciary and what a menace he was to society; but the great man withstood it all. He had the sagacity and great virtue of keeping his mouth shut. He knew it was like a great conflagration, that he was standing on the solid ground and that the fire would burn all the underbrush around him, but he would be saved. He took that attitude and in time he proved that he was right.

There were a very great number of great, important factors established by reason of this trial. First, it established the rule in this country that never could anyone ever clamor for the indictment of a human being on the charge of constructive treason. Marshall in his opinion cited the Statute of Edward IV, which made constructive treason a crime in England and he showed that not a hundred years before or two hundred years before in England when this Statute was in force that Viscount Russell had been tried for constructive treason on some remote charge, where he hadn't been present; that a man by the name of Sidney had been tried and convicted, a public character in that Kingdom and that a man by the name of Staley had been tried and all three were subjected to the following punishment.

They were tied while they were alive to the tail of a horse, and then the right would whip the horse and gallop through the street with the body dragging along while alive to the public square. There the executioner proceeded to cut off his legs, his arms and his nose and ears and then he was promptly disemboweled and a fire was built and the entails were thrown on the fire, so, as the law said, or the Statute said, "His own eyes might witness what would

happen to him if he committed treason," so he could see and everybody could see he had paid with his life in a public square where the public could see. All that was done, under the statute of Edward IV.

Marshall so hated those things and it was so abhorent to him that such things had gone on and were promulgated by the Anglo-Saxon race or any civilized community, that he stood single-handed, alone, the commander in the Judiciary of the United States, and laid down the dictum, "Don't let this ever happen in the United States of America." That was Number 1.

Number 2. He established beyond a doubt that, even in those early days, the Government in its various ramifications through its departments, the naval and the military and its other departments, the law departments were full of corruption, that men were beginning to steal then as they steal, now if they have a chance and he brought it to the attention of the public. Thus he gave the people some idea that it was time to reorganize and put in greated safeguards in the various government departments, in order to stop this corrupt oractice that was going on.

The third important factor that was the result of the trial of Aaron Burr was that it had solidified the Southwestern states and those west of the Alleghany Mountains with the people in the East. They began to see how necessary it was to put up a solid front and build a solid framework in order to protect themselves from enemies from the South or enemies that might come across the ocean or indeed from wherever they might come. Last, all I wish I had here the excerpt from the opinion he delivered where he spoke about the man who had been attacked, who had been vilified and who had been threatened by the head of the Government, down through the Congress and through the Senate to the House, who had been deserted and abandoned by all of his colleagues. Marshall hadn't a single document or a single precedent on which he could fall back to base his opinion. He had nothing to guide him at all except his conscience and his art in logic and his reasoning in determining the question, that for once and for all in the records of trials in this country, constructive treason should never exist. And so thoroughly was that impressed upon our people that never again did anyone dare,-after the first flame died down to attack Marshall in all his illustrous years he served in his public career.

I thank you, gentlemen. (Applause)

Mitchell Chapter, located at the University of Minnesota, is named after the father of the new Attorney-General, William D. Mitchell.

William Mitchell was one of the most distinguished jurists of Minnesota, From 1874 to 1881 he was District Judge and from 1881 to 1900 he served as Associate Justice of the Supreme Court of Minnesota.

#### SUPREME VICE-JUSTICE'S PAGE

The next National Convention of the Phi Alpha Delta Law Fraternity will be held during the summer of 1930. The date and place to be announced later. The Supreme Board is desirous of seeing all alumni chapters represented.

Each alumni chapter is entitled to have two delegates attend. During the last National Convention at Cincinnati, Ohio, held in December 1927, nine alumni chapters were represented. With the next convention coming in the summer, a much larger attendance is expected.

Every community where ten or more P. A. D.'s are living, should have an alumni chapter and between now and the next convention it is expected that many new ones will be formed.

For full particulars regarding requirements, write to me at 220-31 Hanlon ave., Queens Village (Long Island) New York.

FRANK E. RUTLEDGE,
Supreme Vice-Justice.



LESLIE F. KIMMELL

#### LESLIE F. KIMMELL

District Justice Northern District

When one is beginning a series of writeups on, let us say, the National Officers, the point of beginning is not difficult to find. Naturally one starts with the top and works down to the bottom. The District Justices, however, presented a problem. They are all equally great and none is more honorable than the other. In this dilemma the Quarterly decided to turn to the Atlas and start at the geographical top. The first of these sketches therefore has as its subject Leslie F. Kimmell, District Justice of the Northern District.

Brother Kimmell comes from South Dakota, having been born near Huron in that state in 1898. However, he went further afield for his education, attending schools in Illinois, high school at Fort Collins, Colorado, and Springfield, (Mass.) College. Should anyone ever ask Brother Kimmell "What did you do in the Great War, daddy", and somebody might-since the District Justice for the Northern District married Miss Susan Crandall in 1924, and in last May became the proud father of Mary Louise Kimmell-he would have quite a considerable answer. He was a member of the Illinois National Guard in 1917, and was commissioned Second Lieutenant of Infantry in April 1918. He was with the 129th Infantry overseas for a year, was commissioned First Lieutenant in 1918, and having won the War in his particular sector, was discharged in June 1919. Thereafter Brother Kimmell decided to practice law and attended the law school at the University of Chicago from 1920 to 1923. While there he was initiated into P. A. D. as a member of John Marshall Chapter. Graduating in 1923, and being admitted to the Bar, he has practiced in Chicago ever since being now in the firm of West and Eckhart in the First National Bank building. Among the other organizations to which Brother Kimmell belongs are the Quadrangle Club of the University of Chicago, the Chicago Bar Association, and the Knight Templars. He is a thirty-second degree Mason.

Turning back to P. A. D. Brother Kimmell was secretary of the alumni chapter in 1925 and its Justice for the years 1926 and 1927.

Perhaps one of the most interesting occurrences connected with Brother Kimmell's activities in P. A. D. is the fact that he was a member of the first team which ever put on an exemplification of the new ritual. The Supreme Board decided that the new ritual should be exemplified in a model initiation in the convention at St. Louis. Among those composing that team was Brother Kimmell.

After the initiation had been completed the writer received many highly laudatory expressions of the manner in which Brother Kimmell had conducted his part.

Brother Kimmell lives at 1156 East 56th Street, Chicago.

#### SUPREME SECRETARY'S PAGE

The Supreme Secretary believes that the following notes and forms are of sufficient general interest to be broadcast to the Fraternity through the medium of the Supreme Secretary's page. Inasmuch as the matter speaks for itself it is set out here without comment. It should, however furnish useful pointers to all alumni chapters throughout the country. TO BROTHER ALUMNUS OF PHI ALPHA DELTA: DEAR BROTHER:

The Los Angeles Alumni Chapter has always adhered to the policy of constructive building of its Chapter, the assistance to our resident and non-resident brothers and close co-operation between one another. With this as a foundation of our work, this Chapter has deemed it to the best interests of every brother to start what might be classified "an employment bureau for P. A. D.'s." We will assist student brothers of a local chapter who are looking for positions with law firms while pursuing their college education; non-resident students residing in Los Angeles, attending college or awaiting admission to the bar; brother P. A. D.'s from other cities who are admitted to the bar and prepared to begin the practice of law and who are anticipating locating in Los Angeles or vicinity for the purpose of engaging in the general practice of law, and brother P. A. D.'s. from every locality who do not anticipate to practice but who are endeavoring to locate in some other line of work.

It is our intention to receive applications from the various brothers, and after satisfying ourselves as to their qualifications, to refer them to the various brothers who might have an opening in their offices or know of some location where a brother so qualified may be recommended.

We are enclosing herewith a card and in the event you have an opening in your office or anticipate that there will be one, then fill out the card and return to Fred Aberle, 585 Van Nuys Building, for filing and/or in the event that you have no opening but know of some location, return the card with such information so that some P. A. D. might avail himself of the opportunity to investigate and apply.

You will appreciate the importance of this letter not only to the alumni chapter of the fraternity but to brothers who are seeking an immediate location.

Fraternally yours,
FRED ABERLE,
KENT REDWINE,
LAMAR BUTLER,
Committee in Charge.

#### PHI ALPHA DELTA:

have, or will have, an opening for the following We and desire a man with the following qualifications:

know of the following openings:

for a man with at least these qualifications:

do not desire that our name appear in the recommendation of such a warty and assume no liability for the recommendation thereof.

Name
Address
Phone No.

