

The Reporter



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Phi Alpha Delta
Law Fraternity

THE REPORTER

OFFICIAL PUBLICATION OF THE PHI ALPHA DELTA LAW FRATERNITY

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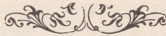
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FRATERNITY CALENDER

October 15th Form D due in Secretary's office
November 1st Per Capita taxes due in Secretary's office
November 7th Celebration of Founder's Day
December 1st Yearly chapter audit due in Secretary's office
March 15th Form E due in Secretary's office
April 1st Election of all chapter officers
May 30th Form J due in Secretary's office
Initiation fees and first \$3.00 installment on Life subscriptions to the
Quarterly must be paid immediately following initiation of any
member.

MAGAZINE MATERIAL

December 1st for December issue
March 1st for March issue
May 1st for May issue
No material arriving after the 5th of the above mentioned months
can be used in that particular issue.

We will be glad to carry on this page the date of any annual functions
of the active or alumni chapters.



VENGEANCE OR VISION?

A Psychiatrist's Challenge to Lawyers, Jailers and Politicians

(EDITOR'S NOTE: Doctor Karl A. Menninger is a nationally known Psychiatrist. His book, "The Human Mind," was a recent selection of the Literary Guild. Doctor Menninger is now conducting a page in the Ladies Home Journal. The following article is reprinted by courtesy of "The Survey.")

All human behavior was once accounted either good or bad. The "good" included the pious, the proper, the conventional, the routine, the harmless, and the inconsequential. The "bad" included the heretic, the improper, the unconventional, the unusual, the delirious, the anti-social, and the not-understood.

Ultimately the "bad" became subdivided into two groups, the inexplicable and the explicable. In the one group were placed those who did strange things. The evil they wrought brought no evident profit to themselves. In damaging society they gratified no familiar desires. Their conduct became uncontrollable, they expressed baseless fears, they mutilated themselves, they looked upon their best friends as enemies, they attempted or committed unprovoked murders, they stole profitlessly.

Because their conduct was mysterious, such people came to be regarded with a certain awe, and the prophets proclaimed it inhuman to punish them. Eventually too, it was discovered that drugs would abate some of these aberrancies. They were therefore relegated to the doctors who were told to do with them what they would and could. To justify this relegation le-

gally, the term "insanity" was coined and impressed into legal use. Those who were relegated, certified, disposed of to doctors, were to be known as "insane."

The other group of the "bad" did things apparently easier to understand. They did what nearly everybody else at some time had done, or had desired to do, but which conflicted with social convenience and comfort. They stole useful and valuable things such as most men might covet. They took revenge upon those who injured them, and if they murdered, the victims were their enemies. Though these things were forbidden by tradition, religion, and law, they were instinctive with nearly all members of the race. Even the "good" must struggle against the same temptations, and every normal adult remembers more or less painfully his juvenile offences in the same directions, though his childish thefts were trivial and his murderous impulses did not result in killing.

Recent scientific discoveries indicate the improbability that these "obvious" offences are committed for the obvious, the apparently obvious motives. Motivation of conduct is found to be much more largely unconscious than conscious, and the conscious explanations are apt to be superficial rationalizations. Nevertheless, the offenses committed are of a sort which the public thinks it fully understands, and this in the long run decides its attitude toward the offenders.

Society, as we have seen, came to consider it inhuman to punish the wrong-doing it did not understand. But a host of avengers arose to clamor for the blood of the wrong-doers whose conduct seemed more comprehensible. It was as if each one desired to crush someone else for yielding to what the avenger was so fiercely struggling against in his own soul.

To resume: the sinners whose sins are inexplicable to laymen are officially labeled "the insane"; those whom we think we understand, judging intuitively by our own struggles, are officially labeled "criminals". The former have been accorded increasingly efficient scientific study and treatment; the latter have been traditionally treated by punishment.

Both the "insane" and the "criminal", so labeled, have been increasing in numbers more rapidly than the increase in general population. It is significant to observe the difference in the handling of the two resulting social problems. The increase in mental disease has been met with a scientifically planned program for the promulgation of mental hygiene; the increase in the allied type of misconduct has been met with hysterical squaking and fatuous preaching about the "crime wave". Amateur criminologists have advocated ten thousand remedies for the cure of crime, from compulsory Sunday school attendance to the abolition of automobiles, cigarettes, and rolled stocking. Out of thousands of articles on the subject in current American Literature there have been only a smattering which have in any degree evinced a comprehension of the scientific bases of human conduct.

Punishment of criminals is theoretically advocated for one or all of three reasons. It is supposed (1) to reform the criminal, (2) to protect society, (3) to deter others.

It is hard to believe that anyone at all familiar with jails and prisons supposes that confinement in them re-

forms the criminal. He knows that at the end of their terms prisoners are likely to be more dangerous men than they were at the beginning. Nearly every warden says so, and all but the most somnolent judges know it and regret it.

That society is entitled to protect itself from the depredations of evil-doers by confining them somewhere, no one disputes. But a prison term comes to an end at the expiration of a fixed sentence, or earlier at the whim of parole officers actuated by sentimental or political considerations or by the administrative necessity of emptying overcrowded cells to make room for newcomers. Neither the arbitrary length of the sentence fixed by a statute, nor the date of parole capriciously bestowed, corresponds with any change in the prisoners by which, if a dangerous man, he becomes a safe one. Hence we have the tragedy-comedy of the offender, sentenced for a fixed period, serving a small part of it, and repeating time after time after time the offense from which society is supposedly protected by the jail.

That the spectacle of punishment may deter some persons from committing crime is conceivable, although it has not been scientifically demonstrated. But obviously it does not deter all persons, or crime would have ceased long since. The criminals now occupying our prisons, were not deterred. Only a casual inspection of any prison population should convince the thoughtful that the persons whom punishment is intended to deter are incapable of the proper appreciation of deterrence. In other words, mentally intact persons may indeed be deterred by certain legal threats (it is a question how much). But it may not be at present the mentally intact persons who commit crime and the mentally impaired are notoriously incapable of ordinary reactions of social adjustment.

In serious offenses there is another element, itself ordinarily powerful

enough, perhaps, to control those capable of being influenced by deterrents of any sort. That is the profound feeling of social disapproval, involving moral disgrace, manifested toward "crimes" really considered grave. Most of us are aware that our conduct is restrained in many particulars by a sense of social approval, even in fields not covered by statute law at all, though some people are indifferent or rebellious to this kind of control as well as to law. There are some legal offenses, on the other hand, which carry no moral stigma with them, such as minor violations of the traffic laws. It is only in these cases, relatively unimportant and outside the field of the usual discussion of the crime problem, that the specific penalty has an independent restraining influence, be it great or small.

It would seem, then, that present modes of punishment actually accomplish none of the things that they are supposed to do, or at any rate, do not accomplish them as well as some other system might. The reasons usually given to justify "Punishment" do not explain why it exists. They serve only to conceal the truth, that the scheme of "punishment" is a barbarous system of revenge, by which we "get even" with the criminal.

Science is not interested in revenge, and science is notoriously opposed to accepting traditional classifications. And psychiatry, the branch of science concerned with aberrant behavior, has no respect for such stratifications of human behavior as "good" and "bad", "criminal" and "insane".

Once it was sufficient to diagnose an illness as "the fever"; now medical science knows scores of fevers each of different causes, course, and complications. Similarly the psychiatrist cannot regard "theft" or "murder" as a diagnosis; these are simply symptoms appearing with other symptoms in a variety of groupings.

Originally, it is true, the psychiatrists were chiefly concerned with those

types of wrong-doers who had been labeled "insane" by the law-makers, and gathered into special institutions. But when they had studied this material according to scientific method they discovered no such partitions between the "insane" and the "criminal" as had been erected. They found that the types and trends of abnormal psychology extended far out from the "asylum" into the courtroom, the school, and even into the home. They found their task as definitely defined in the terror-ridden child as in the maniacal youth, as much in the melancholy and unstable mother as in the suicidal or homicidal father. They found their experience and technique equally applicable to the irascible employe, to the retarded school-child, to the unhappy suspicious husband, to the deluded and hallucinated wife. The psychiatrists, face to face with the legal partitions of the misbehaved, they had no technical interest in these partitions or general agreement with them. As scientists they are concerned with all the unpropitious trends of human character, with all acts, thoughts, emotions, instincts, and adaptations, socially and individually adverse. To the psychiatrists there are no "criminals", and no "insane".

The scientific attitude as shown in psychiatry must sooner or later totally displace existing legal methods. Formerly doctors treated patients, not by applied intelligence, but by precedents established by Hippocrates, Paracelsus and Galen. The doctors have now left this method one hundred years behind them; must the lawyers still continue solemnly to apply medieval stupidities in the name of "established precedent", "public policy", and other mouthy archaisms? Many of the ablest lawyers are earnestly striving to better this situation. But a large share of them, unfortunately are indifferent to the problems of criminal procedure, because they never practice in the criminal field, and have no interest in criminals as individuals.

Meanwhile, the declamation continues about the travesties upon justice that result from the introduction of the psychiatric method into court. But what science or scientist is interested in justice? Is pneumonia just? Or cancer? Or gravity? Or the expansion of steam? What criteria of "justice" can be applied to a broken arm or a weak mind? And to what good end? The scientist is seeking amelioration of an unhappy situation. This can be secured only if the scientific law controlling the situation can be discovered and complied with, and not by talking of "justice"; not by debating philosophical concepts of equity based on primitive theology.

This brings up the conception of "responsibility" with which the psychiatrist is often faced but with which also he is unconcerned. He has no idea what it means, although he is constantly asked to testify concerning it. The psychiatrist asks not, "Is this man responsible?" but, "Of what is he capable or incapable?"

Responsibility in the legal sense means punishability. The sense in which responsibility is used is an echo of the antiquated legalization of primitive and infantile reactions known as the talion law. In other words, "He hits me, so I hit him" (in spite of the scriptural adjuration that vengeance is the Lord's). No scientist has a moment's consideration for such emotionally determined policies. To say that they effect nothing is redundant.

The idea of responsibility runs back to the practices of primitive religious systems, and is founded on the mystical concept of atonement. Every transgression had to be compensated for by some tangible sacrifice, if not by the transgressor at least by some kind of scape-goat. For every offence, somebody had to pay.

There was a time when even inanimate objects were held to this kind of accountability. If a man tripped over a chair and injured himself, the chair was "responsible" and must be

punished—by being burned or broken. Until comparatively recent times animals were held responsible for injuries they committed; they were tried and convicted and formally sentenced. But ultimately inanimate things and animals came to be excepted from the ritual of responsibility; and slowly but progressively children, idiots, and finally all the "insane". Various curious tests then had to be decided upon to determine the "responsibility" of persons suspected of "insanity". Once they were compared in appearance and conduct with wild beasts. A later test was comparison with the mentality of a 14-year-old child. This was actually the criterion of "responsibility"! Current today in some states is the "right or wrong" test, which undertakes to determine whether the individual knows the difference between right and wrong or knows that his act is one regarded as wrong. It persists notwithstanding general knowledge that people are actuated by various compulsions to do things they themselves regard as wrong in the most shameful sense. The capacity to feel remorse does not imply power to control conduct.

The legal problem of responsibility evidently involves the philosophical problem of "free will". Philosophy still debates the difficult issues of the question, and science can hardly pretend to give a final answer to them now. But the law stubbornly maintains that the question is closed. According to the law, all persons of certain categories possess absolute freedom of will, and all persons of other categories possess none. Neither science nor philosophy can accept such a conclusion.

The scientist does not wish to participate in the ritual of "punishment", although he has a professional interest in observing how it gratifies the craving of the crowd for atonement through vicarious suffering. For his patients the psychiatrist seeks, not punishment, but treatment. This, in a

sense, is an "inhuman" attitude, in that it is a departure from the instinctive mechanism that rules most of humanity; the clamor for vengeance is more "human". But treatment may sometimes be as painful as the sacrifice prescribed by the legal ritual. Opening a boil or setting a fracture may be painful treatment; and the psychiatrist, too, may prescribe painful treatment; but it is never punishment.

The advantages of a changed attitude toward criminals seem too obvious to elaborate. With every prison in the land half-filled with repeating offenders, there seems to be justification for current newspaper alarms over the "crime wave". So long as offenders are sentenced according to the book instead of studied according to principles, the results will continue to be as inadequate as if the doctors prescribed twenty days of aspirin for every case of pneumonia, six months of castor oil for every cancer, or five years of calisthenics for every case of imbecility.

The first step in a new program for handling "the crime problem" is a change of public opinion in regard to the aims of psychiatric method as applied to the prisoner. This is being rapidly accomplished by psychiatric clinics operating in association with criminal courts in various cities, and by the ardent work of many agencies such as the National Committee for Mental Hygiene, the Committee on the Prevention of Delinquency, and the Commonwealth Fund's Child Guidance Clinics.

The next step is the alteration of the laws governing criminal procedure. The American Psychiatric Association and the American Bar Association are both at work on this problem, although, unfortunately, they are very widely separated.

Such agencies as the clinics referred to above are greatly handicapped in their practical achievements by the obstructing legal restrictions.

Even after a psychiatric clinic, for example, has been established in connection with a criminal court, the laws in many states are such that unless the clinic can find a condition which throws the accused into a particular category, insane or feeble-minded, there is little difference in the handling accorded him by the representatives of the law. The psychiatrist may, for example, be able to account for the misbehavior in several definite and environmental and personal factors, some or all of which are subject to correction, and he may be able to see with some definiteness that this case could be cured by a more rational and more effective method of treatment than incarceration in a jail. But unless the judge wished to presume greatly upon his bench parole privileges and risk inciting the mob to put an end to what it might consider a sentimental indulgence of offenders, there is nothing to be done about it.

The trend of progress, meanwhile, is evident in many ways: for instance in the Wickersham report and the Massachusetts statutes of 1921. The recommendations of a Joint Committee of which George W. Wickersham is chairman, following a survey of the county jails and prisons of New York in part, briefly, are these:

County jails should be abandoned as places of punishment. All prisoners should be sent to clearing-houses for a diagnosis of their conduct disorders and for classification. Thereafter they should be confined in specialized units of a diversified institutional system, including industrial farms and vocational training schools. Sentences should be made truly indeterminate. No parols should be issued until the prisoner's problem has been sufficiently well met to warrant the belief that he will adapt himself in the community. Even after parole the prisoner's activities should be supervised by a psychiatric social worker.

Massachusetts has enacted a law

making psychiatric examination a routine procedure for those indicted for a capital offence or for those known to have been indicted for any other offence more than once, or to have been previously convicted of a felony.

Much experimental work remains to be done, both legal and medical. It seems certain, however, that an entire shift of attitude will be necessary rather than the various maneuverings of criminal procedure that are sometimes advocated. One immediate practical step in the right direction could be taken with a minimum of legislative and administrative readjustment: before paroles are issued, prisoners should be examined by psychiatrists, and if evidence of mental disorder or defect likely to cause a recurrence of misconduct is found, paroles should be denied. Those who confuse the scientific point of view with a maudlin sentimentality may see from this that the period of treatment for many offenders would doubtless

much exceed the terms of "punishment" fixed by the law.

Ultimately there will be no important distinction between "asylums" and jails. Both will have lost those atrocious names. Both will be institutions under state jurisdictions and under expert medical direction for the care of individuals committed to them by the state because of behavior ineptitudes, failures and incapacities.

A "sentence" will be as unthinkable for a murderer as it now is for a melancholiac. Unkindness will be as taboo for a felon as it now is for a woman in delirium. Release before complete recovery will be as irregular and improper for a thief or rapist as it now is for a paretic or a leper.

