

The Reporter



OFFICIAL PUBLICATION OF

Phi Alpha Delta
Law Fraternity

THE REPORTER

OFFICIAL PUBLICATION OF THE PHI ALPHA DELTA LAW FRATERNITY

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FRATERNITY CALENDER

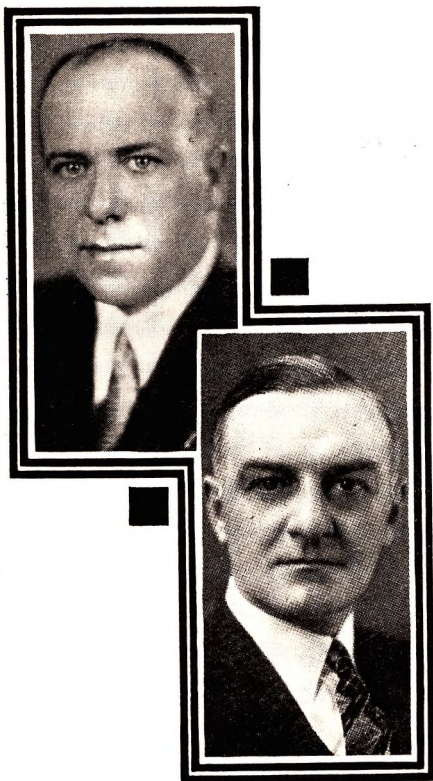
October 15th.....Form D due in Secretary's office
 November 1st.....Per Capita taxes due in Secretary's office
 November 7th.....Celebration of Founder's Day
 December 1st.....Yearly chapter audit due in Secretary's office
 March 15th.....Form E due in Secretary's office
 April 1st.....Election of all 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.



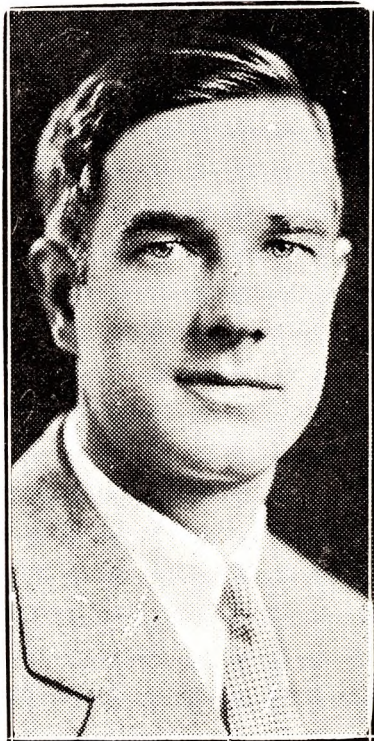


Brother Jay A. Schiller was elected Judge of the Municipal Court of Chicago on November 4. He was born in Elgin, Ill. He received his LL. B. degree from De Paul University. He was for five years Secretary to Congressman A. J. Sabbath. He is at the present time and was for several years Assistant Corporation Counsel. He is Judge-Advocate of the American Legion North Shore Post No. 21. He is married and has three children. He was endorsed for Judge of the Municipal Court of Chicago by the Bar Association and every newspaper in Chicago. He ran second in a group of twenty-four candidates for the office.

Brother J. William Brooks, born in Chicago May 20, 1892, was elected Associate Judge of the Municipal Court of Cook County November 4. He is an instructor in law at De Paul University. He is a graduate of St. Ambrose College, St. Ignatius College, and Northwestern University. Receiving his degree of Bachelor of Laws in 1914. For awhile he was engaged in the practice of law with the firm of Brundage, Gorman and Brooks. In January, 1927, he was appointed Assistant Judge of Probate

Court of Cook County. He is Vice-President of the Membership Committee of the Chicago Bar Association. He is married and has six children. He was endorsed by the Chicago Bar Association as a lawyer of character and ability.

Brother Fred J. Hoffmeister was elected Judge of the Circuit Court of the City of St. Louis, Mo., on November 4 having a plurality of over 40,000. He is a native of St. Louis, educated in the common schools of that city. He graduated from the law school of the University of Michigan in June, 1914. He has been practicing in St. Louis since that time with the exception of time served in the army during the World War. He was for several years a member of the faculty of the law school of the St. Louis University. He is a Mason and a member of the Sunset Hill Country Club. Mrs. Hoffmeister was the former Miss Marcia Munsell, of Detroit. They have one son.



ATTENTION ALUMNI

Phi Alpha Delta Law Fraternity, through the years, has strengthened the various arms of its activities. It seems to your Supreme Justice that in addition to strengthening the various units, a real effort should be made to closely knit and inter-weave these activities so that we shall have a well-timed organization moving in perfect harmony for real progress. It is doubted whether many of the members of the Fraternity realize what a tremendous organization we have and just how the various national officers and chapter officers, together with the membership at large, are working together.

Let us recall the history of the Fraternity for a place to start. The Fraternity was born through the activities of a small group who formed an association for fighting a proposed amendment relating to admission to the bar in the State of Illinois. Through this activity was created the first chapter in Phi Alpha Delta. The merit of such an organization and the benefits which flowed to its membership brought about the creation of another chapter at a nearby school, and as these chapters grew, other chapters, due to the missionary work of individual members, were formed in other schools.

As the influence of the Fraternity spread, it was natural that there should be created some inter-chapter organization, and as a result there was created a national organization with national officers.

The purpose of such leadership was to protect the activities of the individual chapters, to give a helping hand to that chapter which found itself temporarily in difficulties. As the number of chapters grew and the

membership of the Fraternity increased, the duties of those national officers increased and there came about a natural division of work among the officers.

Within a few years the graduate membership had greatly increased and far out-numbered the group that were still in school. Because of the spirit of co-operation and helpfulness which had been fostered during the school years, it was natural for the alumni of the various chapters, especially in thickly populated sections, to join forces for the mutual helpfulness of the individual members during the early struggle for a livelihood in the practice of law. There, of course, was immediately suggested the alumni chapter which would be officially recognized by the national organization and the Fraternity at large.

For the first few years these alumni associations, while, of course, they were bent upon assisting their old chapters, found that their time was well taken in their struggle for a livelihood, but as the Brothers in the Fraternity matured and received recognition for leadership at the Bar in their respective communities, they remembered their debt to the Fraternity, for the helpfulness in their early years, and were urged to do their bit in helping individual members of the Fraternity and the chapter as a whole. As each year goes by the substantial success which has been gained by the vast majority of the Brothers in the Fraternity has increased, and now is the time for us to call upon this reserve which as yet has hardly been tapped.

We now have some fifty active chapters well officered, well organized, with traditions which encourage a loyalty

and love of the Fraternity. We have some twenty alumni chapters which are healthy in numbers and strong in enthusiasm. We have experienced national officers, who in their wisdom have developed a corp of district officers.

Through the national organization, the officers of the active chapters who have not had the experience of Fraternity affairs are encouraged and taught the traditions of the Fraternity in administration, as well as in loyalty of spirit. One of the main functions of the national officers and the Supreme Board is to keep all of the chapters well advised as to national policies, as to standards of membership and scholarship and as to questions of campus relationship.

It is my impression that at the present time there is a closer co-operation between the active chapters and the national officers than there has ever been before in the history of the Fraternity. There is an understanding, which if there is any doubt it should be immediately dispelled, that the national officers are the servants of the active chapters and are ready and willing to help them in any of their activities. It is my impression that there is a general belief that this closely knit relationship between active chapters and the national officers is bringing Phi Alpha Delta toward greater influence in the legal profession as well as leadership as a Fraternity of high principles and worthy qualities on the respective campuses in the United States. We should all strive to perfect this relationship and to increase our prestige. We should never be satisfied. We should never stand still. We should always strive for better and bigger things for the Fraternity.

Our magazine, which is of the utmost importance in bringing to the attention of the alumni and the active chapters the activities and policies of the Fraternity, has made great strides toward being the magazine which we can all point to with pride. Our publication should out-rank any other fraternity publication and should be a real contribution to the legal profession. The national officers are of the opinion that we, under our present editor in chief, are headed in the direction of such a leadership.

There is one rich field of endeavor which our good Supreme Vice-Justice, Frank Rutledge, long ago divined and upon which he has been constantly working. It is my impression that his missionary work has laid the foundation for real progress during the next few years. We should impress upon our alumni that they owe a debt of gratitude to their Fraternity and that they should participate, even in a small way, in the progress of the Fraternity. You alumni who now have reached a position in the profession that gives you some leisure, should take an active part. It is the ambition of the present administration that where today we have a thousand alumni members of associations, we should have five thousand members. You alumni should be actively participating in your chapters. If you're not a subscriber to The Reporter, subscribe now. If you are miles away from the old chapter, write them a letter. If you are near an alumni chapter, join it. If you aren't near, contribute an article to The Reporter and if you can't do anything else, send a little donation to the Endowment Fund.

ALLEN T. GILBERT.
Supreme Justice.

ERNEST H. PETT



Brother Pett, District Justice of the Northern District, was born at Parkston, S. D., February 28, 1897. He moved to Milwaukee at an early age, where he later attended Milwaukee Teachers College, and taught school during 1916 and 1917. He entered the University of Wisconsin in the fall of 1917.

He enlisted in the United States Army in the spring of 1918 and served in the heavy artillery. He was in the A. E. F. until the spring of 1919, receiving his discharge at Camp Taylor, Kentucky. He then returned to the University of Wisconsin and received his A.B. degree in 1920, and was graduated from the law school of the same University in February, 1923.

He was a member of Ryan Chapter where he served in various official capacities. Since his graduation from law school he has been in the active practice of law associated with the firm of Sanborn, Blake and Aberg, with offices in the Gay Building at Madison, Wisconsin.

Brother Pett is a member of the Masonic order, Knights of Pythias, Optimist Club, Nokoma Country Club, local, estate, and American Bar Associations. Those who attended the last convention will remember Ernie as the one in charge of the singing and informal program at the luncheon during the Madison day of the convention. We ask you, however, not to hold that against Ernie.

ALBERT A. VERRILI

Brother Verrili, District Justice of the Eastern District, was born at New York, New York, July 3, 1901. He graduated from Yale University in 1926. His activities in Phi Alpha Delta started in 1924. He served as clerk and Vice-Justice of Calhoun Chapter, and was a delegate to the 20th Biennial Convention at St. Louis. He took an active part in establishing Calhoun Chapter in new quarters at 80 Sachem Street, New Haven, Conn., and was largely instrumental in the furnishing of that Chapter house. After his graduation he became very active in the New York Alumni Chapter and was elected to the Board of Directors.