# LOS ANGELES ALUMNI CHAPTER PHI ALPHA DELTA

#### APPLICATION FOR EMPLOYMENT

1.	Name
2.	Address
3.	Telephone Number
4.	Length of residence in California.
5.	Age
6.	Place of birth
7.	Grammar school attended and location of same.
8.	Intermediate school attended and location
9.	High school attended and location.
10.	Date of Graduation
11.	Academic education
	a. College or colleges attended and length of time
	b. Number of years in attendance.
	c. Course or courses pursued
	d. Degree received
	e. Date of graduation.
12.	Legal education
	a. College or colleges attended.
	b. Dates of attendance
	c. Date of graduation.
	d. Degree received
	e. If applicant did not graduate
	(1) Reasons
	(2) Additional details
13.	Date of admission to bar
	a. By motion
	b. By examination(OVER)
14.	Place of admission.
15.	Previous experience in practice of law
19.	a. Names of firms employed by
	b. Address
	c. Time employed
	d. Character of work handled
16.	General experience
17.	General experience Previous experience as student
	a. Firm employed by
	b. Length of time
	c. Address of firm
	d. References
18.	Previous experience in employment of any law firm
19.	Organizations of which you are a member.
	a. Names
	h Data of administra

	c. Have you ever been expelled from any organization?
	(1) Details
20.	Date of admission to Phi Alpha Delta.
	a. Chapter
	b. Collège
	c. Offices held
	d. Were you a delegate to any convention of Phi Alpha Delta?
	e. Are you a member in good standing?
	f. Are your obligations to the Chapter fully paid?
	g. Were you ever expelled suspended?
21.	Character of work desired
22.	Compensation desired
23.	What branch of practice do you expect to follow?
24.	A general resume of position desired
44.	A general resume of position desired

# NEW YORK ALUMNI CHAPTER ANNUAL BANQUET

The New York Alumni Chapter held its first annual meeting on Saturday, February 23rd. The meeting took the form of a dinner at the Fraternities Club Building, the headquarters of the New York Chapter, after which the Chapter transacted its business for a while before turning to other diversions.

The Chapter having recently incorporated this meeting was the first at which the Chapter met and functioned as a corporation. The various officers, of course, made their customary reports and the standing committees of the Chapter also reported. One of the most interesting of these reports was submitted by Brother George C. Sprague, Chairman on the committee to cooperate with the Bar Association for an elevation of the standards of the Bar. The work envisaged for this committee is one of the greatest importance and of the widest scope.

A number of the prominent Brothers present also addressed the meeting on a variety of subjects, but since the Quarterly does not propose to record them all, it would be invidious to mention any. Thereafter the Brothers appointed a nominating committee for the nine Directors of the corporation, who were to be elected at the meeting. The committee having reported the following were elected for the ensuing term—Brothers James W. Farrell, George Flynn, Charles W. Halla, Anthony Saveree, Emmet Poindexter, Thomas W. Constable, Albert L. Varelli, Frank E. Rutledge and P. E. Barnard.

The serious business of the evening having thus been disposed of the Brothers diverted themselves in diverse different ways, which the other members of the order can imagine more easily than the present writer can describe until an early hour the next morning.

This particular banquet was marked by several narrow escapes enjoyed by various of the Brothers in returning to their domiciles. Brothers Farrell, Constable and Halla were proceed-

ing in a taxi, as they say, to the Pennsylvania Station, when they almost came into violent collision with a large bus. Tom Constable maintains that it was on account of this escape from destruction that he was still shaky upon his arrival in the station. These Brothers had planned upon meeting the Supreme Vice-Justice at the station, as he lives in the same general direction out on Long Island as they do. They felt that they had a sufficiently exciting adventure to recount, but found that their experiences were cast in the shade by those enjoyed by Brother Rutledge. As he was walking north up Madison Avenue and had reached the corner of Madison and 42nd Street Brother Rutledge perceived a car coming rapidly toward him, down the Avenue, closely pursued by another which was festooned by police officers. These gentlemen were engaged in shooting at the occupants of the first car, which so disturbed the driver thereof that he swerved the car to the left onto 42nd Street and thereby brought Brother Rutledge in direct range of the fusilage. The incident happened very quickly, but Brother Rutledge assured the writer that while it lasted it was most unnerving. He had never realized before how very uncomfortable it felt to have bullets whistling around his ears. However, since these Brothers escaped unharmed and everyone else we have heard of got home safely, the proceedings were unmarred and we can safely record the fact that another most enjoyable evening had been spent by the New York Chapter without let or hindrance.

#### IN MEMORIAM

EDGAR D. MAPLE

On January 16, 1929, Phi Alpha Delta lost one of its older and long-standing Brothers. Brother Edgar D. Maple was the victim of a murderous attack which occurred in the bank building of the People's National Bank at Sullivan, Indiana. In perpetrating a robbery in the bank the robbers shot and fatally wounded Brother Maple.

Brother Maple's connection with the Fraternity is of many years' standing. With Brothers Lyman D. Wilson and Patrick Rooney he was initiated into Marshall Chapter in the old North Western Law School building in February 1905.

#### ERSKINE MAYO ROSS

On Monday, December 10, 1928, there passed away a man who was connected with P. A. D. in a peculiar and intimate manner. He was Judge Erskine Mayo Ross, for whom Ross Chapter was named, and was a life long and constant friend of that Chapter and every man in it. Judge Ross had one of the longest records as a judicial officer in the United States. Since 1879 he has been upon the bench of various Courts, his last appointment being to the United States Circuit Court of Appeals of the Ninth Judicial District. Through his death Ross Chapter, and through the Chapter, P. A. D. lose a valued and devoted friend.

#### TWENTY YEARS AGO

From The Quarterly, Volume I, Number 5

"On February 17, 1900, James R. Garrett, E. P. North, Stephen C. Marlo, J. M. Bryant, Sidney B. Meyer, E. Wayne Colby, V. P. Richmond, students of North Western University Law School, presented the first bids received from any of the large universities, and on March 16th of the same year, after due consideration, they were granted a charter as Melville W. Fuller Chapter."

"Daniel Webster Chapter was installed in Chicago Law School in the fall of 1900, and this was the last chapter to be taken into Lamba Epsilon."

Hammond Chapter Letter—"The boys are all looking forward to the convention with a great deal of interest, Brothers Keane and Vandersteeg will represent the Chapter at Chicago."

"Brother Lyman P. Wilson '07, University of Illinois, recently was elected City Attorney of Galesburg, Illinois."

"On Tuesday afternoon, March 30, 1909, Calhoun Chapter was installed at Yale with the assistance of Brother Stokes of Rapallo Chapter and his officers. Brother Lawrence W. Ledvina, Supreme Justice, conducted the installation."



MR. F. M. LUDWICK, Roosevelt Building, Los Angeles, Calif. Dear Brother Ludwick:

Your letter of January 2nd is received. I am just back from Cuba. I attended the national convention of Sigma Alpha Epsilon in Miami, Florida, on December 28, 29, 30 and 31. I had breakfast with Bobby Jones and watched him play eighteen holes of golf. I played the same eighteen holes later with nearly twice as much exercise for myself as Bobby got out of it. I swam in the ocean, made a fine catch of King Mackerel out in the Gulf Stream, flew from Miami to Havana in two hours and did all the usual stunts of the American tourist in Cuba. I am back for a hard winter's session of court, but am starting in with a fine coating of tan.

By the way, we granted a charter of Sigma Alpha Epsilon to the University of California in Los Angeles. Inasmuch as I went to Los Angeles to establish the chapter in Southern California University a few years ago, another member of Sigma Alpha Epsilon is going out to establish the chapter in the University of California.

With best wishes for you and all your fine efforts, I am,

Very sincerely and fraternally yours,

ARTHUR J. TUTTLE.

#### **NEWS OF ALUMNI**

By

JOHN R. SNIVELY

Brother Eugene A. Gilmore (Ryan) of Manila, Philippine Islands, is again serving as acting Governor General of the Islands. The Governor General, Col. Henry L. Stimson of New York City, has been selected as Secretary of State by President Herbert Hoover, and is now on his way to the United States to take up his new duties. For the past seven years Brother Gilmore has been Vice Governor of the Philippine Islands and has made a very splendid record of service.

\*

Brother Clyde B. Aitchison (Jay) of Washington, D. C., has been reappointed as a member of the Interstate Commerce Commission. The appointment was made by President Coolidge and was confirmed by the United States Senate last December. Brother Aitchison is Ex-Justice of the Washington Alumni Chapter of the fraternity. During his administration the chapter has been greatly strengthened.

\*

Brother David E. Shanahan (Webster) of Chicago, Illinois, who has been a member of the House of Representatives of the General Assembly of the State of Illinois for the past thirty-four years was elected Speaker of the House when the General Assembly convened in January. This is the fifth time that he has served as Speaker. He has been active in Republican politics for years. In the last campaign he supported Honorable Louis L. Emmerson for Governor and was Campaign Manager for the Republican State Central Committee prior to the general election.

\*

Brother Decatur H. Rodgers (Jefferson) of Martinsburg, West Virginia, was re-elected Judge of the Twenty-third Judicial Circuit of West Virginia at the general election last November. At the time of his election several years ago he was the youngest Circuit Judge in the state

and the first Republican to be elected as Judge of the Twenty-third Judicial Circuit since the Civil War.

\*\*

Brother William S. Culbertson (Calhoun), who is American Ambassador to Chile, gave a reception for Honorable Herbert Hoover and Honorable Herbert Hoover and Honorable Herbert Hoover and Honorable Herbert Pietcher, American Ambassador to Italy, on their visit to Santiago last December. Ambassador Fletcher, who is a cousin of Brother John R. Snively of Rockford, Illinois, accompanied Mr. Hoover on his good will tour of Central and South America as the official representative of the Department of State.