The modern surgical operating amphitheater developed out of dirty public barber-shops. The physicians took surgery away from the barbers a century ago; now they are taking criminology away from lawyers, jailers, and politicians.



Brother Donald H. Sweet (Blackstone) of Chicago, Illinois, and his associates, have recently enlarged their sphere of operations by opening a Milwaukee office in the Mariner Tower under the firm name of Freeman and

Albrecht. George M. Albrecht is attorney in charge, with Hadley F. Freeman, Harold Elno Smith, and Brother Sweet as associates.

The practice is strictly limited to patents, trademarks, unfair competition and copyright matters.

Are You Losing An Opportunity?

Supreme Justice Gilbert

As has often been repeated, Phi Alpha Delta is an organization made up of men who were picked from the leading law schools of our country for their prowess and loyalty, and associated together for the benefit of the profession and for mutual helpfulness. The strength of our Fraternity lies in a closer association and a deeper understanding between the members of the Fraternity.

We must live. We must make a living. We may talk of beautiful theories, but, after all, we must be in a position to enjoy idle luxury. It is not intended for a moment to put our Fraternity upon a commercial basis, and if it were not for an absolute conviction that through bringing to your attention the value of the Fraternity to you personally, we would gain strength for the Fraternity as a whole in carrying out its ultimate destiny, we would not mention the subject.

We have at least some eight or ten thousand brothers who are engaged in the active practice of the law. A great many of those Brothers already appreciate their opportunity and have been for years sending their business to other Brothers in the Fraternity. Thousands of dollars in fees have been paid through the hands of one Brother to another. If you have not been one of those Brothers, there is a reason why. There is at least an opportunity which you have not embraced.

In the first place, you have been out of touch with your Brothers. It is natural that as new opportunities come, members of the Fraternity move and you lose track of them. Even if you have not sufficient time to be an active participant in the work of the Fraternity, you can at least keep in touch through our Directory and

through our "Reporter." If you don't keep that contact, you are lost to the Fraternity and the Fraternity is lost to you.

We have compiled and published directories in the past, more or less accurate. Today we have an opportunity for a real directory. Your Supreme Board has entered into an agreement for the publishing of a new edition. This book will not only have the advantage of being compiled by a group of men who have had more experience in publishing law directories than any other group, but will be checked against the comprehensive list of the Martindale-Hubbell Law Directory, which is kept up to date through personal contact every day of the year. Our program of directories not only includes the publishing of this Directory, but also the publishing of four additional directories bi-annually.

You should be prominently identified in this directory. The Fraternity is entering upon a program of popularizing the use of this Directory,—first, because we believe it will be of benefit to the individual members, and, second, because we believe that we will get your more active support through your identification with it. What the Fraternity needs as a whole is more active co-operation, more interest by the older members of the Fraternity. We can appeal to you through our ritualistic work, through our employment program, through our plans for constructive reform in legislation, through our pleasant social contacts, and now, as with every other well-balanced organization, we can appeal to you in a more material way.

It is your duty as a member of the Fraternity to support and promote an agency such as the Directory which will mean so much, not only for the

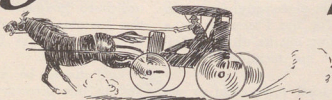
individual member, but for the Fraternity at large. Through a successfully financed and accurately compiled directory, the Fraternity will be in a stronger position than ever to carry out the real opportunities of the future

for leadership at the Bar,—leadership in civic reform that this Fraternity stands for and is striving for.

Fraternally yours,
ALLAN T. GILBERT,
Supreme Justice.



25 Years Ago



GEORGE FINK

The year 1906 in the history of our fraternity was an important one. Many things were happening,—the pot was boiling. The Chicago members were all enthusiastic and busying themselves in their own way, either jointly or collectively, in the up-building of the fraternity.

For instance, Thomas P. Octigan, Supreme Recorder, and destined to later become Supreme Justice of the fraternity was working night and day compiling the first directory of the fraternity so that the same would be ready to present to the Seventh Convention of the fraternity to be held May 6, 1906, in Chicago. He succeeded in completing this work on time. This directory was 4½" wide

by 6½" long and ¼" thick, and contained 424 names, which represented the entire membership of the fraternity at that time. The directory was very complete. In addition to giving the name of the member and his address, it gave his school, chapter, year of joining the fraternity, year of graduation, and indicated offices and honors of the member held during his collegiate years. Brother Octigan is engaged in general practice of the law and heads the law firm of Octigan, Kirk & Stone, with offices at 111 W. Monroe Street, Chicago, Illinois.

Another important event to chronicle as occurring 25 years ago was the admission of Frank L. Fawcett to the fraternity by way of Ryan Chapter

at the University of Wisconsin. He was also to become a Supreme Justice. His life should be an inspiration to the younger men struggling their way up. He has declined on several occasions—but for reasons of his own which he considers good and sufficient—to publish the date of his birth, but admits that he was born with his “foot in the furrow” and passed his early life on the farm. He worked his way through high school and Normal at Platteville, Wisconsin, later becoming the Principal of the high school at Benton, which position he held for three years, teaching literature and history. In the fall of 1905 he entered the University of Wisconsin and secured employment at the capitol with the State Civil Service Commission, experiencing several promotions until he became Chief Clerk, which position he held during his University course. In 1906, as above stated, he became pledged to and initiated into Ryan Chapter, later becoming Justice of the chapter. Upon completion of his law course he located in Milwaukee in the year 1911 where he has practiced his profession ever since. Although practically unknown, Frank rapidly gained an enviable reputation in his specialty—the practice of criminal law. He is known as a fair and fearless fighter. As Waldemar Wehe (Ryan '05) said in his article respecting Frank, in March, 1922, number of the quarterly, Frank never asks for nor sends a flag of truce. Frank's

interest in and loyalty to the fraternity has never ceased. He was the first District Justice for the middle western states when we had a district so designated. He was unanimously elected Supreme Justice of the fraternity at the Kansas City Convention December 31, 1921.

Brother Fawcett still heads the firm of Fawcett & Dutcher with offices in the Cawker Building, Milwaukee, Wisconsin.

August H. Garland Chapter at the University of Arkansas was installed at Little Rock, Arkansas, on April 28, 1906, with 8 charter members, viz:

Fred Clark Jacobs
Thomas O. Summers
James Kirby Riffel
William Russell Rose
Harry C. Hale
Horace Earl Rouse
Ashbel Webster Dobyns
John Bruce Cox

Owing to Arkansas legislation adverse to Greek letter fraternities, Garland Chapter was forced to become ineffective for many years—until the laws prohibiting them were repealed or became in effect only blue laws and unenforced. The alumni, however, had always been active and it was largely through the instrumentality of alumni of the old Garland Chapter at Little Rock, Arkansas, that a petition was presented a few years ago resulting in the re-establishment of the chapter, which, of course, was glad to assume the old name.



IN MEMORIAM

ROBERT S. BEAN

Brother Robert S. Bean of Portland, Oregon, Judge of the United States District Court for the District of Oregon, died January 7, 1931, at his home after a heart attack. He was born in Yamhill County, Oregon, on November 28, 1854, the son of O. R. and Julia A. (Sharp) Bean. He entered Christian College and graduated from the same in 1873. Five years later he received his B. S. degree from the University of Oregon and in 1895 was awarded the degree of Doctor of Laws. Willamette University at Salem, Oregon, also awarded him the degree of Doctor of Laws the same year.

He was admitted to the bar in 1878 and practiced at Eugene, Oregon, until 1882. From 1882 to 1890 he served as Judge of the Second Judicial Circuit. He was then elevated to the Supreme Court of the State of Oregon and served from 1890 to 1909. From 1894-96, 1900-02, and 1905-08 he was Chief Justice of the Court. On April 28, 1909, our late distinguished brother, William Howard Taft, President of the United States, appointed him Judge of

the United States District Court for the District of Oregon, and he served in that capacity until the time of his death. For many years he was associated with our late distinguished brother, Charles E. Wolverton, of Portland, who was the senior United States District Judge for the District of Oregon. Brother Wolverton was appointed by President Theodore Roosevelt on December 5, 1905 and served until the time of his death on September 21, 1926.

Brother Bean was initiated as an honorary member of George H. Williams Chapter of the Fraternity on November 30, 1909, at Portland. He was active in the affairs of the chapter for many years as was Brother Wolverton, who had been initiated as an honorary member of the chapter on November 28, 1908. From 1882 to 1920 Brother Bean was a Regent of the University of Oregon and was President of the Board from 1899 to 1920. He was a Republican in politics.

He was married to Miss Ina E. Condon of Eugene on September 7, 1890, and was survived by his widow and three sons.

Law Dean Has Plan to Fight The Racketeer Evil

Prof. W. B. Rutledge of Washington U. Urges Special Commission to Determine if Suspect Is 'Public Enemy.'

WOULD MAKE GANGSTERS REPORT ON ACTIONS DAILY

Calls Present System Inadequate and Favors More Drastic Method to Curb Growing Menace to Society.

In an interview with a reporter for The Star recently Prof. Wiley Blount Rutledge, acting dean of the law school of Washington University, outlined in detail his plan to place the legal treatment of gangsters and racketeers on a different plane from the laws concerning ordinary citizens. He first broached the suggestion at a luncheon recently. Summarized, his plan is:

Substitute an administrative method for the individualistic one now in use.

Select a commission which would be empowered to decide whether or not a man was a "public enemy."

Once a man is found to be a "public enemy," force him to give a daily account of his whereabouts and doings, and if they are not satisfactory, further restrict them.

Said Prof. Rutledge: "I hesitate to make a suggestion so at variance with all the legal traditions which have grown out of the common law. Still when that body of laws fails, it is necessary to devise some new method which will deal adequately with the situation.

"If we can convict a business man under the Sherman anti-trust act after he has been operating his business along what he thought to be legal lines, by proving his activity illegal, certainly we can apply a similar method to racketeers, who are becoming more of a menace to society every day.

"We all know the police are aware in most instances of the identities of

gangsters, the places where they gather the fact that they have no visible means of support, and so on. Yet the police are unable to get specific evidence enough to convict them with our present legal methods. For example, we should be able at least to have grounds for suspicion when a man like Al Capone maintains a high standard of living, apparently 'out of the air.'

"While application of the vagrancy law to racketeers may prove somewhat effective in a particular locality, it would only shunt the problem to other communities. I believe a more drastic method is needed. Since the individualistic system has failed, it is necessary to plan some way which will deal with the combinations involved. The vagrancy law, however, gives us a model to work from.

"We should apply an administrative method. A commission of lawyers or special judges should be able to determine both the facts and the law. This would be a special court and would necessarily have to be a body in which the general public has confidence. I do not think the jury system would work because its verdicts are so often accidental.

"In some respects racketeers are analagous to the insane and should be dealt with in the same way. Both are 'public enemies.' The activities of either can be just as 'criminal' as the worst manslayer in the land.

"The commission which I would establish would necessarily have to use

the widest discretion and its powers would have to be carefully defined or some injustices might occur.

"This commission would be chiefly efficient where the facts were not sufficient to prove gangsterism, but sufficient to indicate it. The liberty of the suspect could be restricted, or he could be made to put up sufficient bond and give daily reports of his whereabouts and activities.

"At present we encourage many illegal methods on the part of the police, for example, the 'third degree.' Also innumerable arrests are made where no specific acts are proved. Out of the thousands of warrants issued, very few suspects are convicted. While I do not condemn these methods, since there is no other way of accomplishing law enforcement, they would be mitigated by this system.

"The theory of the system which I propose is simply to put the burden of proof on the suspected individual. Instead of keeping a close watch on his activities in order to have tangible evidence of his guilt, which is impossible, he would be required to account for himself. If racketeers were required to keep in close touch with the police, their activity would be considerably lessened. If a suspect suddenly disappeared he would be required to explain his action or suffer

a penalty.

"Briefly, the idea is that in most cases gangsters are definitely known but cannot be convicted. A commission could deal with them simply by proving them gangsters.

"While the vagracy law is wider than most persons think, the objections to it are that two specific acts must be proved in order to convict a suspect and that the penalties it provides are penal in nature and inadequate to remove racketeers from society. In order to convict a suspect under this law two elements are necessary: For example, the facts that he is loitering around houses of ill-fame, gambling houses or places where liquors are sold or drunk, and that he has no visible means of support.

"My suggestion is to establish entirely new legal machines for dealing with this problem. Our present system provides a specific offense at a particular time and place must be proved. Operations of racketeers are such that these facts are almost always unavailable. When we do have such facts the victims are terrorized to such an extent that conviction by ordinary legal methods is next to impossible. This was clearly demonstrated in the Scorlino case. It is therefore necessary to devise some new legal system which can curb their activities."

FEDERAL INCOME TAX BOOK FREE

Brother Herbert C. Fooks of Baltimore, Maryland, is the author of a 1000 page volume entitled "Leading Cases on Federal Taxation." He has very kindly consented to furnish a copy of his book free to any member of the Fraternity who will send him One dollar to cover the packing and transportation charges. The regular price of the book is Ten dollars.

The work has been commended by John W. Davis of New York City and many other prominent lawyers who have income tax practice. Here is a splendid opportunity to secure a book that will be valuable to you in your practice.

Brother Fooks is a member of Kent Chapter of the Fraternity and has offices at 723 Munsey Building, Baltimore.

PAUL G. PARSONS



PAUL G. PARSONS

Paul G. Parsons, District Justice of the Southern District, was born in Jefferson, North Carolina, August 14, 1901. His early education was received in the Chilhowie Public School, Chilhowie, Virginia, the Virginia-Carolina High School, Ashe County, North Carolina. He attended Berea College at Berea, Kentucky, and studied law at the University of North Carolina. He was admitted to the Bar in North Carolina in 1923 and was admitted to the Bar in Alabama in 1925.

He moved to Birmingham, Alabama, shortly after being admitted to the Bar in North Carolina, and served as House Attorney for a national financial institution for about five years, when he formed a partnership for the practice of law with Yelverton Cowherd of Washington, D. C., under the name of Parsons & Cowherd. They opened offices in the First National Bank Building of Birmingham, Alabama, where they are now practicing law.

Parsons is very active in civic and fraternal affairs. He is President of Berea College Alumni Association and Secretary University North Carolina Alumni Association. Brother Parsons was taken into the Phi Alpha Delta Law Fraternity at the University of North Carolina through Ruffin Chapter. He organized the Birmingham Alumni Chapter, and was elected its first Justice. He was later appointed Assistant District Justice, and has recently been appointed Southern District Justice.

ROBERT W. LYMAN

Brother Robert W. Lyman, a member of the faculty of the Portia Law School at Boston, Massachusetts, was born at Northampton, Massachusetts, on March 27, 1850. In 1867 he entered Massachusetts State College at Amherst and graduated therefrom with the degree of Bachelor of Science in 1871. For several years he was engaged in the business of land and railroad surveying and engineering. He then studied law in an office at Northampton and was admitted to the bar in 1878. He studied further in the School of Law of Boston University and received the degree of Bachelor of Laws in June, 1879. Thereafter he engaged in the practice of law in Hampshire County, Massachusetts. In 1882 he was appointed an Associate Justice of the District Court of that county. In 1911 and 1912 he took graduate work in the School of Law of Boston University and received the degree of Master of Laws in June, 1912. Thereafter he studied at Yale University from which he received the degree of Juris Civilis Doctoris in 1913. From September, 1913, to June, 1928, he was a professor of law in the Dickinson School at Carlisle. In the meantime during the summer vacations prior to 1917 he took graduate work at the University of Michigan Law School at Ann Arbor and received the degree of Juris Doctor in September, 1917. He was initiated as a member of John C. Calhoun Chapter of the Fraternity in the spring of 1913 while he was a student at Yale University. He has had a very wide experience and is the oldest active law teacher in the United States. He was added to the faculty of the Portia Law School last fall and is giving the courses in Carriers and Municipal Corporations.