He was a delegate to the 22nd Biennial Convention at Milwaukee. He has just recently been appointed District Justice of the Eastern District and has already made a visit to Calhoun Chapter at Yale University on behalf of the National Officers. At the present time he is interested in the establishment of Alumni Chapters in the larger cities in the east.

Brother Verrili has been in the active practice of law in New York City for about four years. He was assistant prosecutor in the recent official investigation of "ambulance-chasers" and was largely instrumental in the disbarment of several lawyers and the suspension of several others. He received the official commendation of the various legal associations of New York for his service in this work. During the past two years he has been associated with Lee Parsons Davis who was trial counsel in the famous Rhinelander trial. He is at the present very active in assisting Mr. Davis in various important litigations in Westchester County, New York.

He was married to Miss Clare Loftus of Scranton, Penn., in August, 1929.



NEWS FROM THE SUPREME SECRETARY'S OFFICE

With the post-convention work out of the way, the Supreme Secretary's office is busily engaged in many activities, a few of which may well be mentioned now.

In the first place we are pleased to announce the raising of the suspension of Hughes chapter. While at the moment we have only two brothers at Denver University, a very substantial number have been pledged and will be initiated in the near future, after which the chapter will be reorganized, new officers elected and a new era established at Denver University. We hope, also, to be able to report in the the next issue of the REPORTER the reorganization of the Denver Alumni Chapter.

Of no less interest is the fact that we are confident that before this issue goes to press the suspension will have been removed from Field Chapter, and that this chapter will be upon its way for a successful year.

This leaves only Livingston and Lurton chapters under suspension. The assistance of the entire Fraternity is solicited with the rehabilitation work with these two chapters.

We have begun the tremendous task of bringing down to date our membership card file, preparatory to the publishing of a new Directory. The task of keeping a membership roster up to date is a difficult one. This is particularly true due to the fact that we start off with the school addresses of the members, which immediately be-

come obsolete upon graduation. As soon as life subscriptions to the REPORTER become universal, with the magazine being mailed to the individuals, this condition undoubtedly will materially improve. As rapidly as possible lists are being prepared and forwarded to the chapters, active and alumni, with the request that they be corrected and returned as soon as possible; chapter officers should give these requests their immediate attention as only through their cooperation will we be able to locate our entire membership and be able to publish an accurate and reliable Directory.

Chapter officers should note the provision of the By-laws, providing for chapter audit to be furnished the Supreme Secretary's office on *December 1st* of each year. This is particularly important now, due to the fact that all chapter officers handling Fraternity funds have been bonded, the pro rata cost of the bond is being charged to the respective chapters at the rate of \$2.50 to each chapter. In order to make this bond effective it is necessary that the chapters furnish the audit required. This applies to alumni chapters as well. The requirements of the audit are very liberal but must contain a list of all accounts payable and accounts receivable, with a notation of the length of time each one is delinquent, if past due. This must be certified by the Treasurer and approved by the Justice and Clerk.

F. M. LUDWICK,
Supreme Secretary.



EUGENE A. GILMORE

The University of Iowa Law College is pleased with Brother Gilmore, the new Dean who was chosen to fill the vacancy created by the death of Dean H. C. Jones. Dean Gilmore, for the last eight years Vice Governor General of the Phillipine Islands, was for twenty years a member of the University of Wisconsin law Faculty and has served Columbia University, University of Chicago, University of California and the University of the Philippines. Author of a treatise on the law of partnership and a collection of cases on partnership and legal articles, Dean Gilmore will in addition to administrative work offer courses in Constitutional Law, Quasi-contracts, and Agency.

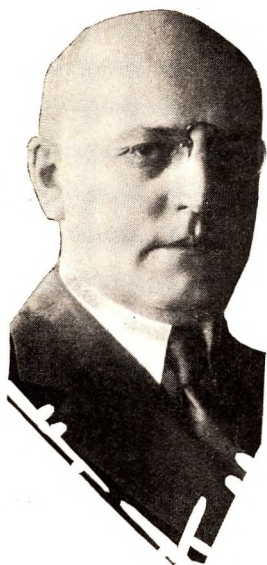
Under the supervision of Dean Gilmore, the Iowa college of law has raised the entrance requirements to three years of basic liberal arts work. Preparation for law at Iowa University now requires six years.

A. OWSLEY STANLEY

Brother Stanley, prominent attorney of Washington, D.C. and former United States Senator from Kentucky is a member of the International Joint Commission. He was born at Shelbyville, Kentucky on May 21, 1867. He was graduated from Centre College in 1889. He studied law under Gilbert Cassady at Flemingsburg and was admitted to the bar in 1894. He was elected to Congress in 1902. He was elected to United States Senate in 1918 where he espoused the cause of the League of Nations. He is an honorary member of Henry Clay Chapter. Brother Stanley was married to Miss Sue Soaper April 23, 1903. They have three sons.

JAMES R. DEAN

Brother Dean, a distinguished member of the Supreme Court of Nebraska, was born at St. Louis, Missouri, on September 15, 1862. He was graduated from the University of Nebraska in 1885. From 1885 to 1889 he practiced in Chicago, in 1892 he moved to Broken Bow, Nebraska, where he served for two terms as County Judge. He was appointed Judge of the Supreme Court of Nebraska in 1909. He returned to the practice of law in 1910 and was elected to the Supreme Court in 1912, where he has served since that time. He is an honorary member of Reese Chapter. He was married to Miss Jennie B. Sutton January 14, 1892, and has two children.



SCHOLASTIC STANDING

JAMES P. HARROLD

One of our great jurists has very tersely said that "good intention is no substitute for adequate knowledge." This might well be paraphrased, with special application to our own fraternal problems, "no amount of good fellowship can take the place of a high standard of education." The organizations of the bar throughout the United States, led by the American Bar Association, have been engaged for a long time, particularly during the last fifteen years, in attempting to raise the technical legal education required for admission to practice, and also to prescribe a greater cultural background as a preliminary requirement for those wishing to enter upon the study of the law. These efforts have met with a large measure of success and have resulted in establishing as a minimum requirement of preliminary study, at least two years of college work before entering upon the actual period of professional study. That the ideal should be even higher has been recognized. The leading law colleges of the country have become graduate schools requiring a college decree or its equivalent before the student may take up his professional work.

This raising of the educational standards for admission to the bar and the consequent classification of Schools of Law as places for graduate instruction is of vital concern to the college fraternities that are limited in their membership to those preparing for the law. The function of the professional fraternity is thus removed farther and farther from that of the undergraduate society. It may present difficulties, but it undoubtedly has great advantages in the way of the selection of members who will be likely to have permanent attributes in common that will result in real life friendships. Those whose duty it is to choose the

new members from time to time will have at least two and often four years of observation of the new man, as students in the class room and among their companions in outside activities, from which to determine the ability and social and intellectual qualities of those to be chosen.

Should not Phi Alpha Delta require that its members shall be men that can be tried by the test of adequate scholarship, and that distinguished scholarship, shall constitute an honor second to no other?

In the development of college and university life in the United States we have departed far from the notion that to be a close and accurate student necessitates that one should forsake the amenities and become a "greasy grind." There is time in college life, as well as in the harder struggle which follows, for one to take part in social, athletic and other activities without lowering his scholastic rank. In fact a proper division of one's energies often makes for higher scholarship. But in dividing one's activities, there is sometimes a tendency to lose the sense of proportion and to regard those things which are only temporary aids to an education as the ends to be accomplished.

Colleges and universities would have no place in our scheme of life but for the feeling that it is necessary for youth to devote a considerable time to the intensive training of the mind before entering upon his active business or professional career. More and more it is becoming recognized that this intellectual culture is of great value even in a purely commercial life. Intellectually trained men are in demand in every calling and surely in our profession it is important that adequate knowledge be not sacrificed to the more superficial things. Good fellowship and pleasing personality

should not be ignored nor their importance made light of, but it is necessary to always keep in mind that, when the real tests of a lawyer come, no amount of these attractive attributes, can compensate him if he has not the necessary close legal training and broadly cultured intellectual ability.

Phi Alpha Delta is noted among the professional fraternities in consequence of the active interest of its alumni in fraternity affairs. It is distinctly true that one joining the organization in his student days expects to form acquaintances and establish friendships

that will last throughout life and become finer and more enduring as the years pass. Surely there can be no friendships so enduring and no associations so permanent as those among cultured gentlemen of outstanding ability in ones own profession. And no man can be a lawyer of outstanding ability who has not applied himself from his youth to the attainment of legal scholarship.

The writer will welcome suggestions from the members of both active and alumni chapters as to the best methods of establishing and maintaining a high grade of scholastic attainment.

IN MEMORIAM JOHN C. DUNIWAY

On Friday, October 10th, after a brief illness, there passed away in San Francisco, Brother John C. Duniway of Holmes Chapter of the Phi Alpha Delta Law Fraternity, one of the leaders of the junior bar. Duniway had a brilliant future before him and his untimely passing leaves not only his colleagues of the junior bar but the older members of the profession who had had the opportunity of contacting him, deeply grieved that one so young should have been taken in the first flowering of his youth.

John C. Duniway was born at Stanford University, the son of Prof. Clyde Augustus and Caroline (Cushing) Duniway, his father at that time being professor of history at Stanford. He was educated in the schools of Palo Alto and at Stanford University. He was a Rhodes scholar from that institution and spent a portion of his collegiate career at Queens College, Oxford.

Returning to the United States, he took his law course at Stanford University Law School and was admitted to practice in California by the District Court of Appeals.

Upon his admission he became associated in the practice of the law with his uncles, O. K. and Charles S. Cushing, and from the beginning gave evidence that he had a brilliant career before him. Early in his professional life he interested himself in bar association affairs. It was through his initiative that the Barristers Club, the junior group of the Bar Association of San Francisco, was organized. Mr. Duniway was the first president of this organization and was a member of its Board of Directors at the time of his death.

He was also deeply interested in civic affairs and at the time of his death was working on a plan to find situations for the unemployed. That a life so full of promise should have been thus snuffed out is a matter for the deepest regret.

OUR POLITICAL MIRROR

J. R. S.

The general election which was held on November 4, 1930, brought success to many members of the fraternity throughout the entire United States.

Brother Albert E. Carter (Temple) of Oakland, California, was re-elected on the Republican ticket as Representative in Congress from the Sixth District. He is serving his third term.