\*\*

Brother Montgomery S. Winning (Marshall) of Chicago, Illinois, who has been First Assistant Attorney General of the State of Illinois with headquarters at Springfield for the past four years, has been appointed Chief Special Assistant Attorney General by Attorney General Oscar E. Carlstrom.

\*

Brother Irvine L. Lenroot (Ryan) who is a former United States Senator from Wisconsin, and who for the past two years has been the senior member of the law firm of Lenroot, Hanson, Smith & Lovett at Washington, D. C., was appointed on February 14, 1929, as an Associate Judge of the United States Court of Custom Appeals, vice Judge Orion M. Barber, retired, by President Calvin Coolidge. Brother Lenroot has been a close friend of President Coolidge, and while in the United States Senate was the leader of the administration forces.

\*

Brother Curtis D. Wilbur (Holmes) of San Francisco, California, was appointed Judge of the United States Circuit Court of Appeals for the Ninth Circuit on March 1, 1929, by President Coolidge. On the fourth of March Brother Wilbur retired as Secretary of the Navy after having served over four years in that capacity. Prior to his appointment as Secretary of the Navy he was Chief Justice of the Supreme Court of Cali-

fornia. Brother Wilbur will serve in the same circuit with Brother Frank S. Dietrich (Kent) of Boise, Idaho.

\*\*

Brother Donald F. Snow (Hamlin) of Bangor, Maine, was sworn in as Representative in Congress from the Fourth District of Maine by Speaker of the House Nicholas Longworth, on the fourth of March. Brother Snow graduated from the School of Law of the University of Maine in 1904. From 1907 to 1911 he was City Solicitor of Bangor and from 1912 to 1914 he served as County Attorney of Penobscot County. Brother John E. Nelson (Hamlin) of Augusta, Maine, represents the Second District of Maine in the lower house of Congress.

\*

Brother Edward A. Morsbach (Blackstone) has become associated with the law firm of Wilson & McCanna in the practice of Patent Law in the Rockford National Bank Building at Rockford, Illinois. Brother Morsbach formerly resided in Chicago. The firm also has offices in the Peoples Gas Building in Chicago,

\*

Brother Clarence N. Goodwin (Marshall) of the Chicago and Washington bars had an interesting article in the National Income Tax Magazine for last December on "Appeals in Special Assessment Cases—How May Equality of Review Be Given?" Brother Goodwin is a former Justice of the Appellate Court of Illinois for the First District.

水

Brother Robert A. Barnes (Magruder) of Lacon, Illinois, was elected State's Attorney of Marshall County at the general election last November. For several years he had served as Assistant State's Attorney.

\*

Among the members of the fraternity who are on the Editorial Board of the Journal of the American Judicature Society are: Thomas E. Atkinson (Campbell), who is a professor of law at the University of Kansas; Wayne G. Cook (Hammond), who is a professor of law at the University of Iowa; Albert J. Harno (Calhoun), who is Dean of the College of Law of the University of Illinois; and Lauriz Vold (Reese), who is a professor of law at the University of Nebraska. The Society was recently reorganized with Honorable Charles Evans Hughes as President. Brother Clarence N. Goodwin (Marshall) of Chicago and Washington is a member of the Executive Committee.

\*

Brother Karl Stecher (Calhoun) of Washington, D. C., who for five years was connected with the Bureau of Valuation of the Interstate Commerce Commission, has been teaching law at Mercer University at Macon, Georgia, since last September.

\*

Brother J. Warren Madden (Marshall), who is a professor of law at the University of Pittsburgh, is the editor of a new casebook on Domestic Relations which has been published by the West Publishing Company.

\*

Brother Hessel E. Yntema (Livingston), who was formerly a professor of law at Columbia University, is now serving as a member of the originating group of four which has been selected to establish the new Institute for the Study of Law at John Hopkins University at Baltimore. The members are actively engaged in formulating the program and policies of the Institute.

\*

Brother Lyman Chalkley (Clay) of Lexington, Kentucky, who has been a member of the faculty of the University of Kentucky Law School for the past eighteen years, is taking a leave of absence this year and is visiting the Harvard Law School.

\*\*

Brother William R. Arthur (Gunter) of Boulder, Colorado, is the coauthor with Professor Ralph R. Crossman, head of the Department of Journalism of the University of Colorado of a new book, "The Law of Newspapers." Brother Arthur is a member of the faculty of the School of Law of the University of Colorado.

Brother Maurice T. Van Hecke (Ruffin) is again a member of the faculty of the School of Law of the University of North Carolina at Chapel Hill. For several years he was a professor of law at the University of Kansas. He is teaching the subjects of Contracts and Equity.

Brother Robert M. Davis (Kent) of Moscow, Idaho, has resumed his duties as Dean of the Law School of the University of Idaho. During the school year of 1927-1928 he filled an appointment as Research Fellow at the Harvard Law School. At the commencement exercises last June he was awarded the degree of Doctor of Juridical Science.

Brother William E. Britton (Magruder) of Urbana, Illinois, who is a Professor of law at the University of Illinois, is the editor of a new casebook on the Law of Bankruptcy. It belongs to the American Casebook

Series which is published by the West Publishing Company.

\* Brother Francis M. Miller (Brewer) of Miami, Florida, who for four years was a member of the faculty of the Law School of John B. Stetson University, is now an instructor in Legal Bibliography at the University of Miami. He is also engaged in the general practice of law at Miami also.

Brother John R. Snively (Magruder) of Rockford, Illinois, has been re-elected Secretary of the Winnebago County Bar Association. He was at Peoria on February eighth to present an invitation to the Board of Governors of the Illinois State Bar Association to have the annual meeting of the Association at Rockford this year. Bloomington, Freeport and Springfield also presented invitations but the Board of Governors accepted the invitation of the Winnebago County Bar Association. The annual meeting of the Association will be held at Rockford on June 27th and 28th.

\* Brother Louis FitzHenry (Capen) of Bloomington, Illinois, United tSates

District Judge for the Southern District of Illinois, was one of the speakers at the Lincoln Day banquet of the Peoria Bar Association at Peoria, Illinois, on February eighth. The principal address was goven by Honorable Gurney E. Newlin of Los Angeles, the President of the American Bar Association.

Brother Frederick F. Faville (Hammond) of Des Moines, Iowa, who is an Associate Judge of the Supreme Court of Iowa, gave the principal address at the Twenty-second annual meeting of the Oklahoma State Bar Association which was held in Oklahoma City on December 28th and 29th, 1928. The subject of his address was "The New Civilization and the Lawyer" and his audience was deeply appreciative of his brilliant address. Afterwards a reception was held in his honor by the Judges of the Supreme Court, Criminal Court of Appeals and the State Judiciary of Oklahoma.

Brother Jesse C. Adkins (Taft) of of Washington, D. C., was chairman of the committee that arranged for the dinner given by the Bar Association of the District of Columbia in honor of Honorable Gurney E. Newlin, the President of the American Bar Association, at the New Willard Hotel on January 26th, 1929. Brother Adkins is a past President of the District of Columbia Bar Association.

\* Brother David A. Warford (Magruder) of Elizabethtown, Illinois, has been appointed Secretary to Associate Justice Warren W. Duncan of Marion, Illinois.

Brother William C. Ingram (Magruder) of East St. Louis, Illinois, who has been Chief Clerk in the office of the United States Attorney for the Eastern District of Illinois, has been appointed as an Assistant United States Attorney.

Brother and Mrs. George Byron Rice (Wilson Chapter) announce the arrival of George Byron, Jr., on February 6, 1929.

Brother James L. Donnelly (Campbell '16), formerly Secretary of the Western Casualty Company, has recently been elected Executive Vice-President and Secretary of the Illinois Manufacturers Association and also Vice-President and Secretary of the Illinois Manufacturers Mutual Casualty Association, Inc., with head-quarters in Chicago.

Brother Jesse K. Smith (Taft) of Salt Lake City, Utah, is an Assistant United States Attorney for the District of Utah.

\*\*

Brother Paul D. Coles (Dunbar) of Seattle, Washington, is an Assistant United States Attorney for the Western District of Washington.

\*\*

Brother Ralph M. Immell (Ryan) of Madison, Wisconsin, who is Adjutant General of the Wisconsin National Guard, gave an address before the Rockford, Illinois, Chapter of the Reserve Officers Association of the United States, on the eighth of March. Brother Immell who is only thirty-six years of age is perhaps the youngest Adjutant General in the entire United States. He has served in this capacity since the first of June, 1923.

#### ALUMNI CHAPTER LETTERS WASHINGTON

ON the evening of November 8, the Washington Alumni Chapter met with the alumni of Sigma Nu Phi, Delta Theta Phi, Phi Beta Gamma and Gamma Eta Gamma in a joint meeting under the auspices of the Conference of Law Fraternities at the University Club. The address of the evening was delivered by Judge Ira E. Robinson, former Justice of the Supreme Court of West Virginia and now chairman of the Federal Radio Commission. The chief signal officer of the army and various other army and navy officers in the signal service were present as special guests of the conference. In the absence of Commissioner Aitchison, our representative on the executive committee of the conference, Brother Moultrie Hitt presided at this joint meeting as a vice-chairman of the committee on arrangements.