ROBERT W. LYMAN

Our New Directory

During 1932, Martindales' Fraternity Directory Corporation of New York City, will publish the first of a series of five bi-annual directories for our fraternity. We are relieved of any financial risk and will participate in the proceeds of sale of every book and advertisement. This is in accordance with an agreement just completed by the Supreme Board and the publishers, and affords us a most opportune advantage to place our Directory on a high plane in keeping with all of our undertakings.

The book will have a flexible binding with pages approximately 6"x9". It will contain a brief history of Phi Alpha Delta, a copy of its constitution and by-laws and the members' names will be listed alphabetically and geographically. In addition each member's name will appear under the name of his chapter with the date of initiation. Members not engaged in active practice will be listed with their business connections.

A new feature, which will add great value, is the provision for bold-faced type listings followed by cards stating the members' affiliations, specialties in practice, clientele and other informative matter as desired.

The cost of the book will be five

dollars and a members' card will cost twenty-five dollars including a copy of the directory. Listings will be for a period of two years, which will insure the greatest possible accuracy and up-to-date information.

The publisher is a subsidiary of the Martindale-Hubbell Directory Corporation which has been in the directory field for many years and its publications are known and relied upon by all lawyers engaged in active practice. With this company's facilities and long experience behind our directory we are assured of a better directory than we have ever had.

However, with all these advantages, the directory cannot succeed without your help. It is your fraternity which has undertaken this task of furnishing a book of value to you, and the directory is yours to support to success. If you are still proud of Phi Alpha Delta you will do your part.

Enter your subscription for a copy and insert your business card. Some contact made through the directory may prove of untold value to you in addition to the other obvious advantages of keeping in touch with the fraternity.

LAWRENCE R. LYTLER,
Supreme Historian.

Brother Donald H. Sweet, of Blackstone Chapter, was royally entertained on January 26th and 27th by Brother John S. Cavanaugh, of Ryan Chapter, and afforded luxurious and delightful accommodations at the Madison Club, at a time when a local convention rendered the general hotel accommodations of the city extremely meager and unsatisfactory. He reports that if the courtesy of Brother Cavanaugh and his firm, Sanborn, Blake, and Aberg, is a fair sample of the standard maintained by other brothers in Madison, there are surely

few more delightful places in which to be delayed enroute, or occupied in business.

Brother O. Hays Wardrip, Benton Chapter, who lives at 2017 Linwood Blvd., Kansas City, Missouri, on February 1, 1921, was appointed as assistant prosecuting attorney for Jackson County by Mr. James R. Page, Prosecutor. Wardrip was a delegate to the national convention in Milwaukee last summer. He is president of the Young Men's Regular Democratic Club.

LYLE, ARCH FOE OF CRIME TELLS WAY TO STOP IT



JUDGE LYLE

Writer Gets Close-up of Judge and Man

**James O'Donnell Bennett Makes a
Study of Brother Lyle for
Chicago Tribune**

This article records words and acts of Judge John H. Lyle during six and a half hours of a typical day of the man now most in the public eye of Chicago.

Two hours and a quarter of the time were passed at luncheon where the judge ate moderately and talked a torrent that after swelled to immoderate vehemence.

Four hours and a quarter were given to close attention to his demeanor and utterances on the bench.

In the restaurant his criticism of most of the men conspicuous in the public life of Chicago today ranged from pitiless to contemptuous and it was audible the length of the long room. He there spoke of himself as "poor little me," expanding thus the point of that description:

"What I mean is—look what poor little me has stirred up by trying to show hoodlums that there is law in the land that will reach them. Now suppose three other judges had done as much!—"

That possibility so dazzled him that he lifted both hands in hurried gesticulation and did not complete the sentence.

He often deprecated boastfulness, saying at one point:

"Any man who boasts of his honesty is an object of suspicion, but I will say this: I don't allow my clerk or bailiffs to take even cigars."

When he said that he took from a pocket of his coat a slip of white paper on which these words of Shakespeare's stern Angelo were neatly copied:

Thieves for their robbery have authority,
When judges steal themselves.

"From 'Measure for Measure'—you know"—he said as he passed the slip across the table, adding "How I love Shakespeare! When his plays are on I go four nights a week to see them."

Other quotations—also neatly copied on slips of white paper—appeared from the judge's poetry pocket upon later occasions when their use in adorning an interview would seem appropriate, but for the moment John Lyle bestowed some of his farthest carrying epithets on bailiffs.

"What," he exclaimed in reverting to flagrant instances which had come under his observation, "could you expect of policemen trying to be honest when they would see bailiffs running around with five dollar bills in their hands and maneuvering to get fellows out of the law and above the law!"

In all he said, whether in answer to questions or by way of spontaneous comment, Judge Lyle was vehement, but his vehemence did not seem to tire him. When he was reminded that his food was getting cold he would say, "It's all right," eat a few mouthfuls, and resume vehemence.

When he took up reply to the stock question, "What to do for Chicago?" he ignored food entirely and released these sentences which were touched up with routine and rather wearing expletives that are here omitted:

"If the present chief of police would say, 'Drive the gunmen out of Chicago,' and if the mayor would say it—and *mean* it—they'd be gone in sixty days. Could a few skulkers stand up against five thousand armed policemen?"

"Betterment is a public official's job. We've got a wonderful city here. But you can't go over to Grant park and doze off and not have your pocket picked. And the public officials are in

a chronic doze. The people are all right! They're not dozing so much as they are tolerating public officials that have been fooling them.

"Take the case of Denny Cooney. It's representative. He's the big moneyed end of the Al Capone gang and a warrant is out for him. Have they ever brought him in? No! But they can get him any night.

"And these smart alecky lawyers who gloss over things—you know, the devil quoting scripture."

Out came another neatly copied sentence—this time Antonio's words to Bassanio in "The Merchant of Venice":

The devil can cite scripture for his purpose.

That citation, being ceremoniously handed over passed from the judicial to the reportorial pocket and Judge Lyle said:

"I can lay most of the non-enforcement of law at the door of judges—principally, I believe, judges who are so fearful of technical lawyers who would turn in an adverse report on 'the judicial temper' to the bar association.

"Look at the misuse of habeas corpus! Habeas corpus was organized centuries ago for the benefit of poor political prisoners. Well, there aren't any politicians in prison now and the writ is mostly being used as an expedient of those smart alecky lawyers.

"I'll tell you who ought in a judge's mind to be standing alongside the Chicago gunmen at the bar and that's three million people! It's their welfare ought to be standing there in his mind as well as the rights of the criminal, and if the judge is going to bend—if he is going to concede anything—let him concede something to the welfare of society. We ought to consider three million people instead of the criminal or the political faction one happens to be identified with. If these slick technicalities are

to be used I'd like to see a few of the slickest of them used in favor of human society."

Another neatly copied quotation—after being repeated from memory—was here indicated on another slip of white paper.

This time it was Bassanio's plea to the Venetian court:

*Wrest once the law to your authority:
To do a great right, do a little wrong,
And curb this cruel devil of his will.*

The jurist did not cite Bortia's crushing reply to Bassanio's words and it hardly seemed the reporter's place to disturb with her rejoinder the Elizabethan charm of the luncheon.

Judge Lyle's dish of spaghetti had by this time assumed the firmness of electric light wires. He did not seem to mind, nor was he annoyed by a pretty little fountain that teasingly gurgled and rattled a column of water into the stone basin almost at his elbow. His voice, in a manner of speaking, drowned out the fountain, and he said:

"One trouble is that citizens who walk the quiet ways of respectability don't know what happens in the courts—don't know how they are conducted. They don't know how much time and money are wasted on trivialities. Say, it costs twenty million dollars a year to maintain the courts and penal institutions of Cook county. We have ninety-eight judges. There are now about—you better say about—ten thousand two hundred and twenty-seven laws in the state statute book, and in the municipal code more than thirteen thousand. So, when I went on the bench six years ago I suspected we had enough law, and in sixty days I saw that it was not so much new laws that we needed as a new attitude on the part of men charged with administration of the law.

"And I believe that in ten years there'll be a wholly different set and type of judges on the bench—men who will interpret as if more than that in-

dividual criminal was before them, but as if the welfare of society was before them."

"What is going to bring the change, judge?"

"The public conscience, which has been more aroused in the last six months than in all the rest of the last ten years."

"But suppose, judge, it won't stay roused? What then? Chaos?"

"It can't be anything else," he replied, adding after a pause that, for him, was long. "So far as this town is concerned it all centers around a mayor. The source of all the trouble is that we are running the city on a political basis. *The town cannot be successfully run by ward committeemen.*

"If this town would be cleaned up once and the people would see what a comfort it is I don't believe that for another generation they'd be so easy as they have been."

"Who, in your opinion, judge, is today daring the most to clean up crime in Chicago?"

The question was hardly finished before Judge Lyle came out explosively with the monosyllables:

"Pat Roche."

He hurried on, saying:

"There's a man of energy, a man of integrity, absolutely above reproach or suspicion. And Roche has got the best man in Chicago with him because he's afire to clean up. I mean Rathbun."

"And what will be your next contribution to the clean up?"

At that he produced a sound which blended a snort with a mocking laugh.

"In a few weeks," he said—and was referring to the periodical reassignment of judges—"in a few weeks I'll be out of here. That will be my finish. I'll be back to small claims. I'll be back to the civil cases. And I just love that. I love to lean back and hear skilled lawyers spar.

Since he began costing gang murderers and booze runners deep vexation, frequent imprisonment, and much money for bail bonds and unscrupulous lawyers, Judge Lyle has often been menaced by gangdom's murderers. At a late hour last Tuesday night when he and Pat Roche were discussing methods of cleanup under a street lamp they were warned to move away from the light lest they be machine gunned.

To a question about the menacing he replied:

"I don't worry about that. It's all in my day's work and as long as I'm here I don't see any excuse for not doing the day's work.

"But I'm not going to let the day's work be swamped with trivialities and technicalities that enable hoodlums to stay outside jail.

"But I'm no sadist. The suffering of other people gives me no pleasure. I'm not a hard boiled judge. I never fined a man for being drunk. It's penalty enough to drink the stuff they give you nowadays. I take no delight in putting people in jail. What I'm trying to do to help clean up crime is not to predict what I'm going to do but *do it*.

With that he launched himself upon what must have been twenty or thirty lines of a jingle that was half doggerel and half homely philosophy, which he repeated with extraordinary rapidity and of which the moral was:

*A thousand "goin'-to-do-its" won't balance one "has done,"
And a pound of "right-this-minutes"
is worth "tomorrow's" half a ton.*

At 1 o'clock the judge had said to a group of insistent lawyers standing below the bench with their clients, "Now, gentlemen, I'm going to disappoint you all because I'm going to adjourn until 2:30."

It was now 2:20 and we were a mile from court. The reporter, who was

also the host mentioned the time of day and said he hoped the judge would not allow himself to be delayed by the reporter.

But the judge steamed on.

He talked of his early days and told how he came of a good, solid Tennessee family that owned thirty-two slaves whom they freed six months before the war and, as he put it, "stuck with the north and suffered tremendous abuse."

At 2:30 he was speaking of the long gone eccentric and reformer "Billy" Kent, who "would come to conferences with manure on his boots but with zeal for the right in his soul," and of Prof. Graham Taylor, and Charles R. Crane, and Allen B. Pond, and George E. Cole, and George Sykes, and Walter Fisher, and George E. Hooker—men, he said, who made him see the light when he was going to night law school and doing secretarial work in 1902 and '03 "and along there" for the Municipal Voters' league and the City club.

"Were those the men, judge, who roused you to the needs of the public service?"

"They were! They were!" he said, adding, with the emphasis of his incessant juvenile bounce which forty-eight years have not relaxed, "Why, for me it was like Paul's conversion. I saw a great light. It grew brighter when in my investigations on behalf of the township organizations of Cook county I found road commissioners stealing from the road funds and township commissioners stealing from the poor funds. And there was work for the Legislative Voters' league, and the Citizens' association, and the National Municipal Voters' league. Altogether I just lived in that atmosphere—drank it up."

Then came this intensely characteristic remark, uttered with a sigh intimating that now new publicity worlds to conquer are harder to find:

"I got little out of it in fees, but I was good copy in those days."

Now it was 2:45. The judge's unfinished plate of spaghetti looked like a museum exhibit of well done fossils. The reporter had an uncomfortable feeling that he might somehow be sentenced to something for blocking the wheels of justice and again he mentioned the hour.

"All right, all *right*," said the judge and requested vanilla ice cream and more coffee, saying as he partook of them:

"During my first year on the bench, in all cases where the accused had a criminal record, conviction of a felony or felonies, and where two or more witnesses had identified them in a robbery, I fixed their bonds arbitrarily at one hundred thousand dollars each. I did that in one hundred and ninety-seven cases. In two-thirds of those cases the bonds were reduced by other judges and the accused were turned out on the street. Nineteen of those thus turned out met violent deaths. The last was Red McLaughlin, who was found wired up in the drainage canal."

It was now three o'clock.

The time of day did not diminish the eager man's fluency. He recalled, with a pitying smile at his own early ingenuousness, how, when he decided sixteen years ago to run for the legislature, he had gone to a political boss and said, "I'm going to run for the legislature"; how the boss, with withering emphasis on "going," had grunted, "You're *going* to run for the legislature," and how he (Lyle) had hurriedly shifted to "I mean, I'd like to run for the legislature."

That was his first lesson in practical politics.

Ingenuous, and pathetic, too, he thought, was his riding down to Springfield, after he had been elected, with drafts of eighteen new laws in his

pocket—"laws," he said, "which I was sure were going to cure the physical, moral, mental, and economic ills of society."

With a wry smile he added, "I put through only two of them." Then the wryness went out of the smile and it became a cheerful grin as he said: "One of them was the law providing a separate ballot for Municipal judges—the kind of ballot that re-elected me Municipal judge last week. The other law I got passed was one concerning the contributing to the delinquency of minors."

He said appointment of judges was the better system, giving as one reason that "we ought not to be made to go around doing all this hand-shaking."

The material rewards of public office, he thought, could mean little to an honest man; "for," he said, "when I was a member of the firm of Lyle, Harold, Hoover & Devitt, I was earning more than twice as much as I earn as a judge."

He denounced stormily once more, in a strain of grand finale, the delays, the technicalities, the balking, the intrusion of political influence, and the use of specious pleas and grandiose language in the administration of the law, and, by way of buttressing all that, which he himself had put pithily and forcibly enough, he submitted Exhibit D.

It comprised these neatly copied lines from Bassanio's gnomie reverie over the caskets at Belmont:

In law, what plea so tainted and corrupt

But, being seasoned with a gracious voice,

Obscures the show of evil?

With that he rose.

It was now 3:10 o'clock.

At 3:20 o'clock—brown suit increased, linen snowy, black scarf in perfect order, spectacles firmly adjusted, curly hair nicely brushed, and

lean but not thin countenance beaming with courteous smiles—he breezed into court.

He was fifty minutes late.

No word of apology to the throng of counsel, culprits, and litigants pressing before the bar. A reporter slunk at his side, looking, perhaps, guiltier than any malefactor in the courtroom; for, after all, it was the reporter who had laid the train of questions which had exploded the mine of passion and poetry and delayed the march of justice.

As John Lyle was in talk for publication so Judge Lyle was on the bench—eager, vehement, contentious, scathing, and original. He said things which no other judges would say from the bench, partly because no other judges would think of saying them and partly because no other judges would think of them.