Brother Frank M. Ogden (Temple) of Oakland, California, was elected as Judge of the Superior Court of Alameda County. Recently he was inducted into office as Judge of the Superior Court following his appointment by Governor C. C. Young to fill the vacancy caused by the death of Judge Edward W. Engs. He will serve by appointment until January when he will be sworn into office for the term to which he has been elected. He was initiated as a member of Jackson Temple Chapter of the fraternity in 1917, afterwards going into the service. He served until 1922 as Captain and Judge Advocate, and has been in civil life since then.

Brother Merwyn H. Brown (Holmes) of Winnemucca, Nevada, was elected District Attorney of Humboldt County.

Brother Fred J. Babcock (Kent) of Lewiston, Idaho, was elected Attorney General of the State of Idaho on the Republican ticket. He was graduated from the College of Law of the University of Idaho in 1916. He taught school before and after the war, following his service as an officer in the Artillery. He was elected County Attorney of Nez Perce County in 1926 and was re-elected to that office in

1928, when he resigned to enter the office of the Attorney General at Boise. He is now an Assistant Attorney General and will assume the duties of the office of Attorney General on January 5, 1931.

Brother Clarence J. Taylor (Kent) of Rexburg, Idaho, was elected District Judge of the Ninth Judicial District of the State of Idaho.

Brother Isaac E. McDougall (Kent) of Pocatello, Idaho, was elected Prosecuting Attorney of Bannock County.

Brother Teller Ammons (Hughes) of Denver, Colorado, was elected to the State Senate. He is an ex-service man and a Captain in the Organized Reserves of the United States Army. During the past years he has been Assistant Public Trustee of Denver. He is a son of former Governor Ammons.

Brother Malcolm E. Collier (Hughes) of Denver, Colorado, was elected to the Lower House of the Colorado State Legislature.

Brother W. P. Lambertson (Marshall) of Fairview, Kansas, was re-elected on the Republican ticket as Representative in Congress from the First District. He is serving his first term.

Brother Fletcher B. Swank (Harlan) of Norman, Oklahoma, who is a member of the law firm of Swank & Nelson, was elected as Representative in Congress from the Fifth District. He is a Democrat and has served in the

67th to the 70th Congresses inclusive. He was defeated by Honorable U. S. Stone, a Republican, in the landslide of 1928. His majority in the recent election was more than eleven thousand votes.

Brother C. Jasper Bell (Benton) of Kansas City, Missouri, who is a member of the law firm of Nourse & Bell with offices at 720 Commerce Building, was elected Judge of the Circuit Court at Independence, Missouri. He is a Democrat. He was elected by a majority of over 50,000 votes.

Brother Ned A. Stewart (Lurton '27) of Lewisville, Arkansas, was elected State Senator from the 21st Senatorial District of Arkansas. Brother Stewart is the junior member of the law firm of Atkins & Stewart with offices in the Arkansas Bank Building at Hope, Arkansas, and the First National Bank Building at Lewisville. He was a delegate to the St. Louis convention. Brother Stewart is a very capable young man. He has an exceedingly fine personality and we predict additional honors for him in the future. He is a Democrat.

Brother William P. Holaday (Magruder) of Danville, Illinois, was re-elected to represent the Eighteenth District in Congress. He succeeded the late Honorable Joseph G. Cannon, one time Speaker of the House of Representatives and is serving his fourth term in Congress. His majority was around 9,000. He is a Republican.

Brother Burnett M. Chipfield (Magruder) of Canton, Illinois, was elected to represent the Fifteenth District in Congress. He was elected to fill a vacancy and also for a full term which

begins on March 4, 1931. He assumed his duties on December 1, 1930. He is a former member of Congress, having served as Congressman at Large from 1915 to 1917. He is a Republican.

Brother Glen J. Cameron (Magruder) of Peoria, Illinois, was re-elected County Judge of Peoria County. He is a Republican.

Brother Frederick O. Mercer (Magruder) of Lewistown, Illinois, was re-elected County Judge of Fulton County on the Republican ticket. He is serving his first term and has made an able record.

Brother Leon A. Zick (Fuller) of Polo, Illinois, has been re-elected County Judge of Ogle County on the Republican ticket. Oregon is the county seat. He has a host of friends over northwestern Illinois and is well liked by the members of the bar.

Brother Richey V. Graham (Blackstone) of Chicago, Illinois, was elected to the State Senate from the 19th Senatorial District. His majority over his Republican opponent was 49,908. His district is the second largest in the state and his majority is the largest majority ever given a candidate for the State Senate. He has served one term in the lower house of the General Assembly of Illinois and made a good record.

Brother David E. Shanahan (Webster) of Chicago, Illinois, has been re-elected as Representative in the General Assembly from the Ninth District. He has served in the General Assembly since his election in 1894. He has served five terms as Speaker of the House and is one of the best

known Republicans in the state.

Brother Edgar A. Jonas (Webster) of Chicago, Illinois, was re-elected as an Associate Judge of the Municipal Court of Chicago. He is considered the ablest judge on the Municipal Court and has long been active in Republican politics. He is a past Supreme Justice of the Fraternity.

Brother John H. Lyle (Webster) of Chicago, Illinois, was re-elected on the Republican ticket as an Associate Judge of the Municipal Court of Chicago. He has been presiding over the Felony court branch for several months and has waged a relentless fight against the gangsters and well known criminals. Only a very few Republican candidates were successful and Brother Jonas and Brother Lyle were among the fortunate ones.

Brother Jay A. Schiller (Story) of Chicago, Illinois, was elected as an Associate Judge of the Municipal Court of Chicago. There were 24 candidates for the office and Brother Schiller received the second highest number of votes. He is a capable lawyer and is a former Corporation Counsel of Chicago.

Brother J. William Brooks (Fuller) of Chicago, Illinois, was elected as an Associate Judge of the Municipal Court of Chicago on the Democratic ticket. In January, 1927, he was appointed as Assistant Judge of the Probate Court of Cook County and served in this position until he assumed his duties as Associate Judge of the Municipal Court on December 1, 1930. He is well qualified and will make an able record.

Brother Joseph A. Graber (Story)

of Chicago, Illinois, was elected as an Associate Judge of the Municipal Court of Chicago. He is a Democrat and was admitted to the bar in 1906. He is an experienced lawyer and has the temperament and capacity to make a good judge.

Brother Daniel Ryan (Blackstone) of Chicago, Illinois, was elected as a member of the Board of County Commissioners of Cook County. He is a Democrat and was elected to the Board in 1923 to fill a vacancy caused by the death of his father who was President of the Board but was defeated in 1926. He is the Vice-President of an insurance agency with offices in the Insurance Exchange Building.

Brother Eugene A. Clifford (Ryan) of Juneau, Wisconsin, was elected to the State Senate from the 13th District, which comprises Dodge and Washington counties. He defeated Senator William H. Markham of Horicon, who is a prominent Republican and was a candidate for the United States Senate against Senator Robert M. LaFollette in 1928. Brother Clifford received his support from the LaFollette progressives in the district.

Brother Fred Krez (Ryan '26) was elected Assemblyman from Sheboygan County, Wisconsin, being a staunch Republican and residing in the vicinity of the famous Kohler village.

Brother Leonard F. Schmitt (Ryan '28) of Merrill, Wisconsin, was elected District Attorney of Lincoln County.

Brother Jerome W. Fox (Ryan '30) was elected Assemblyman from Calumet County, Wisconsin, on the Democratic ticket.

Brother Olger B. Burtness (Corliss) of Grand Forks, North Dakota, was re-elected on the Republican ticket as Representative in Congress from the First District. His majority was almost three to one. He is serving his fifth term.

Brother Keith Lawrence (Hay) of Cleveland, Ohio, was elected to the House of Representatives of the General Assembly of the State of Ohio. He is a Democrat.

Brother Stanley Struble (Chase) of Cincinnati, Ohio, who has served with distinction on the Common Pleas Court of Hamilton County for the past twelve years, was re-elected for a third term by a large majority.

Brother Louis Nippert (Chase) of Cincinnati, Ohio, was re-elected to the House of Representatives of the Ohio General Assembly from Hamilton County. He received the highest number of votes cast for the various candidates.

Brother Howard D. Porter (Chase) of Cincinnati, Ohio, was also re-elected to the House of Representatives of the Ohio General Assembly. He represents Hamilton County.

Brother Forrest E. Ely (Chase) of Batavia, Ohio, was re-elected for a second term as Prosecuting Attorney of Clermont County.

Brother C. Donald Dilatush (Chase) of Lebanon, Ohio, was re-elected Prosecuting Attorney of Warren County for a third term.

Brother Zellmar G. Morgenthauer (Chase) of Hamilton, Ohio, was elected Prosecuting Attorney of Butler County by a large majority.

Brother Andrew J. Montague (Jefferson) of Richmond, Virginia, was re-elected on the Democratic ticket as Representative in Congress from the Third District. He began his present service in Congress on March 4, 1913. He is a former Attorney General and Governor of Virginia. He is one of the most distinguished members in Congress and is a member of the important Committee on the Judiciary.

Brother Everett Lewis (Magruder) of Christopher, Illinois, has been elected County Judge of Franklin County, the county seat of which is Benton. He is a Democrat.



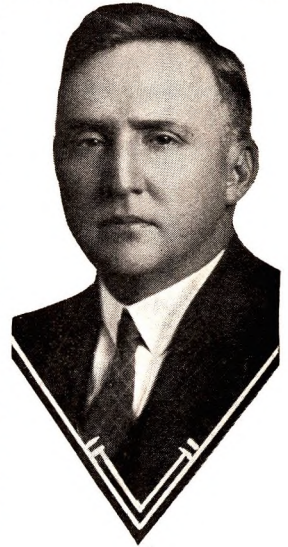


PARLEY P. ECCLES

Brother Eccles well known, Salt Lake City, Utah, attorney. Member of the law firm of Romney, Nelson & Eccles. He was born in Salt Lake City, Utah, August 19, 1894. He became a member of the John Jay Chapter in 1922. He was graduated from the Law School of George Washington University in June, 1924. Brother Eccles has had a wide and valuable experience in United States Senate. He has been clerk of the Committee on Public Lands and Surveys, Clerk of the Committee on Finances, and Clerk of the Veteran's Relief legislation. He began the practice of law in Salt Lake City in 1926.