One of the most enjoyable meetings of the Washington Alumni was held December 13 at the University Club where we were treated to a very scholarly address by our Justice Brother Aitchison on "The Need of Specialized Training For the Practitioners Appearing Before the Administrative and Quasi-Judicial Boards and Commissions of the Federal Government in Washington." After this we were entertained by hearing Brother T. H. Caraway, United States Senator from Arkansas, who gave us some humorous side-lights on his early experiences and some bits of by-play on politics in his state. Brother Aitchison also brought along the quartet from his famous Interstate Male Chorus and this quartet generously favored us with some real harmony. At our meeting of January 23 we were pleased to welcome back to Washington Lieutenant Colonel Jesse F. Dyer who was one of the original members of Taft chapter and who has been in China with the Marine Corps. Brother Dver has now returned to Washington as Commanding Officer of the Marine Corps detachment at the Navy Yard and he not only renewed old acquaintances but gave us a very instructive and entertaining talk on conditions in China and the Orient. At this meeting was also held the annual election of officers and the new officers Bernard F. Garvey (Taft), J. Edgar Snider (Marshall), R. E. Freer (Chase) will be installed at the annual meeting scheduled to be held February 23. The February meeting will be a dinner dance at the City Club and the committee promises that it will be the outstanding affair of our history.

It is with real regret that the chapter faces the retirement from chapter office of Brother Justice Aitchison, member of the Interstate Commerce Commission, who is completing his second term as Justice and surrendering the gavel at the February meeting. Brother Aitchison, as one of his last official acts, is preparing a directory of some approximately 200 P. A. D.'s in Washington and will distribute this directory to the members here.

The chapter has sent its condolences to Brother (Captain) Charles Wynne who just lost a sister. We have also extended our sympathy and best wishes tor recovery to Brother (Ambassador) Culbertson of whose daughter's illness we have just learned.

#### Personal News Items

Brother Joe Carey (Taft) has just returned from Detroit where he attended the funeral of former Secretary of the Navy Denby. Brother Carey was formerly assistant to Secretary Denby in the Navy Department. Brother Karl Stecher (Calhoun) who left us to become a professor of law at Mercer University Law School, Macon, Ga., writes that the active chapter of our fraternity at that school is flourishing. Brother Ershel W. Campbell (Marshall) is now located in Paris, France. Brother Cyrus Locher, former United States Senator from Ohio, has returned to the practice of law at Cleveland. We were recently advised that Brother (Colonel) Carmody will soon pay a visit to Washington and renew his acquaintanceship with the brothers here.

R. E. FREER, Clerk.

#### BIRMINGHAM

SINCE the granting of our Charter, which bears date of November 1, 1928, the Birmingham Alumni Chapter has enjoyed a number of very interesting banquets, and knitted together a closer friendship between the thirty Phi Alpha Delta men in this city.

We have co-mingled with members of Morgan Chapter and assisted in locating positions for a number of new brothers and acquainted them with the Judges and Courts of Birmingham.

We plan to hold a joint meeting with the members of Morgan Chapter at an early date to exchange ideas

and experiences with them. Any brother happening to be traveling South is invited to include Birmingham in his itinerary, and to call on us for proof of the fact that Birmingham is the best city of the South.

#### **NEW YORK**

THE P. A. D. Alumni Chapter of N. Y., Inc., has held several interesting functions since our last letter to the quarterly.

On Saturday, January 26, a smoker was held at the Inter-fraternity Building, New York City, the present headquarters of the Alumni Chapter. and a goodly number of the brothers were on hand to enjoy the evening. A particularly entertaining feature of the occasion was the interesting and spontaneous discussion which arose in connection with the presentation by one of the brothers of the facts surrounding a complicated murder mystery. Many solutions were forthcoming and, needless to say, there was some conflict in the various solutions. Refreshments, especially gratifying to the palate of every good P. A. D. were served in abundance.

On Saturday, Febraury 16th, the annual dinner and business meeting of the Alumni Chapter was held at the Inter-Fraternity building.

After a most excellent dinner, directors for the succeeding year were elected and various other items of business transacted. The business meeting then adjourned for a most enjoyable social evening.

On Monday, March 4, the newly elected directors met at the Inter-fraternity Club for their regular monthly dinner and business meeting and elected the following officers of the Chapter to serve for the ensuing year:

President......James W. Farrell Vice-President, Walter O. Loomis Secretary.....E. W. Poindexter Treasurer....Thomas Constable Marshall....Albert L. Verrilli

The regular monthly meetings of the directors are held at the Interfraternity Club on the first Monday of each month at 6:00 P. M. and all members of the Alumni Chapter are cordially invited to attend. BOX HEADING—ACTIVE CHAP-TER LETTERS—Guide BENSON CHAPTER

Washburn College, Topeka, Kans. No letter received.

#### BENTON CHAPTER

Kansas City School of Law, Kansas City, Missouri. No letter received.

#### BLACKSTONE CHAPTER

Chicago-Kent College of Law, Chicago, Illinois.

BLACKSTONE CHAPTER lost five brothers by graduation this month. They had the hurdle of the March Bar Examinations to conquer, but, being PAD'S, there could be no question as to the outcome.

With the new semester, the chapter has acquired a very promising pledge list which list was previously depleted by the initiation on February 9th of Stromquist, Powers, Combe, Penfold and Schwartz, whom we welcome into the circle of Phi Alpha Delta,

At a smoker in the Chapter room on February 8th, Brother Emmet F. Byrne, Story Chapter, whose legal accomplishments were set forth in the December 1928 issue of the Quarterly, was the speaker of the evening. He outlined his impressions concerning his experiences in the State's Attorneys office during his five years service. Yes, he knows the ins and outs of the criminal.

The five active chapters in Chicago and the Alumni chapters turned out in good numbers at the annual Spring formal dance, at the St. Clair Hotel on February 16th.

Member of the Fraternity, has graciously consented to give a talk at the Smoker scheduled for Washington's birthday.

Blackstone Chapter extends a cordial invitation to Brothers from other chapters and alumni to visit the Chapter Room, 208 W. Washington St., Room 300, Chicago.

H. Schwartz, Clerk.
Blackstone Chapter, Chicago, Illinois.

#### BREWER CHAPTER

Stetson University, Deland, Florida. No letter received.

#### CALHOUN CHAPTER

Yale University, New Haven, Conn. No letter received.

#### CAMPBELL CHAPTER

University of Michigan, Ann Arbor, Michigan.

#### Marriages

CAMPBELL CHAPTER extends its congratulations and best wishes to Mr. and Mrs. Roger William Rogers, of Detroit, who were married at Christmas time. Mrs. Rogers was Miss Lynne Hollis of Little Rock, Arkansas; Brother Rogers, who graduated last June, is practicing with Campbell, Bulkley, and Ledyard of Detroit.

The chapter was also pleased to hear of the marriage of Miss Marie Seville Paulus and Emil Edward Anneke, in Washington, D. C., last fall. Anneke attended summer school here last year.

#### Formations

H. A. Hicks and H. A. Hicks, Jr. ('27), as Hicks and Hicks; Suite 904, Equitable Building, Denver, Colorado.

Willard Balhatchet and J. MacLeod Best ('26), as Balhatchet and Best: Suite 910, 19 South La Salle Street, Chicago, Illinois.

#### General

Spring Initiation will be held on March I. Hon. Arthur J. Tuttle, Federal Judge for the Eastern District, Michigan, will be the main speaker, and John C. Cook, '28, will serve as toastmaster. Incidentally, Judge Tuttle has two daughters, Miss Esther L. Tuttle and Miss Ruth B. Tuttle, who are members of the junior law class,

Those on the to-be-members list include:

Boyd M. Benson, Flandreau, South Dakota; Beta Theta Pi. Albert W. Dimmers, Hillsdale, Mi-

chigan; Delta Tau Delta.
Robert E. Finch, Owosso, Michigan;

Robert E. Finch, Owosso, Michigan; Phi Mu Alpha.

Ray C. Humphrey, Detroit, Michigan; Psi Upsilon.

William D. Kimble, Independence, Kansas: Phi Delta Theta.

Carroll L. Osmun, Pontiac, Michigan.

Richard H. Paulson, Kalamazoo, Michigan; Delta Tau Delta.

Charles F. Scanlon, Akron, Ohio. Richard J. Thoma, Battle Creek,

Michigan. Douglas Clapperton, '21, who is practicing in Grand Rapids, Michigan, returned recently to be the main speaker at Michigan Law Review's annual banquet. He was listed among the natures at the Libron of the class

speaker at Michigan Law Review's annual banquet. He was listed among the patrons at the J-Hop of the class of 1930, which was held in Michigan's new \$750,000 Intramural building. Brother Clapperton has been appointed a member of the board of Michigan Bar Examiners.