In short, he was unique.

The lawyers before him, some of them fellows of the baser sort, were not as turbulent as they usually dare to be in a Chicago court because they knew turbulence would be met with a blistering retort.

For example, Judge Lyle refused to accept a blazingly defective bond—it contained no date for the return of the accused—proffered by counsel for Frank Nitto, alias Nitti, whom the judge had described to the reporter as “the enforcer” for the Capone gang and whom he had sent back to jail after having him showily finger printed in chambers.

“But my client is in jail,” whined Nitto’s counsel.

“And,” the judge retorted, “from all I hear about him that’s a very good place for him to be.”

Insistence by telephone from Judge Borrelli’s court, where the bond had been approved, brought Judge Lyle from the bench to his telephone in chambers. He bade the reporter fol-

low him there. What the reporter heard was, “No!” “No!” “No!” uttered at first with clarion decisiveness and later repeated with pyrotechnical embellishments. Obviously Lyle was standing up against heavy pressure. Obviously he was loving it. Obviously he did not resent having a relishing audience of one.

To counsel he said:

“So far as this court is concerned, there is nothing in this bond which provides for the accused to be in court on any fixed date. The essence of a proper bond is that the defendant shall be here on a date specified and this bond you present does not contain that date. That’s the whole condition of the bond. If I accepted this one I should blame nobody but myself and I should blame myself severely.”

The judge won the day. The bond was perfected. The surety company with a college professor at its head was shamed into a promise that it would provide no more bail for “public enemies.”

To the reporter the judge said later—referring to his terrific clamor which had brought the promise, “If I’ve done nothing but that, that’s something done,” and still later Chief Justice McGoorty, in his grave solid way, told the reporter “a real public service” had been performed.

Throughout the hours on the bench Judge Lyle seemed a strange, baffling blend of juvenility and sagacity, of abruptness and consideration, of politeness and roughness.

When questioning defendants he often—usually, indeed—began with “Well, how about it?” Sometimes when narratives wove their devious way along he would say, “Pardon me, speak a little louder. I didn’t hear,” but quite as frequently there would be the sharp command, “Go on! Go on! Make it short. I can’t listen to so much conversation.”

To a lawyer who said, "If your honor will grant me three minutes we can dispose of this matter," he replied dryly, "I wouldn't be satisfied to dispose of this in three minutes."

To another lawyer who pretty clearly had been the mouthpiece of a crew that seemed to have intended blackmail he bent forward and said not unkindly, "Brother, whether you know it or not you're just buzzing around the candle flame, and you're in a fair way to lose your license."

The lawyer was so taken aback that he mumbled confession, saying, "I know. I know, judge. I've been foolish, I know I've been buzzing around."

In seeking the background of culprits the judge's first questions were "Has he a record?" and "Has he a family?" If he had a record the fact was damning in the court's mind. If he had a family that fact was assuaging.

At a point where more brassy appeals in behalf of the Nitto bond interrupted him he snapped, "Now listen! The business of this court is not going to be interrupted again and more important people delayed for one who has a long criminal record!"

Nitto propaganda thereupon subsided.

In considering the cases of retired farmers who had been swindled by slick city fellers—and the facility and gains of some of the operations were appalling—the court was extremely solicitous, saying in one instance to Assistant State's Attorney Frank Mast, "I know this man has a lawyer, but I want the state to look after him to see that he doesn't jump from one fire into another. I want him to waive none of his rights. Take him to Frank Catlan in the complaint department. I want him to have the aid of the state's lawyer."

He was instantly sympathetic to domestic woe, and, God knows, 'twas a

weary, dreary procession of such woe passed before him. The wife of a shabby little swindler wailed, "Judge, I'll help him pay the money back when I can work. But I can't work now. I'm six months in the family way. O' wait, wait, wait, judge, till my baby comes! I'd give what money I have now if it would help, but I've got only enough to last three days, judge. I don't know which way to turn!"

Sobbing, sobbing, sobbing, there she stood, the abashed shrimp of a husband at her side.

"There, there, there," said the court, "I feel sorry for you, madam. I'll get you some money. I'll get it now. Don't be hopeless. Don't cry."

He whispered to three bailiffs, took money from his pocket, and said to the roomful, "Let's see what we can do to help."

The bailiffs passed the hats. There was tinkle of silver, crackling of bills. The weeping woman was led into an anteroom. The shrimp was allowed to sign his own bond after promise of as speedy restitution as he could make. The business of the court was resumed.

In few minutes the wife returned to the bar, still crying, but softly. "Thank you, judge," she said. "Thank you, thank you. I hate to take it. I feel like a beggar. But I'll work to help him pay back when my condition let's me."

"How much was given?" whispered Judge Lyle to a bailiff.

"Twenty-five dollars, your honor."

"Damn good," whispered John Lyle, and looked up to wave good-by to the wife and her shrimp.

The reporter, as the saying is, fell. All the bounce and bravura, the juvenility, and the frank delight in "publicity" of this strange man seemed not so repellent now.

Still baffled, but deeply touched, the reporter went his way, hearing as he

left the room a tired, vexed voice saying to a clerk, "Come on! Come on! Let's hustle these cases along!" And then to a culprit, "I can't listen to so much conversation. It looks to me as if you were getting away with it,

but I don't want to take a chance. If you're guilty this time you'll be in trouble again. You better take warning."

(Published through the courtesy of The Chicago Tribune.)

Upholds Family Record In Law and Politics

Brother Keith Lawrence, John Hay '16, of Cleveland, Ohio, was elected as a state representative from Cuyahoga County at the election on November 4th. It was the first time that he was a candidate for public office. Showing the esteem in which he is held by citizens of his own county, Brother Lawrence was one of four Democratic representatives elected out of a total of seventeen, the other thirteen being all Republicans.

Brother Lawrence's grandfather and father were active in Ohio politics for many years, and now at the age of 39 years Brother Lawrence of the third generation has for the first time become actively interested in politics.

His grandfather, the late Congressman William Lawrence, was a member of the Ohio house of representatives as far back as 1843 later becoming a state senator and congressman. Brother Lawrence's father, the late Judge James Lawrence, who had a

long and distinguished career at the Cleveland bar, was an honorary member of John Hay Chapter.

After graduating in 1913 from Hobart College, where he was a member of the Theta Delta Chi Fraternity, Keith Lawrence entered the law school of Western Reserve University. He was initiated that fall by the John Hay Chapter. Always active in fraternity affairs during his law school course, he was president of the chapter during his senior year. He was also class president at law school in his senior year.

Brother Lawrence was an ensign in the U. S. N. R. F. during the World War. In 1919 with Carl W. Schaefer he formed the law firm of Schaefer and Lawrence which has offices in the Guarantee Title Building, Cleveland. The firm has engaged in a general civil practice. Brother Lawrence is a member of the Cleveland, Cuyahoga, Ohio State and American Bar Associations.



Judicial Mind of Judge Baer Wins Plaudits

Cleveland Lawyers Laud Official Who Enjoys
Golf, Violin and Pipe

If the members of Phi Alpha Delta the country over knew Judge George P. Baer of the Common Pleas Court of Cuyahoga County, Ohio, as well as the brothers of Cleveland know him, they too would be proud to know him as a P. A. D.

At the recent election Brother Judge Baer was again returned to the Common Pleas Court by an increased majority. He is not only popular with the lawyers, young and old of Cleveland, but also enjoys a wide and favorable acquaintance with the people of his own home town and county.

Although Judge Baer has been a lifelong Democrat the following article appeared in the Cleveland News, a Republican paper, only a few days before election and indicates to some extent the place he holds in the community. The article follows:

"A pipe, a violin that he calls a 'fiddle' and a little golf now and then—these are the chief recreations of George Pius Baer, for 12 years a common pleas judge in this county.

Even as his campaign for re-election to the common pleas bench draws to a close, Judge Baer in his leisure moments is able to find time to play the fiddle and perhaps help a little vocally in harmony with his fellow jurists.

It was 28 years ago that a slender young man of 27 set up law offices in



Cleveland. Within three years the legal ability of this bright-eyed young man had attracted attention sufficient to gain his appointment as police prosecutor.

Seven years later that young man for the first time became Judge Baer. That was in 1912, with his election to the municipal bench. Re-elected to this post twice again, Judge Baer in 1918 sought and gained election as common pleas judge, where he has since been re-elected once, in 1924.

Judge Baer, as a rule, presents a somber visage as he sits on the bench. He listens patiently. He is unusually considerate of the flustered witness and equally incisive and abrupt in his questions and admonitions directed at attorneys in the case.

"He knows the law," attorneys will tell you. "More than that, he knows how to explain it so everyone can understand." Behind his staid, quiet dignity, Judge Baer is both circumspect and singleminded in his decisions. He is continually searching out methods of improving court procedure.

Work is work and play is play with Judge Baer. Although he seldom, if ever, smiles on the bench, he is the heartiest of good fellows once he is at liberty—especially when the inevitable pipe is well lit.

PUBLIC SERVICE

By JOHN KIMPTON ELLIS



Brother John Kimpton Ellis is a member of Calhoun and Los Angeles chapters. He was initiated into the Fraternity in 1911. He has been active in public service and is in a position to discuss the subject. He is a member of the Southern California Legal Aid Clinic, and a member of the State Bar of California. He is also President of the Board of Civil Service Commissioners of Los Angeles, and a member of the Council of the National Civil Service Reform League of New York.

Lawyers are in a favored position to render service in the interest of progress. The greatest lawyers have been those who have rendered the greatest public service—men who have been able and big enough to carry on large and lucrative practices, and still find time to render unselfish, constructive public service.

William Howard Taft, John W. Davis, George W. Wickersham, Charles Evans Hughes, Elihu Root, all great lawyers, were, and some of them still are, large and able contributors to public service. An interesting and long article could be written about their activities and interests that would not pertain to their law practices, or professional or business interests, including legal aid for the poor, the World Court, the Merit System in Civil Service and many others, and the names of many other distinguished lawyers could be added to the list.

It is fitting then that an article should be published in the official publication of a great law fraternity on the subject of Public Service.

Perhaps one of the least recognized, yet one of the most important and most valuable phases of public service, is the Merit System in the Civil Service.

The merit system is not spectacular. It is not much understood nor is sufficient interest apparently taken in it. Yet it is of greater importance. Charles W. Eliot rightly said that "Civil Service reform is so fundamental that all other reforms must rest on it."

All service rendered and paid for by the nation, state or any political subdivision thereof outside of legislative, judicial, military and naval affairs constitutes the Civil Service. The Civil Service is either dominated by the "Spoils System" or the "Merit System."

* A well organized merit system requires that applicants for employment in the classified service shall be subject to examinations which shall be practical and designed to fairly and impartially test the capacity, ability and fitness of the applicants to discharge the duties of the positions to which they seek to be appointed; that religious or political affiliations of the applicants shall not be considered; that promotions shall be based upon examinations and service ratings that are fair and impartial; that discharges shall be for good cause only and not by reason of any political or religious affiliations; that no contributions to campaign funds shall be exacted from the employees; that positions shall be grouped together so that equal salaries for similar duties and responsibilities shall be paid regardless of the department to which the employee is assigned; that rates of pay shall be regulated and pay rolls checked to see that the law is properly enforced.

In other words, sound business methods are followed and the vicious, costly and wasteful habit of paying political and even private debts and of indirectly making the tax payer contribute to campaign expenses of the party in power is eliminated, with resultant increased efficiency and economy. Employees hold office during good behavior and the rendition of meritorious service and have a reasonable incentive to do the work for which they are appointed and not to be worried and distracted about party success and assessed to help pay campaign expenses.

Webster's New International Dictionary gives some illuminating definitions of terms that are material to this article. Therein we find the "Spoils System" defined to be "the practice of regarding public offices and their emoluments as so much plunder to be taken from the defeated party and distributed to members of the victorious party;" a "spoilsman" to be "one who

serves a cause or a party for a share of the spoils;" a "spoilsmonger" as "one who promises or distributes public offices and their emoluments as the reward of services to a party or its leaders;" and that a "henchman" is "a political follower whose support is chiefly a matter of personal advantage."

A politician who is a "spoilsman," a "spoilsmonger" or a "henchman," is not, whatever he may pretend to be, patriotic, to be which, one must be "actuated by love of one's country."

What a travesty on patriotism is the conduct of politicians in bartering public jobs and offices to those who have aided in an election, regardless of their fitness for the work to be done, and of giving out public contracts through these political appointees at excessive prices to political helpers.

It would be interesting and astounding, if space permitted the inclusion in this article, to recite some of the practices of the Spoilsmen and the maladministration and misadministration that have occurred under the Spoils System. Politicians, spoilsmen, spoilsmongers and henchmen, are still much in power and are respected because the public little appreciates, or is utterly ignorant of or indifferent to what they are up to. Voters are much agitated about a hundred and one other things that are less fundamental, less important to them, probably, than a well planned, well administered merit system in the Civil Service. The following are illustrative.

In the early eighties, the management of the three principal benevolent institutions of Indiana, the Hospital for the Insane, the Asylum for the Blind, and the Asylum for the Deaf and Dumb was investigated. It is a long and startling story. Some of the high lights are as follows: Positions and jobs were increased so that two or three men were employed to do the work of one. On election days

and days when political conventions were held, the institutions would be nearly deserted and the poor inmates would be neglected more than ever. Most of the supplies were purchased of men strong in the party in power. One trustee was absent nearly a year running a sawmill in Arkansas. A butter bill for \$476.25 was allowed when oleomargarine was furnished in the main. Butter was to be furnished at 25c a pound—oleomargarine cost 6½c a pound. Competitive bidding to furnish supplies practically ceased as orders were invariably given for political rewards. Some butter, when butter was actually delivered, was infested with maggots. Hogs were so afflicted with cholera that more than half died; but the slaughtering of the animals for the tables of the inmates went on nevertheless. Patients were brutally treated.

Upon investigation, the charge was made that politics ruled. To this the answer was given: "They say the management is partisan, to which charge we plead guilty. If there is a Republican voter in the employ of the hospital, the Board of Trustees does not know of it." Then followed the old story, still told to a too believing and insufficiently informed public, that they were responsible to the public and wanted their friends, not their enemies on guard.

For a more detailed statement of the above case, and of many others of engrossing interest it would be well to read the book of any able lawyer, Wm. Dudley Foulke, L.L.D., entitled "Fighting The Spoilsman."

That similar activities of politicians are not a thing of the past, the reader is commended to read the sensational article by Murray Seasongood published in The Harvard Graduates' Magazine for March, 1930, entitled "How Political Gangs Work."

The astonishing thing is that government survives as well as it does

and that taxes are not higher than they are.

Abraham Lincoln, lawyer and statesman, saw the danger to the country of the spoils system when he said, as he pointed out to a friend the eager multitude of office-seekers which thronged the White House: "There you see something which in course of time will become a greater danger to the Republic than the rebellion itself." And on another occasion he said: "I am afraid this thing is going to ruin republican government."

Lincoln knew that the spoils system was not in harmony with a country "of the people, by the people, for the people."

The spoils system is not a government of and by and for the people, and only as there is government of and by and for the people is there in truth a democracy.

James Madison said: "The principle that offices are the spoils of victory could not fail to degrade any administration."

William Howard Taft, whom we are proud to claim on the roll of Phi Alpha Delta, in his characteristic style said: "If we selected employees according to the length of their noses, it would be better than the spoils system."

"The surest guarantee of the safety and success of American institutions," is the way Grover Cleveland referred to the merit system. He did much to advance that system.

Said Charles Evans Hughes: "We have nothing more important in relation to the administration of government than a system of securing men of needed capacity by competitive examinations whenever such examinations are practicable. I believe in that, I thoroughly indorse it, and I hope to see it extended throughout the Union."