DECATUR H. RODGERS

Brother Rodgers, Judge of the Twenty-third Judicial Circuit of West Virginia, was born in Texahaw, South Carolina, on August 13, 1890. He was graduated from Ogden College in 1910 with the degree of Bachelor of Arts and received his law degree from the University of Virginia in 1913. He was made a member of Thomas Jefferson Chapter in the fall of 1911. He wrote law for the Michie Law Publishing Company for a few months after graduation. In the fall of 1914 he opened a law office at Martinsbury, West Virginia, where he now resides. He served in the army during the World War. He married Miss Anna L. Lancaster on August 24, 1917, they have four children. Brother Rodgers is the youngest man to serve as Circuit Judge in the State, having commenced his services in 1925.



WILLIAM W. GALLAGHER

Brother Gallagher of Portland, Maine, is an Assistant United States Attorney for the District of Maine. He was born at Limestone, Maine, on June 3, 1890. In 1914 he entered Law School at the University of Maine. He was initiated as a member of Hannibal Hamlin Chapter and served as Justice during his second year. He entered the Law School of Yale University in 1916 and was graduated from that institution in 1917. He is a veteran of the World War. He practiced law at Norway until 1922 at which time he was appointed Assistant United States Attorney for the District of Maine. He maintains an office in the Press Herald Building at Portland for the general practice of law.

TWENTY YEARS AGO—

Honorable Adelor J. Petit of Chicago, Illinois, Judge of the Circuit Court of Cook County, was initiated as an honorary member of Webster Chapter. Today, he is the senior member of the law firm of Petit, Petit & Olin with offices at 33 South Clark Street.

Brother Ivar N. Nelson of Chicago, Illinois, was Vice Justice of Webster Chapter. Today, he is engaged in the practice of law with offices in the First National Bank Building.

Mr. Harry Harmon of Chicago, Illinois, was initiated as a member of Webster Chapter along with Mr. Frank A. Marnell, Mr. Frank G. Anderson, Mr. W. H. Botham and Mr. Daniel E. Mielke. Today, Brother Harmon is the senior member of the law firm of Harmon & Emery with offices at 30 North Dearborn Street.

Brother Robert E. Kennedy (Ryan) of Superior, Wisconsin, was Assistant District Attorney of Douglas County. Today, he is District Attorney and has been for some years.

Brother George W. Blanchard (Ryan) of Edgerton, Wisconsin, was married to Miss Helen Sherman of Stevens Point on Saturday, November 5, at the home of the parents of the bride. Today, he is still engaged in the practice of law at Edgerton.

Mr. Robert P. Clark of Elroy, Wisconsin, was initiated as a member of Edward G. Ryan Chapter at the University of Wisconsin. Today, he is County Judge of Juneau County, Wisconsin, with headquarters at Mauston. Mr. William H. Spohn of Janesville, Wisconsin, was initiated at the same time. Today, he is a member of the law firm of Bagley, Spohn & Reed at Madison.

Brother W. Howard Demarest (Rapallo) of Newark, New Jersey, was admitted to practice law in the State of New Jersey. Today, he is engaged in the practice of law at Newark with offices in the Kinney Building. He served as District Justice of the Eastern District under Supreme Justice Rex G. Hardy.

Brother Edward E. Fay (Rapallo) of New York City was admitted to practice law in the State of New York. Today, he is engaged in the practice of law in New York City with offices at 63 Wall Street.

Brother Thomas W. Constable (Rapallo) was graduated from New York University with the degree of Master of Laws. Today, he is engaged in the practice of law at New York City with offices at 60 Wall Street. He is also Justice of the New York Alumni Chapter.

Brother Jesse C. Adkins (Taft) of Washington, D. C., was a member of the faculty of Georgetown University. Today, he is an Associate Justice of the Supreme Court of the District of Columbia.

Brother Jesse F. Dyer was Vice Justice of William Howard Taft Chapter at Washington, D. C. Today, he is a Lieutenant Colonel in the United States Marine Corps.

Brother Howard P. Wright was Clerk of William Howard Taft Chapter. Today, he is Deputy Prohibition Administrator at Atlanta, Georgia, and also Justice of the Atlanta Alumni Chapter.

Brother Jo Baily Brown was Financial Secretary of William Howard Taft Chapter. Today, he is engaged in the practice of law at Pittsburgh,

Pennsylvania, with offices in the Farmers Bank Building.

Brother William M. Storm was Justice of Thomas Jefferson Chapter at the University of Virginia. Today, he is State's Attorney of Frederick County, Maryland, at Frederick.

Brother Charles K. Seaman, Jr., was Clerk of the Thomas Jefferson Chapter. Today, he is engaged in the practice of law at Perth Amboy, New Jersey.

Brother Isaac R. McQueen (Jefferson) was engaged in the practice of law at Mountain City, Tennessee. Today, he is the senior member of the law firm of McQueen & Kidd with offices at 1009 Colcord Building at Oklahoma City, Oklahoma.

Brother Daniel I. Gould (Hamlin) was a Lieutenant in Company G, Second Regiment of the National Guard of the State of Maine. He was also in the law book business. Today, he is engaged in the practice of law at Bangor, Maine.

Brother Donald F. Snow (Hamlin) of Bangor, Maine, gave an address before the Hannibal Hamlin Chapter. Today he is congressman from the 4th district of Maine.

Brother Wilfred H. Conary was Clerk of the Hannibal Hamlin Chapter. Today, he is engaged in the practice of law at Norway, Maine.

Brother Walter S. Gedney of New York City was Clerk of Rapallo Chapter. Today, he is engaged in the practice of law at 38 Park Row. He is also a member of the Assembly of the State of New York.

Brother Oscar W. Hoberg (Magruder) of Peru, Illinois, published his first issue of the Phi Alpha Delta.

Quarterly. He had been elected Editor-in-Chief at the convention in July. Today, he is engaged in the practice of law at Peru.

Mr. Frank E. Northrup of Grand Island, Nebraska, was initiated as a member of John Marshall Chapter at the University of Chicago. Today, he is engaged in the practice of law at Council Bluffs, Iowa. He is County Attorney of Pottawattamie County.

Mr. LeRoy B. Young of Salt Lake City, Utah, was initiated as a member of John Marshall Chapter. Today, he is engaged in the practice of law at Brigham, Utah. He has also served as Prosecuting Attorney of Box Elder County.

Mr. Chester L. Smith of Hutchinson, Kansas, was initiated as a member of John Marshall Chapter. Today, he is engaged in the practice of law at Kansas City, Missouri, with offices in the Grand Avenue Temple Building.

Brother Harry C. Moran (Magruder), Judge of the City Court of Canton, Illinois, gave an address before a banquet of John Marshall Chapter. Today, he is engaged in the practice of law at Chicago with offices at 112 West Adams Street.

Mr. Adrian L. H. Bushmann of East St. Louis, Illinois, was initiated as a member of Benjamin D. Magruder Chapter at the University of Illinois. Today, he is a member of the law firm of Oakley, Bushmann & Frank at St. Louis, Missouri.

Brother Charles B. Fullerton (Magruder) was active in the arrangements for the Homecoming celebration at the University of Illinois. He served on the Committee on Finance. Today, he is general attorney for Montgomery Ward & Co. at Chicago.

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Rex Hardy

To the old timers active in the affairs of the fraternity little can be said of Rex Hardy which they do not already know. He is now a member of the Board of Trustees of the Endowment Fund.

Brother Hardy was born in Texas, January 31, 1890. His family moved to Chicago in his early boyhood. He was educated in the common schools of Chicago, after which he entered the Staunton Military Academy at Staunton, Virginia, taking the full academic course and was graduated in June, 1908. He entered the Illinois College of Law in September, 1908, and was initiated a member of Joseph Story Chapter in October of that year. He held all of the various offices of Story Chapter, with the exception of Justice. In February, 1910, he moved from Chicago to Los Angeles and entered the University of Southern California, where he finished his law course, graduating with the LL.B. degree in June, 1911. When he entered U. S. C. he found Phi Delta Phi and Delta Chi strongly entrenched, with substantial chapters very active in the school life. He immediately interested himself in the organization of a chapter of Phi Alpha Delta and as a result Erskine M. Ross Chapter was installed on March 11, 1911. In the meantime he had been working in connection with



Past Supreme Justice George Stewart in San Francisco for the installation of chapters at the University of California and at Stanford University and in March, 1912, Holmes and Temple Chapters were installed with Hardy as one of the installing officers. He was Ross Chapter's first delegate to a National Convention in Chicago, 1911, and served in most of the offices of Ross Chapter, and was largely instrumental in the organization of the Los Angeles Alumni Chapter. He was one of the

committee of arrangements and on way and means for the 1915 convention at San Francisco. He was a delegate from the Los Angeles Alumni Chapter to that Convention and was appointed the first District Justice of the Pacific District following the 1915 convention. He promoted and held the first assembly of the Pacific District in June, 1916, at Portland, Oregon, and held the office of District Justice continuously until the summer of 1922. He was elected Supreme Vice-Justice at the 18th Biennial Convention at Kansas City in 1921, and although at that time the Supreme Vice-Justice was not a member of the Supreme Executive Board he rendered much assistance in the administration of the fraternity work. He installed Knox Chapter at the University of Arizona with Brother Fawcett, Supreme Justice at that time.

Hardy was frequently mentioned as in line for Supreme Justice at the 19th Convention but was called to Central America on a business trip just prior to the convention and requested his friends to refrain from presenting his name to the convention. He was, however elected as a member of the Board of Tribunes at that Convention and was elected Supreme Justice at the 20th Convention at St. Louis.

During the World War he entered the second officers' training camp at the presidio of San Francisco in August, 1917. He was commissioned Captain of Infantry in November, 1917, and served at Camp Lewis, Camp Fremont, Camp Mills, Army Supply Base, Norfolk, Virginia, Camp Stewart, Camp Morrison, and as Assistant Provost Marshal of the Port of Debarkation at

Newport News. He was honorably discharged as Captain of Infantry in April, 1919, and now holds a commission as Major of Infantry in the Reserves.

On April 16, 1912, he was married to Dorothy F. Simpson of which marriage there are three children. He has been actively engaged in the practice of law in Los Angeles since his admission to the Bar in January, 1911, and is now the head of the prominent law firm of Hardy, Elliott and Eberle, with offices at 535 Van Nuys Bldg., Los Angeles. It is interesting to know that four of the five partners and associate lawyers of this firm are members of our Fraternity and that Hardy's brother, a practicing lawyer in that city is also a loyal member of Phi Alpha Delta.

TWENTY YEARS AGO (Continued)

with offices at 618 West Chicago Avenue.