Robert C. C. Heaney from the chapter, was elected to represent the law school on the Hop committee, and later served as assistant chairman.

Although the Intramural building is being used by most of the brothers in an incognito capacity (Witness: Athletic—chairman Yoakam's stars on the basketball and handball courts), the chapter has "M" men from four different sports on its roll-call; football, track, wrestling, and tennis are represented. From campus journal-ism circles of the past, the roster includes Robert C. Barker, who was editor of the 1927 yearbook at Iowa State college; and Robert E. Finch who was night editor of the Michigan Daily last year.

Two of the brothers are able to display the key of Phi Beta Kappa: William N. Gall of Ingersoll, Canada, and Robert E. Finch, both of whom are also members of Phi Kappa Phi.

Rather than describe in toto most of the members of the senior class who are preparing to leave us in the near future, we quote from the Campbell Chapter News Letter of April 23, 1927, which well described the men in their yearling years:

"William E. Hamaker: Canton, Ohio; silent Will; PeWee's (Edwin Clarke Davis) room-mate. Great things are expected.

"John W. Garvy: Chicago; Sheridan Road; Campion College; Cue artist and our best looking boy.

"Garland D. Tait: Battle Creek's gifted Jazz; has two saxaphones but no Ford. His girl sends him lots of candy: he's a popular fellow.

"William D. Cochran: Born and Bred in the Blue Grass Regions of Old Kentucky. Plenty of Southern lingo. Ex-football manager at some small school, probably Center. (Ed. Note: Inter-Fraternity Swimming Champion; swam for Lee at the battle of Appamattox).

"Calvin N. Souther: Spokane, Washington; Nephew of one of the founders of this chapter. In his quiet way, he will soar to starry heights.

"Robert H. Brown: Fearless ego. The athlete's best friend; well-known night clerk of summer hotels. Comes from Detroit.

"Azel E. Bean: Our student-athlete; broke his leg getting out of class. Grand Rapids.

"William B. Frue: Tulane; Walled Lake, Michigan. Has been known to resent hotel lobbyists. Looks best in a slicker.

"Waldo K. Greiner: U. of M. Tin Shop; from Sparta, Mich., U. S. A.; 'Smart Faller'.

"Oscar W. Moyle: Member of the firm of 'Moyle, Boyle and Toil'. Admits he played football at Utah; Mormon. Salt Lake City, of course.

"Frederic J. Stevens; All-campus handshaker. From Battle Creek to Vassar."

THOMAS C. WINTER, Clerk, Campbell Chapter, University of Mich.

#### CHAMP CLARK CHAPTER

Washington University, St. Louis, Mo.

No letter received.

#### CHASE CHAPTER

University of Cincinnati, Cincinnati, Ohio.

No letter received.

#### CLAY CHAPTER

University of Kentucky, Lexington, Kentucky.

No letter received.

#### COLE CHAPTER

Drake University, Des Moines, Iowa.

## CHESTER C. COLE CHAPTER is

well into its eighth year of exiscence at Drake University Law School, at Des Moines, Iowa. In that time Cole chapter has maintained a strong rating with the university. The David McCahill scholarship to Yale Law School has been won by members from this chapter for the last two years, with a cinch in our favor again this year. Brothers Ullem and Carr will surely be in the finals.

Cole chapter on January 23, 1929 initiated eight first year law students, who stand well in their class. With these new brothers our chapter roll totals twenty-seven active members.

The powerful Drake University football team this last fall was captained by Gibson Holiday, a member of Cole chapter. If "Gip" doesn't make an attorney, he will certainly be qualified to hold down the duties of a bailiff.

There have been no deaths in the active chapter, but there has been one "marriage."

Cole chapter can boast of having the membership of three justices of the Iowa Supreme Court. Among these the Chief Justice, E. G. Alberts.

The recent election of officers at Cole Chapter resulted as follows:

Floyd Ullem, Justice.
John Alberts, Vice Justice.
R. L. Williams, Treasurer.
F. A. Hodges, Clerk.
Luther Carr, Marshall.

Cole chapter extends a cordial invitation to the alumni members and to the active members of any other chapter who may find themselves in the city of Des Moines, to visit the chapter house at 2821 Brattleboro Avenue.

F. A. Hodges, Clerk. Cole Chapter, Des Moines, Iowa.

#### CORLISS CHAPTER

University of North Dakota, Grand Fork, N. Dak. No letter received.

#### DUNBAR CHAPTER

University of Washington, Seattle, Wash.

No letter received.

#### FIELD CHAPTER

University of California, Berkeley, Calif. No letter received.

No letter received

#### FLETCHER CHAPTER

University of Florida, Gainesville,

No letter received.

#### FULLER CHAPTER

Northwestern University, Chicago,

No letter received.

#### FISH CHAPTER

Mercer University, Macon, Ga. No letter received.

#### GARLAND CHAPTER

University of Arkansas, Fayetteville, Ark.

THE Augustus H. Garland chapter of Phi Alpha Delta lost heavily of its membership thru graduation. At the beginning of the school year there were six men who returned to form the nucleus of the active chapter. They were: E. C. Gathings, Eric Caviness, B. F. Donathen, C. R. George, Paul X. Williams, and U. A. Lovell. But on December 12th the following men were initiated: Leon Catlett, Leonard Carson, A. B. Caldwell, E. T. Hensley, O. L. Hayes, T. H. Humphreys, Jr. and J. B. McMillan. All of the initiates were members of the first year class, three of them, Caldwell, Humphreys and Mc-Millan having fathers in the profession. A. B. Caldwell's father is in the Attorney General's office at the state capitol; J. B. McMillan's father is in the firm of McMillan and Mc-Millan of Arkadelphia and T. H. Humphreys, Jr.'s father is a justice on the Supreme Bench of the State of Arkansas.

The local chapter has a monthly dinner each Sunday evening following the monthly meeting, at which time a prominent member of the local bar or a professor in the law school speaks.

The Law School of the University of Arkansas is fortunate in having the legislature of the State pass a law making graduates of the School members of the bar on presentation of diplomas after graduation. The bill was sponsored and proposed by a father of a brother P.A.D.,—C. R. George.

Brother Leon Catlett was elected by the Student Senate of the University to represent the Student body of the University at the National Student Conference at Cincinnati in March.

An honorary organization has been formed in the Law School similar to The Order of Coif, three of the four members being P.A.D.'s,—Bro. Ulys. A. Lovell as president and Brothers Caviness and McMillan, the other two P.A.D. members of the club.

Brother Eric Caviness is President of the Association of Law Students.

Brother Paul X. Williams is chairman of the Social Committee of the Student Senate—a very important position in the student body.

The Augustus H. Garland Chapter in its next letter will announce the pledging of three or four new and valuable men.

ULYS A. LOVELL, Clerk.
Garland Chapter, Fayetteville, Ark.

#### GREEN CHAPTER

University of Kansas, Lawrence, Kansas.

GREEN CHAPTER has not done much of any particular importance which was due to the flu epidemic before the Xmas holidays and preparations for taking the semester finals. Again the boys have crashed through with a wonderful scholastic record.

Larry Walker, one of our boys, has completed his law school work this semester, but has not as yet made definite arrangements as to where he will lcoate.

Just before Christmas, Green Chapter held an election of officers. The following men were chosen for the spring term:

Justice, Ellis C. Clark.

Vice Justice, A. Bryce Huguenin. Clerk, Richard A. Mermis.

Marshall, Dwight Henderson.

Our intermural basketball team has been doing quite well-better than last year. The team has won four games and lost one and we now believe they can win the remainder.

Between semesters we made a few improvements around the chapter house. We hope to have it rated as one of the best on the Hill, so we can entertain P.A.D. visitors with the best accommodations.

Green Chapter has had an initiation, Sunday February 17, 1929, for eighteen neophytes, namely: Donald Allen, Arvil Buenning, Kenneth Corder, Thomas Cox, Raymond Eggleston, Max Frederick, James Gilmore, Walker Greenfield, Ralph Hodge, Johnnie Irwin, Archie Kriete, Alfred Kuraner, James Lamb, George Lehmberg, Clifford Ramsey, Kenneth Spier, Larry Turner, and Max White. Now we have a chapter of 36 men and can assure you that these fellows will do a lot for Phi Alpha Delta.

We wish continuing success and good luck to all the other chapters and herewith send them greetings from our organization.

Goodbye.

RICHARD ... MERMIS, Clerk. Green Chapter, Lawrence, Kansas.

#### GUNTER CHAPTER

University of Colorado, Boulder,

No letter received.

#### HAMMOND CHAPTER

University of Iowa, Iowa City, Ia. No letter received.

#### HUGHES CHAPTER

Denver University, Denver, Colo. No letter received.

#### HAY CHAPTER

Western Reserve University, Cleveland, Ohio.

No letter received.

#### JEFFERSON CHAPTER

University of Virginia, University, Va.

No letter received.

#### JOHN JAY CHAPTER

George Washington University, Washington, D. C. No letter received. KEENER CHAPTER Emory University, Ga. Lamar School of Law.