Prominent in the fight for the merit system has been the National Civil Service Reform League of New York

City. Much of the material for this article has been obtained from its recent publication entitled "The Business Value of the Merit System." Through its efforts the system has been introduced into the Federal Government and by everlasting vigilance and constant prodding it has succeeded in having the system enlarged until today it covers quite a substantial number of Federal employees. There are thousands of positions yet that should be brought under the system and much improvement can be accomplished in the administration of the system.

In 1884, when operations began under the Federal Civil Service Law, the total federal employees numbered about 110,000. Of those, only 13,924 were placed under the merit system, designated in the law as the "classified service." A mere sop to pacify an aroused public, caused by the assassination of President Garfield in 1881 by a disappointed office-seeker. Perhaps it was not so much a sop as an experiment. But whether a sop or an experiment, that the system has been satisfactory, it is significant to note that each succeeding president by executive order, as permitted by law, has brought further employees into the classified service. Cleveland has the best record in this respect, and he is followed closely by Roosevelt and Taft. Since Wilson's administration, during which the classified service was enlarged considerably, the progress in this line has been slow—Harding having done practically nothing. President Hoover has indicated an interest in the merit system and has already placed some additional positions in the classified service. Presidents do not, as a rule, offend their party and its politicians by placing many positions under the merit systems in the early part of their administrations. President Hoover has shown unusual courage in acting so promptly in regard to as many positions as he has,

even though there are many more that he can order into the classified service.

The pressure against the merit system and the struggle to prevent its extension that is waged by politicians are so great and determined that the expansion of the system is slow indeed. In addition to the Federal classified service, only ten states, three counties and less than one hundred cities are protected by any kind of a merit system. Presidents, Governors, Mayors—must have co-operation and support in order to get some of the legislation passed that is desired. If the patronage that attends the spoils system is too much restricted by extending the merit system, it is feared that reprisals would result and that much needed legislation would languish and die. The need of the country, or of a state, county, or city is too frequently considered or at least treated by the politician as of secondary importance to the retention of the patronage or spoils system.

George William Curtis, for many years editor of Harper's Weekly, one of the founders of the National Civil Service Reform League, describing the conditions which prevailed prior to the passage of the Federal Civil Service Law, above mentioned, which has made possible some improvement, wrote: "Every four years the whole machinery of the government is pulled to pieces. The country presents a most ridiculous, revolting, and disheartening spectacle. The business of the nation and the legislation of Congress are subordinated to the distribution of plunder among eager partisans. President, secretaries, senators, representatives are dogged, hunted, besieged, besought, denounced, and they become mere office brokers. . . . The country seethes with intrigue and corruption. . . . Economy, patriotism, honesty, honor, seem to have become words of no meaning."

A Civil Service law and a Civil

Service Commission, however, is not a guarantee that the merit system is fully in force.

Colonel Robert Isham Randolph, president of the Chicago Association of Commerce, in speaking of the qualifications needed for a good mayor for Chicago said, among other things: "He should appoint a Civil Service Commission which can't be bribed, influenced or browbeaten to protect or give preferment to dishonest or feeble-minded public servants."

The pressure to get around, or under or over the merit system, that a Civil Service Commission must resist, that a president, a governor, a mayor, or lesser public officers, must cope with is still great and is still all too often allowed to prevail. There are many devices used to get around the law.

For instance in San Francisco, political debts have been paid and political henchmen have been supported through holding "temporary" positions for years. In regard to this the San Francisco Chronicle said in a recent editorial: "Once again the people of San Francisco are being asked to open a back door to civil service and legitimize the employment of a group of 'temporary' employees who have long been holding their jobs in defiance of the law. This was tried two years ago and was beaten. It should be beaten again. . . . Their present sweat is due to the imminence of a change of administration and fear that the new Mayor and his Civil Service Commission will not lend themselves to flouting the law for their benefit. Let it be so. When we have a Civil Service Commission that does its duty we will hear no more of this abuse by which political debts are paid under the guise of 'temporary' appointments made continuous by illegal suspension of the law."

On the other hand politicians and disappointed office seekers and even well meaning, unselfish but misin-

formed or uninformed citizens hurl all manner of accusations against honest, efficient commissioners. What is the public to believe? That is a question that is often difficult to answer. Expert, disinterested and unselfish counsel and investigation may be the only means of arriving at the truth.

At a meeting called by R. J. Scott, Chief of the Fire Department of Los Angeles, a number of years ago, he stated that unless he and his department were placed under the merit system that it would be impossible for him to function satisfactorily. The result was that the Fire Department went under the merit system, and the Chief and the men in his department have been operating under a well administered merit system with the result that Los Angeles can now boast of one of the finest, best manned and most efficient Fire Departments in the United States.

A committee appointed by the Chamber of Commerce of St. Albans, Vermont, in 1928, on a reduction in the City Fire Insurance rates, reported that among the requirements specified by the New England Insurance Exchange which must be met before the application for a lower rating could be granted, was the following:

"A reasonable Civil Service Code . . . which will tend to automatically maintain the personnel at a high level."

In its standard schedule for rating cities and towns in the United States with reference to their fire defences and physical conditions, the National Board of Fire Underwriters have for a number of years placed a penalty on jurisdictions where employees are not under adequate civil service rules, properly administered, with tenure of office secure.

In 1925 several disastrous fires occurred in Huntington, West Virginia, where for some years the positions in the fire department had been political footballs. A report prepared by two

engineers of the National Board of Fire Underwriters on conditions in Huntington included among recommendations deemed "of most importance" the following:

"That all appointments and promotions, including that of chief, be made under suitable civil service rules for indefinite terms, with removal only for cause after trial and with a six-months' probationary period; and adequate pension and retirement provisions provided."

The Civil Service League of Seattle, in 1929, made the following report:

"In 1912 the volume of business of the city of Seattle, Wash., was \$25,000,000. In 1925 (after the adoption of a city civil service law) more than \$95,000,000. Yet in the Treasurer's office a decrease from 68 to 44 employees is shown. In the building department, inspectors have decreased from 21 to 13. There was a substantial decrease in the comptroller's offices. These few comparisons are indicative of every branch of the city service."

The Air Service of the War Department of the United States Government in 1922, issued the following statement:

"The Secretary of War has verbally authorized the Chief of Air Service to audit some 32 contracts terminated by negotiated agreements during the latter part of 1918 and the first part of 1919. Informal figures obtained from accounting firms indicate that it would cost the Government the sum of \$1,000,000 to complete the audits contemplated. The Air Service, by the use of accountants obtained through the Civil Service Commission, has completed three audits for the sum of \$59,000. The estimated cost of the work performed by civil service employees of auditing the 32 cases in question is fixed at a sum not in excess of \$150,000 and to be completed on or before July 1, 1922."

The following incidents that occurred in the City of New York show

how the "Spoilsmen" work to create unnecessary jobs and to unnecessarily expend large sums of the public's money:

Upon the plea that the city was confronted with the danger of bubonic plague, typhoid fever and an assortment of other dread diseases, the New York City Health Department distributed over 100 positions as patronage to the faithful of the political organizations throughout the city from 1920 to 1925. The civil service law was boldly flouted—not a single employee competed in an examination for these appointments. About \$800,000 was appropriated for their salaries. The New York Civil Service Reform Association sponsored a taxpayer's action in the courts and the Appellate Division of the New York Supreme Court held such employments to be "illegal and unwarranted."

Almost immediately thereafter the Health Department decided to drop all employees—their services had suddenly become unnecessary and the city was rid of the plague and the unnecessary expense also.

The huge increase of the rent cases in the New York City Municipal Court was used as an excuse for securing 20 additional assistant clerks in the New York City Municipal Courts. The judges sought to have the places excepted from competition and to appoint political favorites. The Civil Service Commission refused to permit such places to be used for political purposes. Competitive examinations were held. Hundreds of qualified persons were made available for the court. But no employments from the resulting eligible list were made. The emergency suddenly vanished. The court no longer needed the 20 additional clerks. No patronage—no positions needed. Incidentally the city saved \$60,000 per annum in this instance alone.

A comparison of the difference in the conduct of public and private business when the merit system is not

in force and properly administered is further illustrated by the following:

"\$200,000 a year for cleaning the Court House." The League of Women Voters of Allegheny County, Pa., thought this was a big bill for cleaning one building.

As a basis of comparison they found a twenty-one story office building nearby, with a large population with presumably just as much mud per human foot. The office building paid twenty-five cents a square foot for cleaning, while seventy-five cents a square foot was paid for cleaning the Court House. If the Court House had paid the same rate as the office building the taxpayers would have saved just about \$133,333 a year on this one item in the county bill. More than that, the office building was clean and the Court House was not.

Not only money losses occur from the lack of an honestly administered merit system, but lives have been lost as well through the Spoils System, as evidenced by the following:

The explosion of the munitions plant at Morgan, N. J., which occurred in 1918, resulting in 87 deaths, 10,000 homeless persons, and a property loss of \$3,500,000, was due to a surplus accumulation of T. N. T. in violation of the law. The inspector was an automobile salesman who admitted on the witness stand that he did not know the meaning of T. N. T. The explosives inspectors were exempt from the civil service law.

So necessary is the establishment and maintenance of a properly administered merit system that the Rockefeller Foundation and others have for several years been contributing a considerable sum of money toward the maintenance of the Bureau of Personnel Administration with headquarters formerly at Washington, D. C., and now at the University of Chicago, for the purpose of giving assistance and working out improvements and more uniformity in the merit systems that are operating in various parts of

the country. Business men are recognizing that politics in the Civil Service is bad for the country and consequently bad for business.

The State Bank Division of the American Bankers Association has gone on record advocating that the office of Bank Commissioner or Bank Superintendent be made free from entangling partisan politics, and that this can only be brought about by the application of the merit system to that high and important position.

W. S. Johnson, President of the National Association of State Auditors, Controllers and Treasurers, in his annual address in 1929, stated that our government was overmanned and that the personnel could and should be reduced at least twenty-five per cent, thereby decreasing the cost of administration by at least one-fourth. This, he said, could be accomplished without crippling efficiency and that it was simply a matter of getting away from the practice of paying political debts and obligations out of the public treasury.

Perhaps in times of depression, such as the United States, as well as the rest of the world, is now passing through, any talk of decreasing employment would not meet with popular approbation. The hue and cry during such times is "more jobs." It is not logical to conclude, however, that if the millions of dollars that are extracted from taxpayers for excessive and unnecessary public expenses were not taken from them, that there would be less distress during such times and more money in the hands of the government and the people to alleviate conditions? Is it not a fact that economic benefits do not result from the squandering or misspending of money?

There is, therefore, no place where we can render a greater public service than in advocating and supporting the merit system. The merit system may grow slowly, but it is growing and wherever adopted and fairly adminis-

tered the public stands behind it. In one of our large cities, a few years ago, five out of seven candidates for re-election to office, all powerful politicians, were defeated, and one of the chief issues in the campaign was their record of having flouted the merit system in the civil service of the city. In this age of greater enlightenment, of demands for reductions in taxes, the great political leaders, the men who will make favorable places for themselves in the history of our Country will be those who are strong enough, able and fearless enough to further expose the Spoils System and to en-

large and fortify a real Merit System in the Civil Service.

P. A. D.'s. can be a greater force in our country if they will take more heed of and take a more active part in public service. In Phi Alpha Delta we have men who have not only reached high marks in public and private achievement, but we have men coming up who need only to be aroused to the opportunity for a commanding public service to lead out and on to a constructive activity that will redound not only to their own satisfaction and glory, but to the good of the nation.

Chief Justice John Taylor Adams

The Gunter Chapter of Phi Alpha Delta, of the State University of Colorado, is proud to present the picture and brief biography of Brother John Taylor Adams, Chief Justice of the Supreme Court of Colorado. The ten short lines in the Who's Who in America give no idea of the life and accomplishments of Justice Adams. If you should ask the Justice something about himself, the answer would be quietly evaded, and in its stead, some interesting point of law would be raised for immediate consideration.

The Judge is a Coloradoan from start to finish. Here he was reared and educated, and here he has raised and educated his family. For twenty five years he was an active practitioner in our State and Federal courts, then for five years he was one of the Justices of our Supreme Court, of which he became the Chief Justice in January, 1931.

Brother Adams has lead a quiet, studious life, yet at all times he has been keenly interested in the activities of life which surround him and his work. He has a lovable wife, and two husky boys, Jack and Dick, both of whom are graduates of the State University, and Jack is following in his father's footsteps, and at the pres-

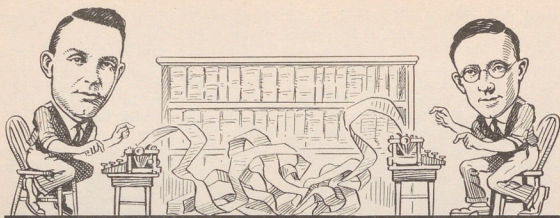


JUDGE ADAMS

ent time is enjoying a splendid practice in Denver.

Justice Adams has spoken many times before the active chapter at Boulder, and never seems happier than when surrounded by a group of eager law students. If you ever come to the Mile-High town, be sure to meet Brother Adams.

Wm. Arthur.



E D I T O R I A L

DIRECTORY. Our Supreme Board has arranged for the publication of a Fraternity Directory. The directory will be published by Martindale. It will afford a contact with members of untold value. Every member of the Fraternity should give it his support. A discussion of the Directory will be found on pages 9 and 16 of this issue.

FINANCES. We have been advised by the Supreme Secretary that the Fraternity will suffer little if any financial loss due to the failure of the Bank of Hollywood. Fraternity activities have been moving along in fine shape regardless of the much discussed business depression.

SUPREME BOARD. We have received many letters from the active Chapters telling of visits and assistance given them by members of the Supreme Board. Brother Rutledge has been especially active in the organization of alumni chapters. We had the pleasure of visiting Brother Gilbert in Chicago a few days ago and in addition to his fine hospital-

ity we had occasion to wonder how he could devote so much time to the Fraternity in view of his pressing law practice. The time and effort given us by the Supreme Board is worthy of real appreciation and support.

REPORTER ISSUES. It has been decided that it is advisable to publish but one issue of the Reporter this Spring. There will be an issue put out to reach the active members on the return to school in the Fall. This issue will be made up to especially interest the new men and will stress the benefits to be derived from the Fraternity. A special effort will be made to get the new men acquainted with the duties and responsibilities of the organization. This will give the active chapters an opportunity to be well represented in the first fall issue of the magazine. We would suggest that you give particular attention to your letters in that issue furnishing such material as will be of interest to your own members. Snapshots or photographs from which cuts can be made will be given special attention.

ACTIVE CHAPTER NEWS

A. H. C.

BENSON.

Benson Chapter celebrated its annual Founders' Day banquet at the Hotel Kansan on the 26th of February. A. A. Hotchkiss of Lyndon was toastmaster and the speakers were Earl H. Hatcher, supreme editor, Dean Harry K. Allen of the Washburn law school, Roland Boynton, attorney-general of Kansas, A. L. Bushman of St. Louis, Mo., and Jay Kyle, justice of the chapter. There were eighty guests at the banquet. Brother Bushman made the chapter inspection in place of Bro. Frank Aschmeyer, Central District Justice.

On the following night the chapter had an informal dance at the Country Club. There were over twenty alumni guests at the party and several members from Green Chapter. The feature of the party was a "Cake Walk" by members of the colored band which furnished plenty of pep for the party. Benson's next party is the Spring formal which will be May 15th.

In the recent Washburn elections, Paul Dice was elected to the presidency of the Washburn law school and Auburn Light was elected president of the Sophomore class in the college.