Mr. Will M. Albert of Vandalia, Illinois, was initiated as a member of Charles Laban Capen Chapter at Illinois Wesleyan University at Bloomington, Illinois. Today, he is State's Attorney of Fayette County at Vandalia.

Brother George E. Fink (Story) of Chicago, Illinois, was initiated as an honorary member of James V. Campbell Chapter at the University of Michigan. Today, he is Second Vice President of the Foreman-State Trust & Savings Bank at Chicago.

Brother Abner Dilley, a Delta Tau Delta from Baker University, was initiated as a member of James V. Campbell Chapter at the University of

Michigan. Today, he is engaged in the practice of law at Grand Rapids, Michigan, with offices in the Michigan Trust Building. He is a member of the firm of Dilley, Souter & Dilley.

Brother John Doyle Carmody (Taft) of Washington, D. C., was Supreme Justice of the Fraternity, having been elected at the convention at Chicago in July. Today, he is a Major in the United States Army and is stationed at Los Angeles, California.

Brother J. F. T. O'Connor (Calhoun) of Grand Forks, North Dakota, was Second Supreme Vice Justice of the Fraternity, having been elected at the convention at Chicago in July. Today, he is a member of the law firm of McAdoo, Neblett & O'Connor at Los Angeles, California, with offices in the Bank of Italy Building.

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IN MEMORIAM ROBERT F. DUNCAN

Mr. Robert Frank Duncan, 26, of Hopewell, Va., president of the law school student body and a leader in all phases of campus activity at Emory University, died Friday morning, October 10th, 1930, at Wesley Memorial Hospital after an illness of several weeks' duration.

His death came as the result of complications which had their inception in a tonsil operation three weeks earlier, and was not unexpected by friends and relatives who had been in constant attendance at his bedside for several days.

Coming to Atlanta from Hopewell, Va., in the fall of 1928, Mr. Duncan matriculated as a freshman in the Lamar School of Law at Emory University. He had previously attended Randolph-Macon College, at Ashland, Va., and Washington and Lee University at Lexington, Va., at both of which institutions he had distinguished himself as an athlete, student and campus leader. An enthusiastic follower of all branches of athletics, he had devoted his principal attention to boxing and had risen to the rank of intercollegiate boxing champion of Virginia.

He had represented Randolph-Macon College in numerous forensic contests prior to his transfer to Emory and upon his arrival on the local campus entered at once into the debating activities of the university. He repre-

sented Emory in a number of important debates during the 1929-30 school year, including contests with representatives of the University of Alabama, Wertenburg College, and the University of Kentucky. The graciousness of his personality and the multiplicity of his talents won him instant popularity among the Emory students. Within a year after his matriculation he had been elected a member of the student activities council, the governing board of the university, and in the spring of 1930 was elected president of the law school student body without opposition.

He was a member of the Sigma Phi Epsilon Fraternity, the Phi Alpha Delta National Law Fraternity, the Tau Kappa Alpha National Forensic Fraternity, the Irumas Social Club and numerous other honorary and professional societies.

A special memorial service was held by students in the Lamar School of Law Saturday morning, and students and faculty-members from other branches of the university attended. Hartwell Davis, law school senior went to Hopewell, Va., to attend funeral services as representative of the university.

Mr. Duncan is survived by his parents, Mr. and Mrs. F. G. Duncan; a sister, Mrs. C. A. Crump, all of Hopewell, Va.; a brother, Edgar E. Duncan, of Perryville, Md., and four nieces.

ARTHUR J. TUTTLE

The Fraternity has been very fortunate in having taken into the organization some of the established leaders of the profession whose interest and kindly suggestions have greatly aided in shaping the policy of the Fraternity. One of the most lovable of these characters is the Honorable Arthur J. Tuttle, Judge of the United States District Court for the Eastern District of Michigan.

Judge Tuttle was born at Leslie, Michigan, on November 8, 1868. He is the son of Ogden Valorous and Julia (McArthur)

Tuttle. He graduated from the Leslie High School in 1888. He received his Ph.B. degree from the University of Michigan in 1892, and his LL.B. degree from the University of Michigan in 1895. He was granted the LL. M. honorary degree from the same University in 1930.

In March, 1903, he was married to Miss Jessie Stewart, who died October 24, 1912. To them were born two daughters, Ruth Beatrice and Esther Louise, both daughters are following their fathers' profession.

Judge Tuttle engaged in the practice of law in Leslie, Michigan, in 1895, in 1899 he extended his law practice to Lansing, Michigan. He was a member of the law firm of Tuttle, McArthur & Dunnebacke, at Lansing from 1907 to



1912. He was prosecuting attorney of Ingham County for two terms during 1899 to 1902. He served as State Senator from 1907 to 1910. He was appointed United States District Attorney for the Eastern District of Michigan in 1911, and United States District Judge over the same district in 1912. This position he now holds.

He is a member of the Council of American Law Institute, American Bar Association, Michigan State Bar Association, Detroit Bar Association, and an Honorary

Member of the Lawyers' Club of University of Michigan, Ann Arbor, Michigan.

He is a member of the following national Fraternities: Sigma Alpha Epsilon; Phi Alpha Delta Law Fraternity; Phi Beta Kappa College Society; Phi Phi, National Senior Society; Pi Gamma Mu, National Social Science Honor Society.

He takes an active part in civic affairs as shown from his membership in the following organizations: Detroit Public Safety, Detroit Automobile Club, American Game, Protective and Propagation Association, National Geographic Society, National Association of Audobon Societies, Sons of American Revolution, American Red Cross, American Shorthorn Breeders'

Association, Michigan State Horticultural Society, Chester White Swine Breeders' Association.

We have been endeavoring to get the Judge to furnish us a column in which he would give us some of his wholesome philosophy of life as he has acquired it from his close contact with nature. The following letter explains why it can not be done in this issue, however, we hereby notify the Judge that we will expect an article in the next issue telling us of the success of his annual deer hunt.

"Dear Brother Hatcher:-

Your letter of November 1st reaches me. I am still swamped with work. Sometimes I think I always shall be. Perhaps it is just a habit. I always take on more things than I can possibly do. I am asking my secretary to look up the letter to which you refer and send it to you together with any other "canned" information we have hanging around about myself. I do not yet know just what she will find, but we try to keep the statistics relative to myself pretty well up to date and I believe it will cover all the high spots. Right now I am trying to hold court at both Bay City and Detroit, jumping from one place to the other

in order to try to get things in shape so that I can journey to the woods for my annual deer hunt. That season opens on November 15th. I am trying to turn over a new leaf—do fewer things and do each one better; but it does not seem to satisfy my friends at all. I went out to Ann Arbor last week on Tuesday night and talked to the Barristers, which is an organization of the senior law class. Five of our P.A.D.'s from Campbell Chapter are members. I enjoyed meeting these young fellows immensely and talking to them, yet that was an added draft upon my energy. I spent Thursday and Friday in Chicago attending a sectional meeting of the American Law Institute. The work was very interesting and the cause is worth while. I was associated with some very fine college professors, lawyers and judges. All of these things are very fine, but I really need another judge to divide up my time and tell me each morning just where I am to work. The distribution of time, which means little more than when we say "no", is one of the most difficult parts of my daily routine.

"With best wishes always, I am
Very sincerely and fraternally
yours,

ARTHUR J. TUTTLE."

TWENTY YEARS AGO (Continued)

Brother Walter L. Pope was Clerk of the John Marshall Chapter. Today, he is engaged in the practice of law at Missoula, Montana.

Brother Ode L. Rankin (Story), young Chicago lawyer, was the Democratic candidate for Probate Judge of Cook County. The phenomenal showing that he made against Judge Charles S. Cutting was one of the great surprises. Today, he is engaged in the practice of law with offices at 10 North Clark Street. He has been active in Democratic politics.

Brother John M. Langsdale, Jr., was Historian of Benton Chapter at the Kansas City School of Law. Today, he is a member of the law firm of Bellemere & Langsdale with offices in the Scarritt Building at Kansas City, Missouri.

Brother John B. O'Rourke was Clerk of Julius C. Gunter Chapter at the University of Colorado. Today, he is engaged in the practice of law at Durango, Colorado. He has also served as a Referee in Bankruptcy.

THE TRIAL OF WARREN HASTINGS

By Robert Stone

Warren Hastings was born in England in 1732. His Mother died at his birth. His Father left him an unwelcome charge upon his uncle, Howard Hastings, a clerk in the customs house. The boy received a primary education in Westminster School where he showed brilliant talents. But when he was seventeen his uncle died and his new guardian found a position for him as a "writer" (clerk) for the East India Company in its offices in Calcutta, Bengal. His teacher, who recognized his unusual talent, insisted upon giving him a short special training before he sailed. The boy arrived in that strange, far distant city in 1750, to make it his home for more than thirty-five years, treading the stairway of advancement until in 1774 he became the First Governor General of Bengal with a salary of \$150,000, a position which he held until 1785. In 1787 he was impeached by the House of Commons.

His trial began before the House of Lords February 13, 1788. It was held at irregular intervals covering seven years, ending in his acquittal in April, 1795, having consumed one hundred forty-eight days of active trials. For prominence of participants, brilliance of performance, scope of interests, places and issues involved, for extent of time of trial and monies expended in prosecution and defense, it is without parallel in judicial procedure.

A short list of men and places involved will give a faint notion of the setting; England, India, France, London, Bengal, Calcutta, Benares, Delhi, Lucknow, Westminster Hall, Lord Clive, Cornwallis, Burke, Pitt, Fox, Lord Thurlow, Lord Ellenborough, Chief Justice Impey, Nundcomar, the Grand Mogul, The Vizier, the begums, nabobs, zemindars and sepoys, The Lord Chancellor, Lord Loughborough, the Queen and Warren Hastings.

Between the time when Warren Hastings, the school boy, took his seat at the "writers" desk in Bengal in 1750 and the long delayed hour of his acquittal by the House of Lords in 1795, stirring events had transpired and many renowned men walked across the world's stage.

The loyal American Colonies had helped England win the French and Indian War, had then resolutely revolted, established a new nation and adopted a new constitution. Washington, Jefferson, Franklin, Hamilton and a score of other unknown American colonists had written their names large in the world's history.

Louis XV, after a useless life of debauchery, had died and Louis XVI with his beautiful bride had ascended the Bourbon throne, only to find that a crown cannot save a head from the guillotine. The Bastille had fallen. The French Republic had arisen, soon itself to perish a victim of its own violence.