WE begin our letter with an apology to the other chapters of the fraternity for not having written a letter to the last quarterly, for we feel that it is poor sportsmanship to read the other fine letters and know what the other brothers are doing and not, in turn, tell them what we are doing.

Keener Chapter is having the finest vear of its existence thus far, growing each day in knowledge, wisdomand membership. We began the school year with the following brothers returned to the fold: D. F. Mc-Clatchey, Jr., W. H. H. Jones, W. C. Wilson, G. M. Elliott, E. J. Clower, Dr. Carville D. Benson, Jr., Henry Fullbright, Jr., Clifford Hendrix, Reagan Jones. Two brothers from other law schools affiliated with our chapter at the beginning of the year: Brother Joseph Merrimon, of Martin Chapter at Tulane, and Brother Jefferson Tatum, former Justice of Livingston Chapter at Columbia. Brother Tatum, to snow the spirit of P. A. D. with which he is imbued, is now acting in the capacity, a strenuous one it is, of treasurer of Keener Chapter.

Brother McClatchey served as Justice of the fraternity for the first semester, and under his direction and leadership the fraternity has become more strongly intrenched 'n the law school and its meaning to the members of the chapter more dear.

A smoker in honor of the members of the freshman class with whom we were favorably impressed was given at the home of "Sandy" Clower, and the affair went over big. Brother Hitz, Jordan, Wright and Beauchamp, alumni of other chapters and members of the bar in Atlanta spoke to the new men on the general subject of the value of a legal fraternity. and of the aim and ideals of Phi Alpha Delta. We found that this was an ideal way to lay a foundation for an approach in the pledging of the new men and the effectiveness of it manifested itself in the results of the pledging.

We are confident that we got the cream of the freshman class. The pledge list was as rollows: J. Howell Green, Jr., of Decatur, Ga., William L. Woodruff, Decatur, Ga., Francis Woodward Brandon, Jr., Atlanta, Ga., Edwin Harold Enzor Montgomery, Ala., W. Valentine Jones, Waynesboro, Miss., Luke Beauchamp, Atlanta, Ga., Glenn Roberts, Lawrenceville, Ga., Frank Duncan, Hopewell, Va., E. Norman Carmine, Hampton, Va., and Joseph A. Stewart, Decatur, Ga. Brothers Carmine and Stewart are members of the mid-year law class. the former having taken a year of law at Washington and Lee, and the latter a year at Iowa State.

The initiation of these new men took place at the 1050 Ponce De Leon Apartments, after which a banquet in honor of the new men was held. Brothers attending the initiation that night besides the regular active membership of Keener were: Brother Cooterall, of the Taft Chapter, Brother H. P. Wright, of Taft, Brother Jordan, of Jay, Brother Hitz, of Campbell and District Justice, Brother Bruce Stephen, of Keener, now with the American Bell Telephone and Telegrapa, and Brothers Fife, Anthony, Carpenter, and Williamson, of Keener, all of whom are practicing in Atlanta. Brothers Quillian and Benson of the faculty, were also present and made after dinner speeches.

A function which proved to be one of the most enjoyable events ever indulged in by members of the fraternity was an old fashioned "Georgia 'Possum Hunt" which was given by the fraternity in honor of the pledges at the country estate of Col. D. F. McClatchey, Sr., father of Justice McClatchev. Contrary to expectations and in spite of a beautiful moon which made the good brothers forget the thrills of the chase in favor of romance of the night and their dates. three 'possums were reduced to possession, and in accordance with the holding in Pierson vs. Post, the animals being ferae naturae, the varmints were given to the Ethiopian named Rastus who climbed the trees and obtained manual and secure possession of them, rather than to the dainty damsels who each time when the dogs treed yelled out: "That one's mine. Oh, goody!"...

The wives of Brothers Jordan and Wright acted as chaperones and two reasonable men might differ, by a concensus of opinion they were the chaperones ideal, being very considerate in keeping a reasonable distance from the fury of the chase and the flirtations of the rollicking Romeos.

The graduation of Justice McClatchev at the end of the first semester, after making an admirable record as a scholar in law school, necessitated the election of a new justice and other officers. Those elected were Emil J. Clower, Justice: W. H. H. Jones, Vice-Justice; Jeff Tatum, Treasurer: Henry Fullbright, Clerk; and Joseph Stewart and E. N. Carmine. Historian and Marshall, respectively. At the last meeting under Brother McClatchey, a paper on the "Order of the Coif" was read by Brother Reagan Jones. Brother Benson of the faculty has charge of the assignment of papers to be prepared and read before the chapter.

Open House was recently held at Keener Kottage, the regular meeting place of the fraternity, and the Atlanta Alumni and campus brothers mingled again in fine fellowship. Of course, ladies were also present, and a picture of the group was made, which accompanies this chapter letter. Brother Alex Hitz, wife and family, Brother Jordan and wife, and ex-Justice Williamson all paid the Keener Chapter a call upon this occasion.

Brother McClatchey is now associated with the firm of Harold Hisrch, legal counselor of the Coca-Cola company. He is also the acting secretary of the recently organized alumni chapter in Atlanta. Too much cannot be said of Brother McClatchey's interest and loyalty to P. A. D. During the time he was affiliated with the local chapter, he never missed a meeting. As the little boy said "That's not good. "Hell, it's perfect."
"Sandy" Clower.
KENT CHAPTER

University of Idaho, Moscow

REGARDLESS of the fact that Kent Chapter has not been heard from in the Quarterly this year, we have been pilling up considerable information regarding our activities. PAD is maintaining its usual high standard on the Idaho campus, as evidenced by the fact that but one man was initiated in October and our pledge class includes but four men, at present.

Recognizing that our local high standards must be maintained, it has been our practice to select only the best members registered in the college. Recently, we added to our pledge rolls the following: Stewart S. Maxey, Russell Randall, Frank Davison and Robert Zarick. Initiation is planned to take place within the next few weeks.

Brother Davis, Dean of the College of Law, is with us again this year after a year spent in graduate work at Harvard. Brother Mechem left Idaho at the beginning of this academic year and is now on the instructor staff at the University of Washington.

Kent Chapter has prospered under the guidance of the following officers: Herman O. Welker, Justice, is a senior in the law school, and has already secured the appointment as district attorney for the County of Washington, State of Idaho.

Edward E. Poulton, Vice-Justice, a junior in the college, is a member of most of the leading organizations on the campus, and recently added to his list a membership in Scabbard and Blade, national military honorary fraternity. We feel justly proud that Brother Poulton was chosen Colonel-commanding the Idaho R. O. T. C. He is also Chief Justice of the Bench and Bar.

Edwin T. Beyer, Treasurer, is also a senior, and is kept rather busy with his duties as law librarian. Brother Beyer just completed his term as Chief Justice of the Bench and Bar, being succeeded by Brother Poulton.

Ray J. Compton, Clerk, a junior in the school, was recently elected to complete the term of Brother Pitman, whose duties as a member of the Idaho Business faculty made it impossible for him to continue in this office.

Brother Poulton has reported a very pleasant visit with Brother C. W. Thomas, of Blackstone Chapter. Brother Thomas is district attorney in this state for Cassia County.

Pledge-Brother Zundel, who has been confined to his home at Malad, Idaho, due to severe injury of his back, suffered last summer, is reported on the road to recovery, and we are all hoping to see him back next fall a full-fledged member of P. A. D.

The social activities of Kent Chapter have been largely confined to dinner held at the Blue Bucket Inn. Prominent jurists and members of the profession have been guests at these functions, and a great deal of benefit has been derived from their interesting and informative talks. P. A. D. has taken a prominent and active part in the social functions of the Bench and Bar, and at present the social committee of that organization is composed of brothers, who are busy preparing for the annual Bench and Bar formal to be held at the Phi Gamma Delta house soon.

With the approaching initiation of our fine group of pledges, Kent chapter is assured of continued success at Idaho.

R. J. COMPTON, Clerk.

KNOX CHAPTER

University of Arizona, Tucson, Ariz.

No letter received. REESE CHAPTER

University of Nebraska, Lincoln, Nebr.

A FTER completing semester examinations, the members of Reese Chapter are ready to start the new semester off with a bang. First, the P. A. D. formal, which will be held February 23 in the new ball room of the Cornhusker Hotel. This is one of the finest ball rooms in the west, and we feel fortunate in obtaining it for this event. No expense is being

spared, and the best orchestra in the city has been obtained, so we guarantee that this formal will be one of the best of the year. We want to take this opportunity to invite all P. A. D.'s who can possibly be there to come and help us make this a memorable event.

We have prospects for a very successful baseball team this spring, and the chances of our regaining the baseball crown look exceptionally bright. P. A. D.'s in years gone bye were several times fraternity champions, and, since it is a bit early to make prophecies, we will wait until our next season to tell the results of the season.

Soon after we ascertain the results of the first semester examinations, we are going to hold our annual spring initiation. We anticipate a large number of candidates this year, for all of the Freshmen were above the average of the class at midsemesters, and all showed promise of doing equally well, if not better, in the finals.