The Washburn law school has announced plans for extensive improvements during the school year of 1931-32. This summer the third floor of the law building is to be remodeled and made into a large library which has been needed for a long time at the school. One more full-time instructor is to be employed, which will make the faculty number fourteen in all.

Benson Chapter has recently pledged four new men. The present chapter roll carries forty-four actives and six pledges.

In intra-mural competition, our basket ball team is out to retain the

trophy which it won last year. The boxers from the chapter have so far shown their superiority over the competition that has faced them.

Bob Cobean has been a member of the Washburn basket ball team during the present season and no doubt will be awarded a "W" for his service. Arthur Lepper will be the recipient of one of the white "W" sweaters and gold footballs, which will be given to the members of the championship Washburn team, who have passed all of the scholastic requirements. Lepper was named as all-conference guard by sport writers of the mythical elevens.

The members of the P. A. D. Mothers Club who have always been active and have always been a help to the chapter, have announced that they are going to purchase a new floor covering for the dining room. The Mothers have made many gifts and donations to the chapter and have always put a homey touch to the furnishings of the chapter house.

BENTON.

The Thomas Hart Benton chapter started the new year out with its head high. In spite of the widespread business depression the ranks of our chapter have continued to swell. On January 23rd we initiated fifteen neophytes into the seceries of Phi Alpha Delta.

The Kansas City Alumni chapter is again taking an active interest in the affairs of Benton chapter. We held a banquet for all active and alumni P. A. D.'s on January 24th at the Hotel Savoy. The Alumni chapter has organized a corporation to run our chapter house and has assumed the obligation for its financial success.

At the Alumni banquet the annual Founder's day banquet was planned and the date set for February 14th at the Hotel Phillips, which is Kansas City's newest and finest hotel.

The active chapter is going to attend the Founder's day banquet 100% strong. In addition to that tentative dates have been set for the following events to be held this spring: the Spring party early in April; the senior farewell party and officers' installation ball the latter part of May; and a smoker to be held at the International Arena sometime in March.

Bro. A. Hays Wardrip, recently gained recognition by an appointment to the Jackson County Prosecutor's office as an assistant county prosecutor.

CALHOUN.

Now that the scare of mid-year exams is over the men of Calhoun chapter are breathing easier again. The new officers elected for the second term have been installed with Brother Woodie Butte as justice, Bro. Bob Sullivan as vice-justice, Bro. Russ Atwater as treasurer, Bro. Fred Mignone as clerk, and Bro. Walter Shepherd as marshall. Bro. Dave Evans holds the important position of Secretary of the Yale Law Journal.

The chapter is now in the midst of its rushing campaign for pledges from the first year class. Under the capable leadership of Bro. Walton Shepherd, who transferred from the University of West Virginia Law School where he was justice of the P. A. D. chapter, the rushing committee has instituted a new plan of rushing which is to culminate the weekly smokers that have been held for some weeks past. Bros. Shepherd and Fowler have given much time and energy to the plan and the prospects look very good for pledging a fine group of men. This year more than ever P. A. D. is giving Corbey Court (Phi Delta Phi at Yale) stiff competition in pledging men. The active group at present consists of 25 members.

Plans are now being made for the initiation and banquet of new pledges which is to be held in the near future. A number of alumni have indicated their intention to be present for the

affair. The chapter as a group stands well up in scholarship. A number of the men are competing for the Yale Law Journal.

Socially the chapter still continues to be very active. On February 6th a post-examination dance was successfully run. This dance inaugurated the rushing season. On March 6th another dance is to be run as a climax to the rushing activities.

The beautiful and costly new Sterling Law Buildings are rapidly nearing completion. The dormitories are already in use and the other buildings will all be ready for use by next September.

CAMPBELL.

Campbell Chapter made history on January 10th. The excuse for all the hub-bub was the honorary initiation of John E. Tracy, professor of corporation law in the Michigan Law School. Professor Tracy is just entering upon a teaching career after nearly thirty years of successful practice. He is the first honorary member taken in by Campbell chapter since the initiation of the Hon. Silas H. Strawn several years ago.

The day is equally memorable for our opportunity to meet our new Supreme Justice, Allan T. Gilbert. Mr. Gilbert graciously consented to be present at the initiation of Professor Tracy, and the chapter was greatly pleased to have the opportunity of entertaining so distinguished a guest. Mr. Gilbert is a most likeable person, friendly, sympathetic, and keenly interested in the problems of the fraternity. We feel most fortunate in having had him with us for the day.

Initiated with Professor Tracy were five freshmen law students, making a total of eight initiates for the year. Later in the year we plan to take in not less than six more men. The chapter is experiencing some difficulties in obtaining good men this year, but in view of recent publicity given the University, feels that the problem will be easier to face next year.

CHASE.

The following men were recently initiated into Chase Chapter: Elmer H. Romer, William O. Ware, Clarence A. Arata, Thurston Bittle, Ralph E. Cors, James H. DeWeese, Frank E. Dunbar, Edmund D. Doyer, Walter H. Earley, Reginald D. Gaskill, Charles M. Gowdy, Olen Henderson, Geo. A. Lutz, James J. Man, Thomas C. Pier-son, George W. Rapp, Robert T. Sul-livan, Frank M. Wiseman.

Chase Chapter regrets to announce the death of Brother Raymond G. Hilbert, Class 32, in an automobile acci- dent on the twelfth of February.

CLARK.

Champ Clark Chapter at Washing- ton University, in St. Louis, has en- tered the second semester of 1930-31 with an enviable record, being the only one of the four legal fraternities at that institution to lose neither mem- bers nor pledges as a result of the an- nual mid-semester examinations.

A large number of the members of the active chapter were guests of the local alumni at the annual dinner of the St. Louis Alumni chapter, which was held at the Hotel Lennox last month. Several members of the active chapter are now employed in part time work in the offices of practicing attorneys.

The Breckenridge Prize for the best note in the fall issue of the St. Louis Law Review has been awarded to Bro. Thomas Jeffrey. Bro. Howard Camp- bell has been succeeded as business manager of that publication by Bro. Marshall Mitchell.

The chapter program for the re- maining months calls for some three general discussion meetings in addition to initiation, election of officers and installation gatherings. Eight splen- did men have been pledged by the chapter, and will be received into the brotherhood this month. Graduation this year will incur the loss of nine brothers.

CORLISS.

Prof. Hywel C. Rowland, head of the music department of the Univer- sity of North Dakota, spoke to Corliss chapter at the December meeting on the subject of "The study and practice of law in England." Professor Row- land, before coming to the United States from England, spent several years in a law office in preparation for the bar there.

On February 8, four first-year men were initiated into the fraternity. Shortly following the opening of the second semester, Corliss chapter gave a dinner in honor of Dean Roger Cooley of the University of North Da- kota law school. The occasion was the beginning of Dean Cooley's se- mester leave of absence. The dinner was attended by all of the actives and pledges of the chapter and by the fac- ulty of the law school.

The program committee for the chapter is attempting to continue the intra-fraternity debates which was mentioned in the last news letter. In addition prominent attorneys are asked to appear before the chapter to pre- sent problems which arise in their special fields of practice.

GREEN.

In a ceremony on Sunday morning, February 22, the initiation of the fol- lowing candidates was effected: J. Horton Meek, Clarence Birney, Eldon Sloan, Russell Strobel, Joseph L. Pierce, and Clyde Bruce Aitchison, Jr.

Word has just been received that Brother Alfred Kuraner, Leavenworth, who will be graduated from the Law School in June, has won a Yale Fel- lowship for the coming school year, which provides \$1800 for one year's graduate study. Al has been the holder of the Herbert S. Hadley scholarship during the past year.

In an earlier letter your correspondent predicted that ere long a chapter library would be no longer a dream. Since then the South front room on the second floor has been appropriately decorated and furnished for that purpose, and our many volumes and book cases have been marshalled together from the various hallways and rooms where they previously lingered in apparently aimless confusion. The result is particularly gratifying. We really have a substantial foundation for an excellent library, and it is hoped that with a bit of co-operation from our many loyal alumni and friends of the chapter this worthy project may be further developed.

With the inauguration of the new Idaho grading system, the Honor Roll, an ancient institution of the Kansas Law School, was practically abolished. However, a few names were published, and among them were the following P.A.D.'s: Bros. Kuraner, Olds, and Anderson. It is expected, however, that three of our seniors will merit election to Order of Coif in the Spring.

Brother Hassett was a delegate to a Student Counsel convention at Atlanta, Ga., during the Christmas holidays.

As usual the P.A.D. Spring Party will be the high-light of the social season on the campus. The party begins at nine o'clock, Friday, March 27, and will continue from then on. The chapter is particularly anxious to entertain as many as possible of the alumni at this splendid party so come on in!

Anyone seeking admission to the session chambers of the debate squad on Tuesday evenings almost has to give the secret word of Phi Alpha Delta. Stars of the team this year are brothers Etrobel, Anderson and McDowell, and pledges Harding and Fife. There is considerable conjecture as to whether the chapter has subsidized the squad, or the squad subsidized the chapter.

Max White is playing in the University Orchestra; J. Eggleston has secured many very entertaining Thursday evening speakers; Morgan Cole and Rich Baker each received the old sheepskin in January; Dick Mermis decided to begin his school days all over again, matriculating at Columbia in February; Joe McDowell was almost elected president of the Washington Day Club; Brothers Hassett, Garransen, Eggleston, Fleming, and Lyman had a go at the Missouri Bar Examination in February.

Alumni will be gratified to note that Founder's Day of Green Chapter and the famous Kansas Relays fall on successive days this year, and we are expecting an unusually large attendance by virtue of the double attraction. The banquet committee assures your correspondent that the big P.A.D. celebration will be better than ever. Please inform us that you will be here, and please mention when you expect to arrive.

GUNTER.

Gunter Chapter, located in Boulder, Colorado, was recently addressed by Lieutenant Corlett, father of Charles Corlett, a junior in the law school. Lieutenant Corlett spoke on certain phases of the practice of law during the early days in Colorado.

Fred Sabin, of Pueblo, Colorado, who is one of the active practitioners in the law of irrigation, addressed the combined laws on the historical development of the appropriation doctrine in the law of irrigation in Colorado. If any chapter wishes an address full of the romance of pioneer days in the west, secure Mr. Sabin for it.

During this quarter the combined laws held their winter dance, which proved to be one of the most pleasant occasions of the year. Just preceding the dance, the annual dinner of the fraternity was held at Cotton Manor. About forty guests were present.

Fred Sherman, who comes from the University of Illinois, is a recent pledge of the fraternity. Fred is a married man from New Mexico. Initiation services will be held soon.

KEENER.

Keener chapter located at Emory University in Georgia has made a tremendous growth during the past year. Eight men were recently pledged from the freshmen class and on December 19th four were initiated into Phi Alpha Delta. The active chapter now numbers eleven.

The chapter has an active part in the control of the entire university of over eleven hundred. The three representatives and the alternate elected from the law school to the student activities council, which is the governing body, of the University, are all Phi Alpha Deltas. Likewise these men have much to do with the control of the entire campus activities. Brother Davis presides at times and Bros. Ruffy, Stauffer and Cartledge are floor leaders. Brother Cartledge is also editor-in-chief of the student publication, which is the organ of the student activities council. The chapter is well up in grades.

Among distinguished guests to visit the chapter during the year is Bro. Allen T. Gilbert, supreme justice. He reported on the national organization and complimented the chapter on its up to date library. Brother Quillian, professor of law, Dean C. J. Hilkey and Brother Hitz helped in the entertainment of Brother Gilbert.

The Keener chapter has met with the Atlanta alumni association at several banquets. Brother Wright, federal prohibition leader and alumnus of Taft chapter, is usually present and ready with his help.

The chapter is sponsoring a moot court for the freshmen. Also, it expects to procure a national leader in the near future to speak to the entire law school.

MITCHELL.

When the men of Mitchell chapter of Phi Alpha Delta gathered at the University of Minnesota last fall they pledged themselves to keep high the standards of scholarship and activity which their predecessors had so nobly unfurled for them. It appeared then to be a most difficult task, for the brothers of yester-year had excelled in both fields of endeavor, but now as the present chapter looks back it feels that the realization has well met the anticipation.

The active chapter now numbers seventeen men. Bro. Frank Fillmore, of Cole Chapter at Drake, became an affiliated member upon his entrance to Minnesota in his senior year. Two men, Fallon Kelly and Walter Anderson, have recently pledged.

Scholarship has always been the prime objective of Mitchell chapter men, and the achievements of the present group is conclusive evidence that such policy is being continued. The official university scholastic report made in October showed that Phi Alpha Delta had a grade average for the past year, higher than that of any legal fraternity on record at Minnesota prior to that year. Clifford Carlson was high man among the eighty-five mid-year students, Floyd Nelson and Wellington Tully occupied sixth and seventh places respectively in that class. Three men, Clifford Carlson, Donald Pratt, and Moritz Blomquist are members of the student editorial board of the Minnesota Law Review, and Floyd Nelson is the holder of a scholarship of the Minnesota State Bar Association for research in contracts. Two of the four readerships, given to seniors of high standing, were awarded to Leonard Klammer and Wellington Tully. Mitchell chapter retains its three Phi Beta Kappa men of last year, Floyd Nelson, Donald Pratt and Leonard Klammer, and has the distinction of claiming all the men in the freshman law

classes during the past three years who have been awarded that honor.

Mitchell chapter firmly believes that valuable experience for the public life of the successful attorney can be gained in campus activities. As evidence of this, the group presents the following: James Young, president of the junior law class; Weston Grimes, two-year representative of the professional schools to the All-University Council; Sylvester Olson, associate chairman of Freshman Week, an all-university function, and treasurer of Masquers, campus dramatic organization; Robert Ash, Minneapolis advertising manager of the Minnesota Daily and president of the Republican club on the Minnesota campus; Clifford Carlson, president of Delta Sigma Rho, honorary forensic fraternity; and Floyd Nelson, president of the Board in Control of Student Publications on the Minnesota campus, student head of the academic interfraternity council, and member of Grey Friars, senior honorary society.

Weekly luncheons and monthly smokers have given actives and alumni of Mitchell chapter ample opportunity to become acquainted. Among our alumni who have recently attained prominence in legal circles is Perry R. Moore, Mitchell, '22, whose name was recently added to the firm name of Stinchfield, Mackall, Crounse, McNally and Moore, one of the largest and most reputable offices in the Twin Cities. Charles Noonan, Michigan, '25, and Leonard Langer, Mitchell, '22, are associated with the firm of Junell, Oakely, Driscoll and Fletcher, another of the largest and most esteemed groups here. Grant L. Martin, Chicago, '22, is associated with the Minneapolis, Northfield and Southern Ry., and James Hetland, Mitchell, '24, is legal counsel for the Soo Line Ry. here. Another frequent visitor who has gained widespread prominence throughout the state is John Hougén,

Marshall chapter, and one of the founders of Mitchell chapter, who was the Republican candidate for lieutenant-governor of the state of Minnesota last fall. He is still active in state political affairs, and practices at Cookston, Minnesota.

McREYNOLDS.

The McReynolds chapter located at the University of Tennessee, Knoxville, Tennessee, reports the pledging of the following men from the freshman class: Mark Collins, R. E. Craig, S. W. Cross, H. E. Delozier, Roy Moore, A. G. Shumaker, S. L. Whittle, and Roscoe Word. These men will be formally initiated March 24.

The Chapter is planning a joint banquet with Phi Delta Phi, to be given some time in the spring.

MORGAN.