Admiral De Grasse, after helping Washington cut off the British army at Yorktown, had scoured the sea, sweeping it clean, until Admiral Rodney with his thirty-six ships in line met him off one of the islands of the West Indies and fought the greatest sea battle to that hour in English history, thereby making England again mistress of all the oceans.

The story of Warren Hastings is the story of India in its most interesting period.

India has always been a land of fable, mystery and romance. It is the land of Lalla Rookh and the Veiled Prophet of Khorassan, of Feramorz and Nourmahal, the Light of the Harem. It is the land of Gunga Din and Tommy Atkins.

It is famous for the heroism of British soldiers in the defense and relief

of Lucknow. It is infamous for the barbarity of the black hole of Calcutta, where one hundred and twenty-four British subjects were suffocated in a single night.

It is bounded on the north by the Himalayas, and its nose reaches fifteen hundred miles into the sea, giving it three thousand miles of coast. Its area is comparable with Western Europe. It has a population of 290,000,000. Its mountains are the highest in the world. Its great rivers, the Indus, the Ganges and the Bramaputra, have broad, fertile valleys forming broad deltas at the sea. One section has the heaviest rainfall in the world (520 inches), while other portions are subject to drought and famine. Its princes are rich and its people are poor. It is the seat of earliest learning and the home of superstition. In the dawn of history it was peopled by an Aryan race. Alexander the Great made it his goal. It has been invaded by the Arab, the Jew the Afghan, the Mongol, and exploited by the French and the English. It produced the largest diamond that ever dazzled the covetous eye of man, the Kohinoor. Its fabled wealth has made it always the victim of predatory tribes and nations. Europe was never able to exploit it to advantage because of the intervening robber Arab tribes until Columbus discovered America and the sea route to India was found around the Cape of Good Hope. In the 16th and 17th centuries, Spain, England and France began their race for Colonial possessions in America, in the islands of the seven seas and in Asia. The avowed purpose was the enrichment of the adventurers and through them of the nations to which they owed allegiance. In England charters were given to companies of traders who were thus given license to trade and sometimes were given title to the land. In America, we had The Virginia Company, The Massachusetts Company, and The Hudson Bay Company.

In 1600, Queen Elizabeth granted a charter to certain adventurers under

the title of "The Governor & Company of Merchants of London trading into The East Indies." They were given the right to purchase land without limitation and the monopoly of trade for fifteen years. In 1609, the charter was renewed and made perpetual. Their trade yielded 100 per cent clear profit. Under Charles II their charter was enlarged by giving them power to make war and peace with any native prince and people (not Christian) and to seize and send home any Englishman trading without licenses. This was a delegation of the highest prerogative of sovereignty. Its primary purpose was trade and commerce but it thus became a governmental agency. Abuse of such power and exploitation was a natural sequel. Clothed with these extraordinary powers the East India Company made treaties with the Grand Mogul. It levied tribute upon princes and collected taxes from principalities. It maintained British troops in India and if it could not over-awe the tribes by their presence it forced submission with their bayonets. It made alliances with certain tribes and joined them in the subjugation or extermination of others.

At the time of Warren Hastings, it was thus sovereign of thirty millions of people occupying three hundred thousand square miles. The Company was organized for profit. India was supposed to be an inexhaustible mine whose yield was only limited by the energy of the Company's agents in the field. The Company therefore expected and demanded ever increasing returns. Rich profits excited but did not satisfy its avarice. In fact, the people of India were impoverished by frequently recurring pestilence and famine and were weakened by internecine wars. They were bled white by all their exactions. The British agents were unable to produce more. The Company paid its subordinate employees small wages and so they fell often prey to the bribes of native princes who could buy exemption cheaper than pay the tribute. The Company income fell off and it asked

parliament for government aid. This led to two acts in 1773 by which the government gave financial aid and took over in a measure the affairs of the Company. It appointed a resident governing council (in India) of five with the governor general of Bengal as President. This put Hastings at the nominal head of the government. Three of the four parliamentary appointees, however, formed a cabal and violently opposed and criticized everything he did. Finally, one of them died. He had a duel with another (Sir Francis) wounding and sending him home to England, thenceforth a Parliamentary informer and instigator of the impeachment. Hastings was no mollycoddle. He was a man of iron. He now had arbitrary power, the power of taxation and of treating with subject nations, the power of life and death, and he exercised it. The French Trading Company was his company's rival and enemy. Native tribes rose in rebellion. The French declared a war on British India and sent ships and soldiers to force the issues. The natives revolted. Desperate means were needed. Hastings used them, and he saved the British Empire in India. But he had made bitter enemies. Nundcomar, a rich and powerful Indian prince made serious complaint to the British authorities, charging him with oppression. Before these charges could be heard, Nundcomar was arrested, charged with forgery, tried by Sir Elijah Impey, Chief Justice of British India, found guilty and executed. Impey was a personal friend and former schoolmate of Hastings. Gossip charged Hastings with judicial murder. Sir Francis, returned to England, and seated in the Commons, spread the gossip. Many other serious charges were made. Committees for investigation were appointed by the Commons as early as 1772, and in 1782 the Commons resolved that Hastings should be recalled. In 1785, he returned to England where he was received with great enthusiasm. On May 10, 1785, the Commons voted impeach-

ment and appointed their managers to conduct the case before the House of Lords.

The jurisdiction of the House of Lords to try such a case would by itself be an interesting subject for a legal paper. I shall not explore it far. The King's Courts and the House of Lords find their genesis in the Curia Regis of the Norman Dynasty. The Curia Regis, the council or court of the King, was a body which accompanied the king in his journeyings about England. It even followed him *outré mere*, or beyond the sea, to his continental domains. In theory it was composed of all his chief tenants and royal officers. In practice it was usually only his officers and those tenant lords who resided in the vicinity where he happened to be, or those who were especially summoned to his presence. The King was the head of the council, whose function it was to give him assistance and advice in the making of laws, the administration of government and the hearings of complaints and settlement of disputes. Its work was advisory. As the burdens of government became heavier, its advice was generally followed by the King, so that its resolutions needed only the King's seal to become laws and its settlement of disputes became the judgments of the King.

Among the King's officers were the justiciar, the chancellor and the justices. The justiciar was the vice-regent. He presided in place of the King when he was absent. The justices were his assistants. The Chancellor was the King's Secretary. He was called Chancellor because he sat in the King's audience room back of a screen or chancel. Thus composed and thus officered the Curia Regis exercised jurisdiction to try great cases, both civil and criminal. The famous cases of the Bishop of Durham and of Thomas a'Becket as well as the dispute of the Kings of Navarre and of Castile were tried before this body, which was court and legislature combined. By natural pro-

cesses which we have not time to follow the Curia Regis distintegrated and its judicial and legislative functions were separated. The justiciar became the chief justice and with his assistant constituted the King's Courts of Common Law. The Secretary became the Chancellor, the Keeper of the King's conscience, and with his assistants became the great courts of Chancery of England. The chief tenants became the House of Lords, whose chief functions were legislative. But when some royal officer or some lord was charged with crime it was thought best not to send him to the common court or to the Chancellor for his trial; first, because it was a humiliation he could not be compelled to suffer to be called to answer to judges who were beneath his station. He should be entitled to trial before his equals—his peers—therefore before *the* peers; second, his high position, his supposed proximity to the King, whose favor he enjoyed, gave him so great an influence that common judges might favor him too much and not give him the punishment he deserved.

So the Lords reserved to themselves the right to try the great causes and the great personages, the Chancellor presiding in place of the King. Because the King might wink at crime in royal officers, or favorite, the House of Commons reserved the right to file and prosecute the charges. This was the evolution of impeachment by the House of Commons and of trial by the House of Lords.

It provided a means by which the greatest favorites of the King or the most powerful ministers of state could be made submissive to law, as well as the humble citizen. In the early modern times, it was often used. From 1620 to 1715, there were fifty cases of impeachment brought to trial. The supremacy of the law was demonstrated. The English Constitutional law was thereby established. Its efficiency having been shown, its frequent

use has not been necessary. Like a birch switch in the school room, its principal use is its availability. Since 1715, there have been only four cases of impeachment brought to trial in England. They are those of Lord Macclesfield (1724), Lord Lovat (1746), Warren Hastings (1787), and Lord Melville (1805). Each of these was for crimes and not for political misconduct.

When, therefore, it was found by the House of Commons that Warren Hastings should be prosecuted for high crimes and misdemeanors committed in East India, it was at the same time determined that he should be tried by impeachment before the House of Lords because of the magnitude of the cause, the remoteness from London of the offense and because of the great wealth and powerful influence of the man.

The Commons impeached Hastings on twenty-two separate charges covering 426 printed pages. I shall not review them but shall refer to several of them in connection with the trial.

Before doing so, let me picture the place of trial and its opening ceremonial.

The trial was held in one of that noble group of Parliamentary buildings washed upon its eastern side by the river Thames. Across the street to the south and west stands Westminster Abbey, the crowded mausoleum of England's most honored dead—save Cromwell. His body, long after its interment there, was rudely dragged out by resentful royalty. But now his solitary statute stands in the Courtyard of Parliament as a silent warning against the aggression of princely prerogative. These buildings are approached from the north by Whitehall street, one of London's broadest and busiest thoroughfares. It comes from the Mall straight down to the Halls of Parliament, from whose twin towers, Big Ben sounds the unremitting march of time. It is the road by which the King comes from Buckingham Palace to open Par-

liament. In coming there he passes Trafalgar Square, where Nelson's monument lifts its lofty head; the Royal Academy of Art, where stands a statue of Washington; a little park in whose corner he may glimpse the majestic figure of Lincoln. He passes the barracks of the royal horse guards, in whose arch doorway, as immobile as a painted picture, always stands one of its troop, with red coat, white trousers and tall bear skin hat, chin strap, mounted upon a beautiful horse as motionless as its rider.

He now passes, with uncovered head, the stately cenotaph of those who lately died in France, built in the middle of the street, always loaded with wreaths and flowers. All this I saw (and hope you did) the other day in motion picture as the King and Queen rode along the route in the ancient horse drawn chariot of Tudor Kings to the opening of the Parliament.

The hall itself, Westminster Hall, where the trial was held, was built by William Rufus, son and successor of William the Conqueror. It is a part of Westminster Palace which once was the royal residence. In this hall thirty kings have held their coronation reception (the coronation itself takes place in Westminster Abbey). In it all the Chancellors of England have sat upon the wool sack. The most learned of their number, Lord Bacon, confessed to twenty-eight charges of bribery and was by the Lords disrobed and condemned never again to sit in Parliament or come within the verge of the court. It was to this Hall that Cromwell and his roundheads brought Charles I from his palace to hear his sentence of death in 1649.