We will write further information, which we hope will be of interest to brother P. A. D.'s, in future issues of the Quarterly, and will let every one know the progress of the chapter during the year.

HARRY L. LADBURY, Clerk.

LIVINGSTON CHAPTER

Columbia University, New York City, N. Y.

No letter received. LURTON CHAPTER

Vanderbilt University, Nashville,

No letter received.

MAGRUDER CHAPTER

University of Illinois, Champaign, Ill.

No letter received.

MARSHALL CHAPTER

University of Chicago, Chicago, Ill. No letter received.

MARTIN CHAPTER

Tulane University, New Orleans, La.

No letter received.
McKINLEY CHAPTER

Ohio State University, Columbus, Ohio.

No letter received.

McREYNOLDS CHAPTER
University of Tennessee, Knoxville,
Tenn.

No letter received.

MITCHELL CHAPTER

University of Minnesota, Minneapolis, Minn.

No letter received.

MORGAN CHAPTER

University of Alabama, Tuscaloosa, Ala.

No letter received.

ROSS CHAPTER

University of S. California, Los Angeles, Cal.

ROSS Chapter has just completed a very successful 'Rushing' campaign and on Friday February 16th, it was with great pleasure that Ross Chapter welcomed into the great ranks of P. A. D. eighteen men who have proved good and true. It is my honor to present the names of these new Brothers to the other Chapters. They are as follows: Ardene Boller, John Bolton, Cabell Carrington, Gene Curry, Roland Ecke, Frank Harvey, Richard Jones, George Keefer, Richard Lapic, George Lawrence, Rulon Mc-Quarrie, Joseph Powers, Henry Rohr, Gordon Shallenberger, Sam Striebe, Cliff Twombley, Rodney Williams, Ward Foster. We also take pleasure to state that all these new men came through with flying colors at the mid-year exams. Ward Foster is the president of his class and Ardene Boller is a member of the school executive board. With such a start it appears that Ross Chapter will continue to lead as has been its habit for quite a few years past.

It is also with pleasure that I announce that at the recent election of Skull and Scales, College of Law Honorary Society that five P. A. D.'s. were invited to join that very select and noble group. Those five men are as follows: Harold Kraft, Howard Edgerton, Edwin W. Taylor, Ardene Boller and Ward Foster.

We have given several dances since my last letter. One of these dances was given for the benefit of the Rushees' and the second dance was given on the eve of the initiation of the aforesaid new members. There is no need of my telling you that at both of these dances a very, very good time was had by all.

This is about all that I have to say for now except I might add that since the last letter we have obtained a new cook for the Chapter house and she is a cook what 'am' a cook so if any Brothers happen out California way drop around, see the boys and have a good feed.

W. V. R. SMITH.

RUFFIN CHAPTER
University of North Carolina,
Chapel Hills, N. C.

No letter received.

RYAN CHAPTER

University of Wisconsin, Madison, Wisc.

No letter received. STAPLES CHAPTER

Washington & Lee University, Lexington, Va.

No letter received.

STORY CHAPTER

De Paul University, Chicago, Ill.

AT this writing Story boys find themselves past the Sogula and Charybdis of mid-year exams', and while all the scars are not yet healed there is a certain placidity about the house now, that was entirely missing during the hectic days immediately after the holidays.

Things are going very nicely with Story Chapter. We had a number of very successful house parties during the fall, and a particularly happy bunch of P. A. D.'s wended there way Storywards New Year's Eve to help each other fully enjoy the New Year's advent.

December we held an initiation making P. A. D.'s of the following men: "Paddy" Driscoll, Eddie Hussey, William Lynch, Gerald O'Hara, Tom Shannon and Ray Stoecker. We had a good bunch of alumni out to the affair. Brother Cherry was to have been speaker of the evening, but the Flu laid him low, and Brother George Quilici, who already was listed as toastmaster, very kindly though deprecatingly assumed both duties at

both of which he is a past master.

We are now compiling the grades of the active men and the pledges. These will be given the usual prominence as soon as secured. Story Chapter has been doing this for some years and it seems to be one of the greatest spurs to higher averages that we have yet found. There is considerable writhing on the part of those unfortunate enough to have fallen from grace, but there is a lot of pleasure over any marks that place a man away up at the top.

We are very busy right now planning a large, open dance for St. Patrick's Eve—which we propose to make one of the best ever given at De Paul and on which we are counting to furnish funds for some much needed replacements in the house.

Again, we reiterate, visiting brothers are welcome at Story House—just whisper the address—1505 N. Dearborn Parkway—in any cabby's ear and you are there in two shakes.

ED. D. HUTCHINGS.

SUTHERLAND CHAPTER University of Utah, Salt Lake City, Utah.

GEORGE Sutherland Chapter is well satisfied with the allotment which the Fates have handed out thus far this year. Though one of the newest chapters of P. A. D. with a comparatively small active membership, the spirit of P. A. D. is showing itself strong and with good results.

The initiation of twelve new members was held January 25 in the President's Suite of the Hotel Utah. Following the formal initiation a big banquet was held which was attended by the actives, the initiates, the Salt Lake City alumni, and some special guests. Brother James Cherry, honorary, Chief Justice of the Utah State Supreme Court was instructed to invite his four associate justices to meet with us on this occasion. His efforts were entirely successful and the entire Supreme Court not only joined us in the feast but added to it by contributing one after dinner speak each. Adolph Jensen, professor in the Law School was also a special guest.

The ceremonies of the banquet were presided over by Justice Thorit Hatch who announced Brother Hume Nebecker of the Alumni Chapter as toastmaster. Initiate Chauncey Harmon expressed the views and ambitions of the new members, Brother Parnell Black told of the feelings of an active member, and former Justice K. C. Tanner spoke in behalf of the alums. Speaches followed from Adolph Jensen, Associate Professor of Law, associate justices William H. Folland. Ephraim Hansen, N. D. Straup, and Elias Hanson of the Utah State Supreme Court, and Chief Justice James Cherry. Forty guests were present at the banquet.

The initiates included eleven freshmen and one senior law students. They were as follows: Chauncey Harman, Alan B. Brown, Grant Brown, Allan Crockett, Artie Miner, Paul Thatcher, Vernon Harris, Charles Stout, Carlile Carlson, Tracey Powers, Junius Robinson, and Harry Metos.

Justice Hatch is also vice-president of the Utah Barristers Club, an organization which includes almost all the members of the Law School. Chauncey Harmon is secretary-treasurer. Brother Parnell Black is in charge of the Law Library. Justice Hatch has the further distinction of having won the set of Corpus Juris given to the student with the highest average in the course in Legal Research.

During the fall quarter the active and alumni chapters of Phi Alpha Delta entertained the pledged members of the chapter and the active members of Delta Theta Phi, law fraternity, at a formal dance at Memory Grove in City Creek Canyon. The affair was well attended.

A number of events and innovations have been planned for the remainder of the school year.

The present officers of the George Sutherland Chapter are Justice Thorit Hatch; vice-justice Elliot Evans; clerk Marl Gibson; treasurer, Lee Nebecker; marshall, Rue Clegg; historian, Parnell Black.

ALAN B. BROWN.

#### TAFT CHAPTER

Georgetown University, Washington, D. C.

OUR Chapter is now running full blast, and it is comfortably installed in the new 'House' on 'O' street. The present sense of well-being and success has been achieved under the able guidance of our past Justice Mark B. Wilmer, and Taft Chapter has surely reached an enviable place of eminence and respect under his regime. We point with pride to Brother Wilmer as Chancellor of the Butler Law Club, the honorary debatting society of the law school; we also view with joy Brother Edward J. Maloy, secretary of the club, and Historian of the class of 1930, law. Brother Daniel Crowley, clerk of the Edward Douglass White Law Club, a kindred organization is also within our fold.

We are exceedingly thankful to our Brothers of John Jay Chapter for their kind hospitality, warm friendship, helpful cooperation, and sincere fraternal spirit. And we wish further, that they will accept our heartfelt gratitude for their frequent evidences of their many manifestations of the true meaning of Phi Alpha Delta. The future good will based on such a splendid past can only bode well for the hopes of our fraternity in the Nation's capitol.

At the annual elections of this chapter, held recently, Joseph M. Donovan of New York City, was chosen Justice. Brother Donovan comes to Georgetown Law School from Columbia University, and he comes to Phi Alpha Delta from Sigma Nu. Brother Ambrose F. Finn of Chicago, our new Vice-Justice, is a representative of De Paul University. Clerk, Brother Robert H. Stoepler of Toledo is from Notre Dame. Brother Robert F. Finke of Burlington, Wisconsin, our Treasurer, claims Marquette University as his Alma Mater. Brother Edmund P. Gullinan, Dunkirk, N. Y., Marshall, names George Washington University.

The plans for the future have been definitely formulated, and they are equally ambitious as those of the past. We hope to achieve the heighs scaled by those who have gone before us; however, it is our desire to open up new fields, and to go beyond the past. Nevertheless, the press of activities is not so great that our home is not always open to visiting Brothers, and it is our sincere wish that all those who visit Washington will take advantage of the fraternal welcome which is awaiting them.