At a recent date this chapter together with the Birmingham, Ala., alumni chapter, at Birmingham, Ala., had the privilege of initiating Judge William I. Grubb, District Federal Judge of this state as an honorary member in the Phi Alpha Delta. At this meeting we were honored with the presence of Supreme Justice Gilbert and Supreme Marshall Alex M. Hitz. This impressive meeting was followed by a banquet given by the alumni chapter of Birmingham at the Tutwiler Hotel.

The following brothers were elected and installed as officers of this chapter for the ensuing term: Justice Nelson Fuller; Vice Justice Finis St. John; Secretary Henry Horton Little; Treasurer, William L. Clark; Marshall E. A. Ling.

The following men were pledged and will be initiated at the next regular meeting: Frank White, John Hudson, Robert Glasgow, Philip Mason, Charles Allredge, S. A. Andrews, Irvin Porter. This chapter deems itself fortunate to have pledged this group.

REESE.

Reese chapter still waxes prosperous, comparatively speaking, and wishes the other brothers the same fortune. As this letter is written, we are just finishing the initiation of four new members, namely, Smith, Dowd, Rakow, and Thompson. We welcome them into the fold. We have been rather unfortunate in the number initiated this time due to every reason from lack of finances to bad grades and ill-health, but we hope to add to our ranks the next time.

Reese has had a number of parties which have been very successful, in the past few weeks, notably our annual "Coffee Dans" which went over with a bang, in fact the report was so loud that some of the absent members are still bemoaning the fact that they were not there to take part.

Our bowling team, with the not so able assistance of Jensen, Roulier and Smith were unable to overcome the persistence of the Alpha Chi Sigmas, even with the able aid of Wright and Coates, last years star bowlers, but we hope for better things next year. Basketball was of very minor interest, since the boys were all taking exams during the time the matches were run off, and so only a very few games were played. The net result was: Roulier loses a half ounce of weight, Jensen was slightly hoarse from cheering, Coates lost four hours sleep, and Wright has a permanently loosened left ear, not to say numerous bruises and contusions suffered by Dowd, Luchsinger, et al. The law college is led by Justice Roulier in athletics this year, as he is the manager, and they have played a number of games of soccer and basketball with the other colleges.

Reese Chapter has two of our members on the debating squad this year, being brothers Marold and Devoe. They have spent some time debating over the radio. It is said that Devoe

is disappointed due to the fact that his noble gestures are ineffective over the radio, but he makes up for it by the forcefulness of his language.

RYAN.

To accomplish something of the real purpose of a legal fraternity, Ryan chapter has instituted a plan this year with a great deal of success. Every other Thursday evening a special banquet is held at the chapter house and some outstanding speaker is secured to give the active members and pledges some ideas on the practice of law and the court systems, not ordinarily available in law school. Among our speakers this year have been, Hon. Bro. Marvin B. Rosenberry, Chief Justice of the Wisconsin Supreme Court, Attorney-General Reynolds, the head of the Wisconsin Industrial Commission, the judges of the Madison Superior Court, and practicing attorneys from among our alumni.

In the active chapter this year, we have the student editor-in-chief of the Wisconsin Law review, Brother Swanson, and we have several members on the editorial board. Brother Hemmy is president of the Wisconsin Law School Association this year.

A class of twelve pledges was initiated in December. Another initiation will be held this spring.

Since the sale of the old chapter house last spring, which was something of a tradition on Wisconsin's campus, Ryan chapter has been renting a house, but we hope to own a chapter house again in the near future.

Officers for the second semester are: Justice, Sydney Thronson, Vice-Justice Roland Kuckuk, Clerk, Marvin Verhulst.

SUTHERLAND.

The Sutherland Chapter has made an effort to expedite business matters at the regular meetings, to have sufficient time for some informal discussion of some current legal topic led

by some prominent member of the bar. During the past three months Mr. Ben Spence has discussed some problems of the Legal Aid Society; Hon. Dan B. Shields, State senator and former attorney-general of Utah, outlined some problems of the administration of law; and Bro. George A. Goates, judge of the Juvenile Court, gave an analysis of the present Juvenile court system and discussed related problems of social and legal work in connection with the court. Other discussions will be featured throughout the year.

On December 20, the chapter entertained at an informal dancing party at the Belvedere. On February 15, the following law students were initiated: William H. King, Gordon Strong, Arnold Boylance, Bruce Parker, LaMar Duncan, Clyde Johnson, and Thomas Gwilliams. The initiates, members of the faculty of the School of Law, and the Justices of the Supreme Court of Utah, were guests at the initiation banquet held in the evening. About forty members of the fraternity were present. Following the banquet the Utah Alumni Chapter, Phi Alpha Delta, conducted its annual election. William Rossiter became president and Merrill Faux became secretary. The alumni voted to continue the weekly luncheons as a method of contact with members of the Sutherland Chapter.

TAFT.

Brother Albert Verrilli of White Plains, N. Y., Eastern District Justice, made the trip to Washington, D. C., by aeroplane to attend the Taft Chapter initiation of Senator Tydings and Congressman Estep on March 20th.

WATSON.

Since Christmas vacation nothing of unusual importance has transpired within the chapter. During part of that period everyone was exceedingly busy preparing for mid-semester examinations. The ordeal is now history

and everybody still in school which is something to be thankful for in the law school of the University of Pittsburgh. Although all of the boys have successfully surmounted the mid-semester barrier, some are already regarding the spring finals with trepidation and a feeling of wholesome respect; at which time the ax will prune away a goodly number of potential lawyers, and the scrap heap will be made the recipient of many long cherished ambitions.

On December 18th, one of the most successful and one of the most enjoyable social affairs of the year was held in Pirate Hall, at the William Penn Hotel. It was patronized by approximately seventy couples, composed of actives and alumni. The most favorable comments came from the alumni, many of whom had not been on the dance floor since undergraduate days. Plans are now being made for a similar affair during the springs months.

On Thursday evening, February 12th, the chapter was highly honored with the presence of Bro. Frank M. Ludwig, who came to Pittsburgh not only to inspect the active chapter but primarily to lay plans for the organization of the alumni chapter. In the evening approximately fifty actives and alumni assembled in the dining room of the Harvard-Yale-Princeton Club. After a few short speeches the actives were dismissed and the alumni repaired to an upper room to lay the ground work for the new organization. What was actually accomplished at this meeting has not been divulged to the active chapter but we hope that it results in the organization of an enthusiastic alumni chapter, to work hand in hand with the active chapter.

WEBSTER.

The present membership of Webster chapter is not large but all are enthusiastic P.A.D.'s and expectantly awaiting the next issue of "The Reporter."

Last December six brothers were initiated. Immediately after the initiation a banquet was served at the residence of the Chicago Bar Association. Among the visitors were Bro. George Fink, past supreme justice, who gave an interesting talk, Bro. W. A. Johnson, past justice of Webster chapter; and Bro. Loraine Combe, justice of Blackstone chapter.

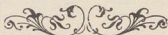
On Saturday, February 28th, the annual joint chapter Dance, given by all the Chicago Chapter of P.A.D. was held at the Furniture Club of America and proved a big success.

Webster Chapter has arranged to hold their annual dinner dance this year at the Shoreland Hotel 5454 So. Shore Dive, Chicago, with Joe Schneiders "Blue Moon Serenaders" furnishing the music. We are sure this will be one of the most successful dances this Chapter has ever held and all brothers in Phi Alpha Delta are most cordially invited. Further details may be had from Bro. Charles A. Koepke, Justice, 77 West Washington St., Chicago, Ill.

Watson Chapter Inspected

On February 12 Brother Frank E. Rutledge made a three hour official inspection of Watson Chapter. Among those attending were John M. Bash, Justice, and other officers as well as two P. A. D. professors. Watson Chapter was found to be in very good shape both as to number of members and finances. Twenty-five out of the thirty-four members were present. The meeting was held at the University of Pittsburgh. During the evening a joint dinner was held at the Harvard-Yale-Princeton Club. Thirty-nine members of the Pittsburgh alumni group and members of Watson Chapter were there. Among those attending were Brother Judge Gray, his

P. A. D. son James D. Gray, Brother Oscar G. Peterson who acted as toast master, Dan Daugherty of Marshall Chapter, W. Lewis Roberts of Henry Clay Chapter who is now a professor in the University of Pittsburgh, John M. Bash, Justice of Watson Chapter, C. Hays Long who was the delegate to the Milwaukee Convention, and Ray Humphrey of Elwood City, Pa. The meeting was held for the purpose of discussing the formation of a much needed alumni chapter, and a committee was formed. All members were enthusiastic over the idea and discussed the advantages of an alumni chapter and future plans of the fraternity at large.



NEWS OF ALUMNI

By JOHN R. SNIVELY

Brother Julius Harold Hart (Williams) of Nome, Alaska, is United States Attorney for Division No. Two of the District of Alaska. He was appointed December 19, 1929, by President Herbert Hoover. Prior to his appointment to this important post he was an Assistant United States Attorney for Division No. One at Juneau having been appointed March 31, 1925.

Brother Lloyd C. Sampson (Fuller) of Cheyenne, Wyoming, is Secretary of the Wyoming State Bar Association. He is engaged in the general practice of law at Cheyenne and is a former Assistant Attorney General of the State of Wyoming.

Brother Charles B. Adams (Hamlin) of Waterbury, Vermont, was elected a member of the Board of Managers of the Vermont Bar Association at the annual meeting of the Association which was held at Montpelier, October 7 and 8, 1930. He is a former State's Attorney of Washington County.

Brother Malcolm McDermott (McReynolds) formerly of Knoxville, Tennessee, is a member of the faculty of the Law School of Duke University at Durham, North Carolina. He is a graduate of Princeton University and Harvard Law School. From 1913 to 1916 he was associated with the law firm of Webb & Baker at Knoxville and was a member of the law firm of Webb, Baker & McDermott from 1916 to 1920. He then became a member of the law firm of Lee, Price, McDermott & Meek. From 1915 to 1920 he was also a special lecturer in the College of Law of the University of Tennessee. From 1920 to 1930 he

was Dean of the College of Law. He also continued the general practice of law. Brother McDermott was a close friend of our late distinguished brother Woodrow Wilson, President of the United States. He is indeed a very able law teacher and we are glad to learn of his new post.

Brother Marion R. Kirkwood (Holmes) of Palo Alto, California, who has been Dean of the School of Law of Stanford University, is a visiting professor at the Law School of Duke University at Durham, North Carolina, this year.

Brother Joseph W. Madden (Marshall), who is a member of the faculty of the School of Law of the University of Pittsburgh, is a visiting professor at the School of Law of Stanford University. He is giving the courses that are regularly taught by Dean Kirkwood who is absent on leave at Duke University.

Brothers Carl and David T. Solomonson (Fuller) of Rockford, Illinois, are engaged in the general practice of law under the firm name of Solomonson & Solomonson with offices in the Manufacturers National Bank Building. Brother Carl Solomonson has been active in Republican politics. Last April he was a candidate for Probate Judge. He made a very active campaign and was second in a three cornered race. He has already been mentioned as a possible candidate for State's Attorney at the primary in 1932. Brother David T. Solomonson was admitted to practice by the Supreme Court of Illinois on April 10, 1930.

Brother William J. McDermott (Hay) of Cleveland, Ohio, is an Assistant United States Attorney for the Northern District of Ohio. He was appointed March 1, 1930. Brother McDermott was a delegate to the Cincinnati convention. He represented the Cleveland Alumni Chapter.

Brother Frederick W. Shepherd (Reese) of Lincoln, Nebraska, who is a Judge of the District Court for the Third Judicial District of Nebraska, was elected President of the Nebraska State Bar Association at the Thirty-first annual meeting of the Association which was held at Omaha, December 29 and 30, 1930. This is indeed a very high honor and we are glad to learn of his election.

Brother Paul W. Brosman (Magruder) is giving the courses in Civil Procedure, Evidence, Agency, Federal Practice and Jurisdiction at the College of Law of Tulane University at New Orleans, Louisiana. This is his second year at the University. Prior to that he was a member of the faculty at Mercer University. He is a member of the New Orleans and Louisiana State Bar Association.

Brother Rousseau A. Burch (Benson) of Topeka, Kansas, who is an Associate Justice of the Supreme Court of Kansas, will teach Real Property I at the summer school of Northwestern University Law School at Chicago this year.

Brother John J. Nangle (Benton) of St. Louis, Missouri, has been appointed a member of the special committee of the Missouri Bar Association on the Proposed Judicial Council Act and Proposed Act to Confer Power on the Supreme Court to prescribe qualifications of applicants for admission to practice law within the State of Missouri. Brother Nangle is Past Supreme Justice of the Fraternity.

Brother Leland Hazard (Lawson) of Kansas City, Missouri, has been appointed Chairman of the special committee of the Missouri Bar Association on the Legal Aspects of Criminology. He has offices in the Waltower Building.

Brother Ignatius M. Peckham (Holmes) of San Francisco, California, is an Assistant United States Attorney for the Northern District of California. He was appointed December 14, 1929. Brother Peckham is a Past District Justice for the Western District of the Fraternity. He served under Supreme Justice George E. Fink and Supreme Justice Rex G. Hardy.

Brother Raymond H. Schubert (Field) of San Francisco, California, is also an Assistant United States Attorney for the Northern District of California. He was appointed August 21, 1930.

Brother Harold Shepherd (Holmes) formerly of Palo Alto, California, and now a member of the faculty of the University of Chicago Law School at Chicago, Illinois, has been appointed Dean of the Law School of the University of Washington at Seattle. He will assume his duties at the opening of the summer session this year.

Brother Leslie J. Ayer (Dunbar) is acting Dean of University of Washington Law School at Seattle. He is a graduate of the University of Chicago Law School. Since 1916 he has been a member of the faculty of the University of Washington with the exception of 1918-19 when he was a professor at the University of California. He is giving the courses in Agency, Private Corporations and Sales.

Brother Edward L. McConaughy (Magruder) is engaged in the general practice of law at Villa Park, Illinois,

with offices at 7 East Park Boulevard. He was formerly associated with the Chicago Title & Trust Company of Chicago.

Brother Daniel Ryan (Blackstone) of Chicago, Illinois, is associated with Grant F. Brabon in the general insurance business in the Insurance Exchange Building at 175 West Jackson Boulevard. Brother Ryan is also a member of the Board of Commissioners of Cook County.

Brother Frank Hier (Chase) of Cincinnati, Ohio, is an Assistant United States Attorney for the Southern District of Ohio. He was appointed January 29, 1929.

Brother Lewis Tyree (Staples) is a member of the faculty of the New Jersey Law School at Newark, New Jersey. He has been there several years. Prior to that he was a professor of law at Washington & Lee University at Lexington, Virginia.

Brother James Park (Clay) of Lexington, Kentucky, is a member of the Executive Committee of the Kentucky State Bar Association.

Brother William L. Roberts (Clay) is a visiting professor at the School of Law of the University of Pittsburgh this year. He is giving the courses in Property and Domestic Relations which are regularly taught by Brother J. Warren Madden who is absent on leave at Leland Stanford University. Brother Roberts has been a member of the faculty of the University of Kentucky College of Law since 1920. He is a graduate of Harvard Law School.

Brother Clarence N. Goodwin (Marshall) of Chicago, Illinois, has been appointed a member of the special

committee of the American Bar Association on Federal Taxation. The appointment was made by President Charles A. Boston of New York City. Brother Goodwin is also Chairman of the Board of Directors of the American Judicature Society which society is organized to promote the efficient administration of justice.

Brother Harry A. Bigelow (Marshall) who is Dean of the University of Chicago Law School at Chicago, Illinois, is engaged in hunting big game in Africa at the present time. He is expected to return this summer.