In this same Hall in 1924, the bench and bar of England gave welcome to the American Bar.

It is a noble hall—high groined, with heavy timbers ninety feet above the floor, with cathedral windows in its four rectangular walls, which enclose one great room sixty-eight feet in width

and two hundred and ninety feet in length.

Those of us who witnessed in 1924 the procession of the Chancellor, the Lord Chief Justice, the Justices, the Judges, all bewigged and robed in ermine and scarlet preceded by pages and marshals and the bearer of the mace and followed by the long line of barristers and solicitors, some in wigs and gowns, and others in brilliant satin and velvet court dress with sword at side, can easily visualize the brilliant opening of the trial of Warren Hastings. At the request of Lords, the King had prepared the Hall. A double gallery had been built around the room. At one end three boxes with rich seats and canopies were erected. The one in the center was for the Lord Chancellor, the other two for the King and the Prince of Wales. When the Hour arrived, the Queen and her three daughters had already taken their seats. Two hundred of the Commons were in the gallery. The managers were all there in full dress. The leaders were Sheridan, the brilliant speaker and playwright, author of "The Rivals" and "A School for Scandal;" Fox, the leader of the party of freedom and Constitutional Government, whom Horace Walpole described a "hero in Parliament, at the gaming table, at Newmarket;" and Edmund Burke, the incomparable orator and champion of any people suffering from oppression. A party of horse guards and three hundred foot guards kept the avenues clear. Then with blare of trumpets the Lords in parliamentary robes entered—two hundred of them—marching two by two. They were preceded by their attendants, clerks, masters in Chancery, the Judges and Ushers and followed by the mace bearer and the Lord Chancellor with pages carrying his long train.

The Lords were seated. The Judges covered their heads with their massive wigs. The Sergeant at Arms opened court and then summoned—"Warren Hastings, Esq., to come forth in court

to save thee and thy bail, otherwise the recognizance of thou and thy bail will be forfeited."

He came between his two sureties and dropped upon his knees. He was dressed in a plain poppy colored suit of clothes.

It consumed two days to read the charges and the answers.

Burke opened for the prosecution. It was a masterful presentation of the whole case. He pictured India as England had never seen it before. They could see its swarming millions of sepoys, its tyrant princes, its nabobs and Rajahs, its Vizier—the Grand Mogul himself—all puppets in the grasp of the East India Company and paying unwilling tribute to that octopus. He described Warren Hastings as the head and front of the offending, exercising arbitrary power, disregarding treaty obligations, selling favors and encouraging tax gatherers in horrible oppression, in joining robbers in pillaging their victims, with accepting bribes and presents and with fraud and corruption in letting contracts.

He said that for fourteen years the Commons had been watching the affairs of India. They had tried legislation and admonition but enormities and oppression had increased as they had been forbidden, detected and exposed. For this impeachment they had selected aggravated offenses. "We charge this offender," he said, "with no crimes that have not arisen from passions, which it is criminal to harbor—crimes not against forms but against those eternal laws of justice" and "as for the criminal—we have not chosen to bring before you a poor, puny, trembling delinquent—an obscure offender—we have brought before you the first man in India in rank, authority and station—the chief of the tribe—a captain generosity of iniquity."

For four days he poured forth this indictment.

When he had finished, the first question of procedure arose. The managers

wished to try each charge separately. Hastings preferred that the prosecution should put in all its evidence first before he offered any.

Then followed the long and tedious trial. There were long speeches by Sheridan, Fox and other managers at the opening of each charge, telling the Lords what the prosecution proposed to show and after the evidence was introduced other speeches telling them what had been shown. There were many objections made to evidence.

Whenever an objection was made it was argued at length and the Lords then retired with due ceremony to their own Chamber for consultation and they then returned with pomp and ceremony on that or some other day to announce their decision. They would then gravely announce: "Let the cause proceed." So frequent were these objections and so pompous were these marchings of the Lords for consultation and decision that some wag remarked: "The Court proceeds while the case stands still." Then there were long vacations and affairs of legislation which required attention of Parliament. So the days ran into months and the months slipped into years until it seemed the case would never end.

Each year Hastings in person petitioned the Lords and sometimes the Commons to bring the case to a close before it ruined him financially and while he was still alive. This was not such an unreasonable suggestion for before the case was decided, one hundred and twenty-seven of the Lords had died.

In the midst of the trial, Parliament was prorogued. When the new Parliament assembled the question arose whether the impeachment did not abate. The Commons, after two months discussion, decided it did not and reappointed the same managers with instructions to continue the prosecution. The managers with one hundred Commoners waited on the Lords to notify them of the conclusion of the Commons. But

this did not bind the Lords who appointed a committee of lawyers to report the law. After several days the committee submitted a very long, tedious brief with all the precedents, pro and con. After it was read, one of the Lords said that he had a high regard for the gentlemen of the Long Robe, both past and present, who had responded in so many emergencies, but he must confess that the gentlemen of the law had obscured instead of explaining the question.

It took the Lords three months to conclude by a vote of forty-eight contents against sixty-six non-contents, not to abate the whole proceedings. And so the case proceeded.

On May 30, 1791, three years and three months after the case was opened, the managers announced they had closed their case. On the twenty-two charges leveled at Hastings, they had presented evidence on only four. They were:

1. That he violated a treaty with an independent prince, the Rajah of Benares, Cheyt Sing, by compelling him to pay excess tribute and then levied additional fines, and when he refused to pay, drove him from his throne.

2. That he inspired the Nabob of Oude to rob his own mother and grandmother, the begums (princesses) of Oude of \$5,000,000, all their treasure, and divided the loot.

3. That he had accepted valuable presents and bribes from the native begums and princes.

4. That he had sold monopolies in opium and salt and had been corrupt in his whole system of government.

Even this seems rather tame after the long and eloquent diatribes with which the case opened. It is not the first time that the onslaught of battle has not been equal to the sound of the tocsin. Mr. Hastings complained bitterly of the three years of prosecution but he had an easy time compared with the managers. They were better statesmen than lawyers. They were no match

in the court room for Mr. Law, (afterwards Lord Chancellor Ellenbrough) who was one of the ablest barristers in London. One witness after another whom they put upon the stand testified contrary to previous statements made to the Commons Committee, or inconveniently forgot all they ever knew about India. When the managers confronted them with signed statements, Mr. Law objected that they could not impeach their own witnesses. When they endeavored to refresh a forgetful witness, Mr. Law objected that it was leading.

Burke and Fox frothed and foamed. They claimed the Lords were not subject to the rules of evidence in lower courts. But the Lords retired and returned sustaining the objections.

Sometimes a witness on cross-examination would give most damaging testimony against them.

One day Mr. Burke charged Hastings with the judicial murder of Nundcomers. Mr. Law immediately objected to the remark that it was not within the charges. The Lords sustained the objection. Thereupon Maj. Scott, the personal friend and adviser of Hastings, presented a petition from Hastings to the Commons to censure Burke. After a debate filled with criminations and recriminations, running five days, the Commons voted the censure. The next day Burke rose and advised the Lords that by direction of the Commons, he withdrew the statement that the prisoner had murdered Nundcomer, adding that he never meant to accuse the prisoner of the specific crime which the *law* called *murder*. He had used the word murder because of the poverty of our language. He could find no word which would exactly convey his meaning and had used murder because he could find no *worse*, but he humbly begged the Lords not to impute to the Commons his weakness as their agent.

A year later when Burke was reporting to the Commons, the process of the trial, this same Maj. Scott, who had

now become Solicitor General and who was in the Gallery, broke into the discussion to contradict one of Burke's statements. Scott was called to order by the speaker. He then published a letter in "Woodfall's Diary." For this he was called to the bar of the Commons for publishing a scandalous and libellous paper, of which he was found guilty and was duly reprimanded.

So the managers were foiled in court by Mr. Law and harassed in Commons by Mr. Scott. They were unable to get their evidence into the record and barely able to retain their prestige with their clients, the Commons.

Burke complained of the Lords because they would not ignore or override technical rules of law in order to receive evidence which he claimed was sufficient to satisfy the conscience of the ordinary man and he complained of the Commons because he was repeatedly put upon the defensive to explain the progress, or lack of progress, of the case. He was in hard lines.

The prosecution having closed. Hastings in person read his defense. It was a confession and avoidance. He said—As to the oppression of Cheyt Sing and the extortion of excess tribute, it was true, but Cheyt was not an independent prince but only a zeminder, that is a vassal or tenant, therefore subject to increased rentals or tribute. British India was at war with France and he only called upon this zeminder to contribute to his over-lord's defense. Cheyt Sing refused to pay and he deposited him.

As to the begums. They were the rulers of Oude and conspiring with Cheyt Sing in his rebellion. He put the lawful heir on the throne and helped him put the old ladies out. Then, of course, the Nabob was called on and paid his tribute.

As to the bribes and presents: He received them—princely ones—it was the common custom—but he turned them all over to the East India Company.

As to the contracts: He did grant favors and monopolies in salt and opium and in army contracts but it was all for the benefit of trade and the increase of his Company's revenue, all to the profit of England.

This was the outline of his defense which his counsel put in evidence, but they were as slow as the managers and it was three more years before they had closed their case and another year, April, 1795, before the Lords entered judgment of acquittal.

The discussions of the Lords before reaching their judgment are very interesting and show a sharp division of sentiment. Lord Thurlow, who was Chancellor at the beginning of the trial, had been succeeded by Lord Loughborough. Thurlow is said to have been a personal friend of Hastings. In the discussions he criticized severely the loose manner in which he said the charges were drawn and said that no one should have made such charges without knowing he could prove them. Thurlow seemed to dominate the Lords over the opposition of Lord Chancellor Loughborough for on the vote only five others stood with the Chancellor for guilty while twenty-three voted not guilty.

Thus ended this famous trial. It cost Hastings 71,080 pounds, about \$355,000.00, and the solicitor's bill allowed by the Commons was nearly 45,000 pounds, about \$225,000.00. The record does not show whether this includes witness fees and expenses.

Hastings left the court acquitted but ruined.

The general instructions sent to Warren Hastings, as Governor General, by the East India Company, were:

"That in all your deliberations and resolutions, you make the safety and prosperity of Bengal your principal object, and fix your attention on the security of the possessions and revenues of the Company."