Recent visitors to the house for the inaugural celebration were Brothers James Finn of Chicago, and George Beechwood of Philadelphia; both these boys are now listed among the promising attorneys of their respective cities.

TEMPLE CHAPTER

Hasting College of the Law, San Francisco, Cal. No letter received.

WATSON CHAPTER

University of Pittsburgh, Pittsburgh, Pa.

No letter received.

WEBSTER CHAPTER Chicago Law School, Chicago, Ill.

No letter received. WILSON CHAPTER

Cornell University, Ithaca, N. Y. No letter received.

WILLEY CHAPTER

West Virginia University, Morgantown, W. Va.

PHI ALPHA DELTA at West Virginia University has taken a new lease on life: twelve pledges than which none better have been seen in these parts in eons and other like great spaces of time. Our roll-call now sounds like that of the Pan-Hellenic council, there's intelligence in their faces, and it shows in their grades!

Preparations for initiation and the consequent banquet now occupy our thoughts and our time. We hope to celebrate that occasion the more for having with us Brother Maxwell who was recently elevated by, a for once sensible electorate, to the State Supreme Bench where he had already served especially creditably as an appointee of Governor Gore.

WALTON S. SPEPHERD, Jr.

#### DIRECTORY OF ACTIVE CHAPTERS

BENSON CHAPTER-Washburn College, Topeka, Kans. Justice: Frank Quail, 1620 College Avenue, Topeka, Kas. Clerk: Donald Russell, 1620 College Avenue, Topeka, Kas.

BENTON CHAPTER-Kansas City School of Law, Kansas City, Mo. Not reported this year.

BLACKSTONE CHAPTER-Chicago-Kent College of Law, Chicago, Ill. Justice: M. C. Van Alyea, 11 S. La Salle Street, Chicago, Ill. Clerk: H. Schwartz, 1401 W. Jackson Blvd., Chicago, Ill.

BREWER CHAPTER—Stetson University, De Land, Fla. Justice: Lawrence Bernard, Pi Kappa House, DeLand, Fla. Clerk: Wm. Mox, Delta Sigma Phi House, DeLand, Fla.

CALHOUN CHAPTER-Yale University, New Haven, Conn. Justice: E. W. Slifer, 1201 Yale Station, New Haven Clerk: David P. Evans, 78 Wall Street, New Haven.

CAMPBELL CHAPTER-University of Michigan, Ann Arbor, Mich. Justice: Oscar W. Moyle, 1223 Hill St. Ann Arbor, Mich. Clerk: Thos. C. Winter, 1223 Hill St., Anne Arbor, Mich.

CHASE CHAPTER-University of Cincinnati, Cincinnati, Ohio. Justice, Wm. Ramsey, 226 W. McMillan St., Cincinnati, O. Clerk: Francis X. McCarthy, 226 W. McMillan St., Cincinnati, O.

CLARK CHAPTER—Washington University, St. Louis, Mo. Justice: J. York Johnson, Tower Hall, Washington U, St. Louis, Mo. Clerk: Ed. C. Haid, 5937 Cates Ave, St. Louis, Mo.

CLAY CHAPTER—University of Kentucky, Lexington, Ky. Justice: R. B. Bird, Sigma Nu House, Lexington, Ky. Clerk: Carroll E. Byron, 173 Winslow Street, Lexington, Ky.

COLE CHAPTER—Drake University, Des Moines, Iowa.

Justice: Floyd Ullem, 1344 30th St., Des Moines, Ia.

Clerk: F. A. Hodges, 2821 Brattleboro Ave., Des Moines, Ia.

CORLISS CHAPTER-University of North Dakota, Grand Forks, N. D. Justice: Olaf Thorson, University, N. D. Clerk: Ralph Richardson, Kappa Sigma House, University, N. D.

DUNBAR CHAPTER—University of Washington, Seattle, Wash. Justice: Harold Holden, 1818 E. 45th St., Seattle, Wash. Clerk: Sherman Huffine, 1818 E. 45th St., Seattle, Wash.

FIELD CHAPTER-University of California, Berkeley, Calif. Justice: A. Ralph Trower, 426 36th St., Oakland, Calif. Clerk: Everett A. Corten, 2537 Piedmon St., Berkely, Cal.

FISH CHAPTER-Mercer University, Macon, Ga.

Justice: J. Quentin Davidson, Miami Valley Fruit Co., Fort Valley, Ga.

FLETCHER CHAPTER—University of Florida, Gainesville, Fla.

Justice: W. M. Pepper, Gainesville Sun Office, Gainesville, Fla.

Clerk: A. A. Fischer, 1110 W. University Ave., Gainesville, Fla.

FULLER CHAPTER-Northwestern University, Chicago, Ill. Justice: Edward Metzdorf, 495 Sheridan Road, Evanston, Ill.

GARLAND CHAPTER-University of Arkansas (Fayetteville, Ark. Justice: E. C. Gathings, Pi Kappa Alhpa House, Fayetteville, Ark. Clerk: Ulys O. Lovell, 301 Buchanan Hall, Fayetteville, Ark.

GREEN CHAPTER-University of Kansas, Lawrence, Kans. Justice: Ellis C. Clark, 1140 Louisiana St., Lawrence, Kas. Clerk: Richard A. Mermis, 1140 Louisiana St., Lawrence, Kas.

GUNTHER CHAPTER-University of Colorado, Boulder, Colo. Justice: Albert P. Fischer, Asacia House, Boulder, Colo. Clerk: Jesse E. Pound, 802 University Ave., Boulder, Colo.

HAMMOND CHAPTER-University of Iowa, Iowa City, Iowa. Justice: Craig R. Kennedy

Clerk: Don K. Walter, 4 E. Market St., Iowa City, Ia. HARLAN CHAPTER-University of Oklahoma, Norman, Okla, Justice: Ray L. Jones, 453 College, Norman. Okla.

HAY CHAPTER—Western Reserve University, Cleveland, Ohio. Justice: Horace C. Vokom, 2122 Cornell Rd., Cleveland, O. Clerk: Leon T. Gurney, 2122 Cornell Rd., Cleveland, O.

HOLMES CHAPTER—Leland Stanford University, Palo Alto, Calif.
Justice: Paul Kocher, Box 1468 Stanford Univ., Calif.
Clerk: Arthur R. Himbert, 241 Fulton St., Palo Alto, Calif.
HUGHES CHAPTER—Denver University, Denver, Colorado.

No letter received.

JAY CHAPTER—George Washington University, Washington, D. C. Justice: O. L. Rogers, 900 19th St. N. W., Washington, D. C. Clerk: Gwynn Sanders, 2120 H St. N. W., Washington, D. C.

JEFFERSON CHAPTER—University of Virginia, University, Va. Justice: H. W. Miller, Sigma Chi House, University, Va. Clerk: R. B. Tyler, 30 East Lawn, University, Va.

Clerk: R. B. Tyler, 30 East Lawn, University, Va.
KEENER CHAPTER—Emory University, Atlanta, Ga.
Justice: Emil J. Clower, Lamar School of Law, Emory Univ., Ga.

Clerk: Henry Fullbright, Jr., East Lake Country Club, Atlanta, Ga.

KENT CHAPTER—University of Idaho, Moscow, Idaho.

Clerk: Ray J | Compton, Univ. of Idaho Law School, Moscow, Idaho.

Clerk: Ray J. Compton, Moscow, Idaho.

KNOX CHAPTER—University of Arizona, Tucson, Ariz. No letter received.

LÍVINGSTON CHAPTER—Columbia University, New York City, N. Y. Not reported.

LURTON CHAPTER—Vanderbilt University, Nashville, Tenn. Not reported.

MAGRUDER CHAPTER—University of Illinois, Champaign, Ill.

Justice: E. W. Collard, 1007 S. 5th St., Champaign, Ill.

Clerk: J. Lewis Bond, 1007 S. 5th St., Champaign, Ill.

MARTIN CHAPTER—Tulane University, New Orleans, La.

Not reported.

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The Greek letter fraternity system, established in 1776 has kept equal pace with the remarkable growth of colleges and universities. These organizations, with the courage of optimistic youth, with whole-hearted love for their alma mater, and with an earnest desire to prove their worthiness in their college activities, have become an important part in the educational system of America.

Along with this powerful growth and development of the fraternity system, there sprung up more than a decade ago, another equally important movement. It was an idea and an ambition of a company. A company with faith in its convictions, determination in its being, and with a sincere desire to serve the college folk of America. This vision was to produce better fraternity jewelry than ever before; to adopt a systematic distribution service; to cooperate with each national organization and to create and maintain a lasting friendship with the members of the college fraternities.

Thus the House of Balfour was founded. After years of struggle, success has come. Upon the stepping stones of honor and fairness to all, the L. C. Balfour Company has become nationally famous.

Sole Official Jewelers to Phi Alpha Delta

## L. C. BALFOUR COMPANY Attleboro, Mass.

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