Brother Herman R. Salen (Ryan) of Waukesha, Wisconsin, is President of the Association of District Attorneys for the State of Wisconsin. He is serving his fourth term as District Attorney of Waukesha County and has made a very able record.

Brother Errol C. Gilkey (Temple) of Oakland, California, is the junior member of the law firm of Dutton & Gilkey with offices in the Central Bank Building.

Brother Roy St. Lewis (Harlan) of Oklahoma City, Oklahoma, is serving his second term as United States Attorney for the Western District of Oklahoma. He was appointed to his present post on December 15, 1925, by President Calvin Coolidge. Prior to that he was an Assistant United States Attorney for the same district.

Brother James P. Harrold (Webster) of Chicago, Illinois, has been re-appointed a Master in Chancery of the Circuit Court of Cook County. He is the senior member of the law firm of Harrold, Quilici & Devitt with offices at 33 North La Salle Street. Brother George L. Quilici (Story) is also a member of this firm.

Brother Mark W. Bemis (Blackstone) of Glen Ellyn, Illinois, is engaged in the general practice of law with offices in the Glen Ellyn State Bank Building.

Brother Norman MacMillan (Blackstone) of Chicago, Illinois, is connected with the office of the Prosecuting Attorney for the City of Chicago.

Brother Silas H. Strawn (Campbell) of Chicago, Illinois, former President of the American Bar Association, gave an address before the Fifty-fourth annual meeting of the New York State Bar Association which was held in New York City on January 16 and 17, 1930. His subject was "Should Our Anti-Trust Laws be Amended." He prefaced his discussion of the anti-trust laws with a brief report of his recent trip to Europe as Chairman of the American Committee of the Council of the International Chamber of Commerce which convened at Paris to discuss the present world economic situation. He pointed out that it was the consensus of opinion of the business and financial leaders at that conference that the existing worldwide depression was due to decreased production which had outstripped temporarily the rate of increase in population and consumption; also to the "excessive incursions of the state into the domain of private enterprise. Brother Strawn advocated the modification of the Sherman Anti-Trust Law to legalize trade agreements under proper government supervision without taking away any of its safeguards against monopolies. He suggested that some governmental agency such as the Federal Trade Commission might be revamped to supervise trade agreements permissible under a modified Sherman Act. Brother Strawn is a member of the law firm of Winston, Strawn & Shaw and Chairman of the Board of Directors of Montgomery, Ward & Co.

Brother Kenneth R. Brown (Magruder) is associated with the Rockford Electric Company at Rockford, Illinois. He has been with the company for several years and is at present Distribution Superintendent. Prior to coming to Rockford he was Right of Way Agent for the Illinois Northern Utilities Company at Dixon, Illinois. He assisted with considerable right of way litigation in various courts in Northern Illinois while he was connected with the latter company. Brother Brown is married and resides at 1608 Harlem Boulevard.

Brother Charles W. Hadley (Fuller) of Wheaton, Illinois, who is Chairman of the Illinois Commerce Commission, gave an address at a Lincoln-Washington banquet which was held at the Grace Methodist Episcopal Church at Rockford, Illinois, on February 20, 1931. He is a very able orator and his presentation of the activities and service of George Washington and Abraham Lincoln stirred the entire audience. Brother Hadley is being prominently mentioned as a candidate for Attorney General of the State of Illinois. He is a former Special Assistant Attorney General and has a wide acquaintance over the state.

Brother David E. Shanahan (Webster) of Chicago, Illinois, has been re-elected Speaker of the House of Representatives of the General Assembly of the State of Illinois. He is serving his fifth term as Speaker. The General Assembly is now in session and will continue for several months.

Brother Franklin U. Stransky (Campbell) is engaged in the general practice of law at Savanna, Illinois. His father, Franklin J. Stransky is a member of the law firm of Sims, Godman, Stransky & Brewer of Chicago with offices at 230 South Clark Street and is Secretary of the Illinois Republican State Central Committee.

He still maintains his legal residence at Savanna and is there several days of each week.

Brother John S. Dawson (Benson) of Hill City, Kansas, is a member of the Executive Council of the Bar Association of the State of Kansas. He has been an Associate Justice of the Supreme Court of Kansas since January 11, 1915, and is one of the ablest members of the Court. He also has a wide reputation as an orator.

Brother Alfred E. Clark (Williams) of Portland, Oregon, gave an address before the annual meeting of the Oregon Bar Association which was held at Pendleton, Oregon, on September 26 and 27, 1930. His subject was "Is our Judicial System responsible for our Crime Condition." He was initiated as an honorary member of George H. Williams chapter of the fraternity on November 29, 1908. Brother Clark is a prominent Portland attorney and former legislator.

Brother LeRoy B. Young (Marshall) of Ogden, Utah, was elected First Vice President of the Utah State Bar Association at the annual meeting of the Association which was held at Salt Lake City, Utah, on December 13, 1930. From 1921 to 1929 he served as District Attorney for the First Judicial District of the State of Utah. He is now a member of the law firm of Thatcher & Young with offices in the First National Bank Building.

Brother Allan T. Gilbert (Blackstone) of Chicago, Illinois, present Supreme Justice of the Fraternity, is Second Vice President of the Hamilton Club of Chicago. He is also a former Secretary of the Club.

Brother David A. Hart (Taft) of Washington, D. C., is an Assistant United States Attorney for the District of Columbia. He was appointed Jan-

uary 1, 1925, and has served under United States Attorney Peyton Gordon and Leo A. Rover. He is one of the oldest assistants in seniority that is on the staff at the present time.

Brother Neil Burkenshaw (Taft) of Washington, D. C., is also an Assistant United States Attorney for the District of Columbia. He was appointed October 14, 1925.

Brother Albert J. Harno (Calhoun) of Urbana, Illinois, who is Dean of the College of Law of the University of Illinois, and Secretary-Treasurer of the Association of American Law Schools, attended the Twenty-Eighth Annual Meeting of the Association which was held at the Stevens Hotel in Chicago, Illinois, on December 29, 30 and 31, 1930.

Brother Kenesaw Mountain Landis (Webster) of Chicago, Illinois, is vacationing in Florida. A large number of baseball teams are in training there. Brother Landis, who for many years was United States District Judge for the Northern District of Illinois, is Commissioner of Baseball with offices at 122 South Michigan Avenue, Chicago.

Brother Thaddeus H. Caraway (Jay) of Jonesboro, Arkansas, the junior United States Senator from the State of Arkansas, is Chairman of the Judiciary Subcommittee of the United States Senate which has been engaged in the investigation of Lobbying. It is expected that the committee will continue its investigations during the recess of Congress.

Among the members of the House of Representatives of the Congress of the United States who voted on February 26, 1931, to override the veto of the President of the Act of Congress which increases the loan basis of the adjusted service certificates of

World War Veterans were the following Phi Alpha Delta brothers: Olger B. Burtness (Corliss) of Grand Forks, North Dakota; Burnett M. Chipperfield (Magruder) of Canton, Illinois; William P. Holaday (Magruder) of Danville, Illinois; William P. Lambertson (Marshall) of Fairview, Kansas, all Republicans; and Andrew J. Montague (Jefferson) of Richmond, Virginia, Democrat. Those voting to sustain the veto were: John E. Nelson (Hamlin) of Augusta, Maine; and Donald F. Snow (Hamlin) of Bangor, Maine. Brother Albert E. Carter (Temple) of Oakland, California, and Brother J. Zach Spearing (Martin) of New Orleans, Louisiana, did not vote. The vote in the House was 323 to 79 and in the Senate 76 to 17. Passage by the Senate on February 27, 1931, placed the measure on the statute books without any further formality.

Brother Clarence T. Smith (Magruder) of Flora, Illinois, was elected Third Vice President of the Illinois States Attorneys Association at the annual meeting of the Association which was held at Chicago, Illinois, on December 29 and 30, 1930. He is serving his second term as State's Attorney of Clay County and is one of the youngest State's Attorneys in the state.

Brother Henry A. Shinn (Green) is a member of the faculty of Mercer University Law School at Macon, Georgia. He is giving the courses in Torts, Rights in Land, Titles, Mortgages and Wills. He had a very interesting article in the February issue of the American Bar Association Journal entitled "How to Deal with the Unlawful Practice of Law." We hope that all will read it.

Brother Edwin F. Albertsworth (Hay) who is a professor of law at Northwestern University at Chicago, Illinois, also had a very interesting article in the March issue of the

American Bar Association Journal entitled "Constitutional Duties and Inadequate Enforcement Machinery." We commend it to your attention.

Brother Paul M. PePtersen (Lawson) of Columbia, Missouri, is a member of the law firm of Clark, Boggs, Cave & Peterson with offices at 317 Guitar Building.

Brother Andrew Y. Wood (Temple) of San Francisco, California, is Editor of The State Bar Journal which is the official publication of The State Bar of California. He is also associated with the Recorder Printing and Publishing Company at 460 Fourth Street which company prints the Journal.

Brother Edward W. Leeper (Hay) of Cleveland, Ohio, is a member of the Executive Committee of The Cleveland Bar Association.

Brother Edward J. Dempsey (Ryan) of Oshkosh, Wisconsin, President of the Board of Normal Regents, recently appeared before Governor Philip La Follette and the joint Legislative Finance Committee at Madison to present a budget for the Normal Schools. He also presented a request for the State Bar Commission that Fifteen Hundred Dollars annually be added to the budget of such commission for the purpose of investigating complaints. The appropriation has been only Five Hundred Dollars per year and has been found inadequate.

Brother Charles R. Freeman (Ryan) of Menomonie, Wisconsin, is Municipal Judge of Menomonie. Prior to going on the bench he was Corporation Attorney.

Brother Bruce M. Blum (Ryan) of Monroe, Wisconsin, has resumed the general practice of law. He retired as District Attorney of Green County on January 5, 1931.

Brother Archie McComb (Ryan) of Green Bay, Wisconsin, is a member of the Executive Committee of the State Bar Association of Wisconsin. He is also Chairman of the Committee on Necrology of that Association.

Brother Myron Stevens (Ryan) of Madison, Wisconsin, has been appointed United States Commissioner for the Western District of Wisconsin by Judge Claude Z. Luse. He graduated from the University of Wisconsin Law School in 1926. Last year he was admitted to the law firm of Bagley, Spohn, Ross & Stevens. He is a son of our late distinguished brother, E. Ray Stevens, who was an Associate Justice of the Supreme Court of Wisconsin.

Brother Herman C. Runge (Ryan) of Sheboygan, Wisconsin, and Miss Clara C. Hertzberg of Sheboygan Falls were married at Sheboygan Falls several months ago. The bride is a graduate of the School of Music of the University of Wisconsin and Brother Runge is a graduate of the Law School. He was in the Army during the World War, serving as a Captain. He has practiced law at Sheboygan since 1922, and has been District Attorney since 1927. He is a past President of the Association of District Attorneys of Wisconsin, and is a member of the state civilian committee on crime and criminal justice.

Brother James P. Aylward (Benton) of Kansas City, Missouri, is a member of the Executive Committee of the Kansas City Bar Association. He is also Reporter for the Kansas City Court of Appeals and has long been active in Democratic politics.

Brother Ewing C. Bland (Benton) of Kansas City, Missouri, is serving a second term of twelve years as Judge of the Kansas City Court of Appeals. His present term expires December 31, 1940.

Brother F. Ryan Duffy (Ryan) of Fond du Lac, Wisconsin, is a member of the committee of the State Bar Association of Wisconsin which has been appointed to co-operate with the Department of Unemployment in the protection of the interests of the unemployed. The committee was appointed by President J. Gilbert Hardgrave of Milwaukee at the request of the Governor.

The Birmingham Alumni and the Morgan Chapter had a joint meeting January 31. Honorable William I. Grubb, United States District Judge, was initiated into honorary membership. Prominent P. A. D.'s from all over the country were in attendance.

Brother Louis P. Donavan, Ryan Chapter, former All-American tackle, is serving his second term in the Montana legislature as State Senator from Toole County.

On Saturday night, February 7, a joint meeting of the Cleveland alumni chapter and members of Hay Chapter was held for the purpose of discussing ways to bring about a closer relationship between the active and alumni chapters. Brother Rutledge made an official inspection of Hay Chapter and found a real P. A. D. spirit there.

Brother Judge Tuttle recently gave the Wickersham committee a detailed report on nearly 2,000 defendants in criminal cases who were subjected to detailed questioning by the judge before sentence. Citizenship, property holding, age, family history, occupation, previous criminal record, education, nature of crime, were all gleaned from the defendant before his case was disposed of.

Brother Frank E. Rutledge, Supreme Vice Justice, has just accepted the Chairmanship on the executive committee on alumni relations in the Conference of Law Fraternities.

Brother Frank Harvey of Akron, Ohio, a member of the firm of Berk, Berk & Harvey, has just been elected as one of the judges of the municipal court.

Brother John R. Snively, secretary of the Winnebago County Bar association, was recently appointed as a member of the American Bar Association committee on the unauthorized practice of law. Charles A. Boston, of New York City, president of the national organization, made the appointment.

Brother Edward L. McConaughy announces that he is opening offices for the general practice of law at No. 7 East Park Boulevard, Villa Park, Du Page County, Illinois.

The West Publishing Company has just announced the publication of Hughes Federal Practice Jurisdiction and Procedure Civil and Criminal. The author Hon. William J. Hughes is an honorary member of Phi Alpha Delta having been initiated by the Taft Chapter in 1926. Mr. Hughes has always shown a keen, active interest in the fraternity and is one of our most earnest members.

Brother J. F. T. O'Connor announces the removal of his law offices to Suite 541 Title Insurance Building, 433 South Spring Street, Los Angeles, California.

The Cincinnati Chapter of the Phi Alpha Delta entertained the two highest officers of the fraternity at a luncheon at the Cincinnati Club recently. They were Allan T. Gilbert, Chicago, Supreme Justice, and Frank E. Rutledge, Buffalo, Supreme Vice-Justice. Howard L. Bevis, State director of finance, is justice of the Cincinnati Chapter and came from Columbus to preside. Attorney Lawrence Lytle, Cincinnati, is Supreme Historian. About thirty-five members attended.

Brother Frank Harvey now has another title. It is justice of the Akron Chapter of the Phi Alpha Delta. Other officers elected recently are: Irwin D. Allen, associate justice; George Hay, secretary-treasurer, and D. G. Reichert, correspondent. Frank Rubledge, Buffalo, national vice-justice of the fraternity, attended the organization meeting at Akron along with other prominent men in the fraternity from Cleveland. Another meeting of this chapter will be held in the near future to perfect the organization.

Brother George E. Fink, past Supreme Justice of the fraternity announces that he has resigned as Second Vice President of the Foreman-State Trust and Savings Bank to enter the general practice of law with the firm of D'Ancona, Pflaum & Kohl-saat, 33 No. LaSalle Street, Chicago, Illinois. This firm represents the Foreman-State National Bank and Foreman-State Trust and Savings Bank, and is recognized as one of the leading firms at the Chicago Bar. It handles all kinds of legal work with the exception of criminal. This connection will afford Brother Fink the opportunity of serving directly the brothers who have legal business in Chicago.

Brother Laurie O. Telfer, Campbell Chapter, has been engaged in the practice of law in Port Huron, Michigan, for the past ten years; during that time, he served as Circuit Court Commissioner of St. Clair County, Michigan, for eight years and also was Chief Assistant Prosecuting Attorney of said County for the past four years; in the recent election, he was elected prosecuting Attorney of St. Clair County on the Republican ticket by a fine majority; brother Telfer and his wife are at home at their residence, 2557 Military St., in Port Huron, and have had three sons born to them since their marriage, all prospective P. A. D.'s.

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