Such instructions gave him discretionary powers to promote the interests

of the Company and of the British Empire in India. Pursuant to these instructions, he used every end to increase the revenue of the East India Company and during his rule, he accomplished that purpose, increasing the annual revenue by about 2,000,000 pounds and saved the British Empire. He was Vice-regent there with plenary powers, charged with the knowledge that his principal, the East India Company, and his patron, the British government, demanded results.

As an interesting incident of the trial, there was an episode which illuminates this proposition. The publisher of a small paper, John Stockdale, published a pamphlet upon the trial, calling attention to the above instructions and said that Hastings preserved the Empire thus committed to his care. John Stockdale was arrested for libelous observations on the House of Commons. Erskine volunteered to defend him. His defense has a bitter indictment against his government, one sentence of which is as follows:

"If England, from a lust of ambition and dominion, will insist on maintaining despotic rule over distant and hostile nations, beyond all comparison more numerous and extended than herself, and gives commission to her viceroys to govern them with no other instructions than to preserve them, and to secure permanently their revenues, with what color of consistency or reason can she place herself in the moral chair, and affect to be shocked at the execution of her own orders; adverting to the exact measure of wickedness and injustice necessary to their execution, and complaining only of the excess as the immorality, considering her authority as a dispensation for breaking the commands of God, and the breach of them as only punishable when contrary to the ordinances of man?"

Respecting Hastings, he said:

"It may and must be true that Mr.

Hastings has repeatedly offended against the rights and privileges of Asiatic government, if he was the faithful deputy of a power which could not maintain itself for an hour without trampling upon both. He may and must have offended against the laws of God and nature if he was the faithful viceroy of an empire wrested in blood from the people to whom God and nature had given it; he may and must have preserved that unjust dominion over timorous and abject nations by a terrifying, overbearing, insulting superiority, if he was the faithful administrator of your Government, which, having no root in consent or affection—no foundation in similarity of interests—nor support from any one principal which cements men together in society, could only be upheld by alternate strategem and force."

This was Burke's last great public service. The next day after the submission of the case, he applied for the Chiltern's Hundreds and left Parliament forever. The House of Commons passed a vote of thanks to the managers for their long and arduous service. There was bitter opposition to including Burke in the thanks. This opposition was led by Maj. Scott and Mr. Law, Hastings' leading counsel. Law was very bitter in denouncing the language and method used by Burke in the prosecution. The vote, including Burke, however, was passed with a substantial majority.

Burke's speech of four days in opening the prosecution was perhaps the most elaborate and powerful in history. It finds a parallel only in the famous *Phillipics* of Demosthenes and the oration of Cicero against Cataline and his great prosecution of Verres, the Proconsul and oppressor of Sicily. Burke had made such an exhaustive study of the people, the intricate government and social life and customs and of the history of India that he spoke with convincing authority. He had a nature

which quickly responded to the cry of an oppressed people wherever they might be found. In the darkest struggle of the American Colonies for liberty, his speech on conciliation gave them strength and courage. He was intolerant of vice and corruption. When he became convinced that the Eastern Colonies were being exploited by the East India Company and that the honor of Great Britain was being sullied, his great indignation was aroused and he became the knight errant of India. With him it was more than the prosecution of Warren Hastings, the Governor General of India; it was the indictment of an intolerant system, which was a disgrace to the empire. His own conscience was convinced and he could not understand why the evidence which he produced was not sufficient to convince the Court. This was because his life had been spent in legislative halls where rules of evidence did not apply instead of in courts of justice, where facts must be proven in a formal way. He lost his case, but he won his cause. When he secured from the Commons the vote of impeachment—when he had

made his opening speech before the Lords, he accomplished his real purpose; he let the light shine into the black hole of India, the festering sore was thrown open to the curative rays of the sun. The black avarice of the proprietors and officials of the East India Company, who were leaching blood from thirty million people, was exposed. The map of India was laid upon the table of the High Court of impeachment. The audience could visualize its long caravans parading through Westminster Hall. Royalty and the assembled Lords beheld the Grand Mogul and his Rajahs, Nabobs, banyans and zeminders as mere puppets in the hands of the East India Company—all used as tools to wring tribute from a desolate land and a starving people. All England then saw and knew the truth. But he was asking too much of the House of Lords to convict Warren Hastings. To convict him would be to indict the British Empire of betrayal and oppression of a helpless and subject people. So Hastings was acquitted but the nation was reformed. The Government of India ceased to be a reproach to the English people.

Brother Edward J. Hess (Webster) of Chicago, Illinois, was Supreme Recorder of the Fraternity. Today, he is engaged in the practice of law at 33 South Clark Street, Chicago. He is a former Assistant United States Attorney for the Northern District of Illinois and made a most able record in that office.

Brother James McKeag (Marshall) of Chicago, Illinois, was Supreme Financial Secretary of the Fraternity. Today, he is a member of the law firm of Langworthy, Stevens, McKeag & McCornack of Chicago with offices at 38 South Dearborn Street.



PHI ALPHA DELTA DIRECTORY

One of the purposes of our Fraternity as set forth in our Constitution is "to establish a widespread exchange of business, information, and matters of common interest to the members of the Fraternity."

The best known way to accomplish this purpose is by means of the press. "The Reporter" is most effective in this respect but is necessarily limited in that a complete roster of our more than twelve thousand members cannot be carried in its issues.

The Directory has been published from time to time to give this necessary information and has in a measure fulfilled its purpose. However, there have been several features connected with its publication which have not been satisfactory to the Fraternity. The work of compilation, the cost of publication and the difficulty of distribution have been of chief concern, due largely to our lack of facilities to handle these matters properly.

Our last Convention very wisely adopted the report submitted by the Committee on Directory providing, among other things, for the publication and distribution of "The Directory" by a national organization with long experience and equipped to handle these undertakings. It is hoped that within a very short time a new Directory will be offered to the Fraternity through this action.

It must be understood, however, that our Fraternity is not relieved of all responsibility for the Directory by reason of this change in method of handling its publication. It cannot be successful without the co-operation of the whole membership.

In the first place, we must have correct, up-to-date information con-



cerning each of our members. This should be submitted to the Supreme Historian either directly or through the Clerk of the Active or Alumni Chapter to which each member belongs.

Secondly, every member should subscribe for a copy of the Directory to insure its financial success. Necessarily the field for distribution is limited and each copy sold has a material bearing upon the continuance of the publication in its adopted form.

In the last place, the constant use of the Directory by the membership will make it increasingly valuable and will result in the accomplishment of its main purpose, that expressed by the Constitution and of course in the strengthening of the bonds of Phi Alpha Delta.

LAWRENCE R. LYTLE,
Supreme Historian.

A Preacher Takes a Look at the Lawyer

By DAVID H. SHIELDS

IT WOULD seem like "adding insult to injury" for any one to take even a look, however friendly it might be, at the bleeding body of the Lawyer after Lincoln McConnell, Jr. finished his "operation" in the October "Reporter," but the Supreme Editor commands that it be done, so I will take a "look" at the lawyer from the vantage

point of the pulpit. During the more than thirty years of my ministry, I have been closely associated with lawyers in each of the four congregations that I have served. I have met with them on boards of various kinds; in public life; in reform movements; in social relationships; some have been my most intimate friends; others have been my "dearest enemies." I think I am qualified to take a look at the lawyer. While this look shall aim to be critical, it will not be unfriendly.

The lawyer, in the first place, appears to me to be more a victim of his profession, than does any of his fellowmen of other professions. His way of thinking is determined in a large manner by his rules of law. Forever going back to "precedent" makes him a poor leader in social progress, or religious advancement. Most of the lawyers I have known have either been rank fundamentalists, agnostics or perhaps even worse—indifferent. Their training has blinded their eyes to the fact that religion is a living, developing, evolving energy, forever taking

It is a good thing to know what other people think of you. We are going to give the various professions an opportunity in this magazine to tell us just what is the matter and why. McConnell did rather a nice job of it in the last issue. In this issue Dr. Shields, who has had considerable opportunity to study his subject gives us a little different angle. We will be glad to have any of the Brothers come to our defense after any of these publications.

on new form in order to meet new conditions. I have been disappointed that so few of my lawyer friends were willing to take leadership in widening the circle of a more liberal interpretation of religion.

Then too, the lawyers' habit of "seeing both sides of a case" naturally weakens his convictions; it puts him in a spirit of compromise; of mingling differences; this tends to defeat his leadership. A leader must have convictions—must have fundamental beliefs. I have found my lawyer friends wanting to "smooth things over"; to throw a little incense on the altars of the world, instead of kicking them over. They do not like to hear the preacher say, "Thou are the man." They prefer the "John Doe" form of indictment.

Mr. McConnell is right when he says, "A good, honest bigot can and does accomplish more real worth-while results in a year than an analyst can in a generation, despite the bigots' failings as a dinner partner." This generation is cursed by the craze to analyze everything; the butterfly must be torn to pieces; the body must be dissected; the rose must be ground to powder and put into test tubes; an attempt is made to measure, time, thoughts and emotions; and to even tear aside the veil of mystery that enshrines life itself. As a result, life has lost its glory for many people; the "vision splendid" has faded into com-

mon day; the "music of the spheres" has been jazzed; young people have become disillusioned, cynical, "hard boiled." I find that my lawyer friends are making large contributions to this deadly philosophy. Here again, they appear to be the victims of their own profession. They must analyze; tear to pieces; weigh; destroy the argument of their opponent. They must meet men and women at their worst—meet them as criminals, as traitors, as victims of their own greed, or passion.

Yet it has seemed to me that my lawyer friends with their superior education and advantages ought to rise above their handicaps and give a whole-hearted, clear cut, positive leadership to young people who are seeking the way of life.

Again, it appears to me that my lawyer friends are making the biggest failure of their own job, of any group of high class men in our modern life. The physician is conquering one disease after another; the engineer is solving puzzling problems daily; the scientist is revealing age old secrets continually; education is shooting the shadows of ignorance through and through with shafts of light; religion is divesting itself of superstition and tradition; but law, mostly made by, and administered by lawyers, steadily becomes more involved, more impotent to protect the weak and to right the wrong; more enfeebled by "precedent," and by technicalities, until it is fast becoming an object of jest and ridicule.

It seems to me that my lawyer friends lack moral conviction; spiritual dynamics; singleness of purpose; constructive thinking and action. No doubt but part of this defect is due to the attitude of mind of our day. In attempting to be liberal, we have become

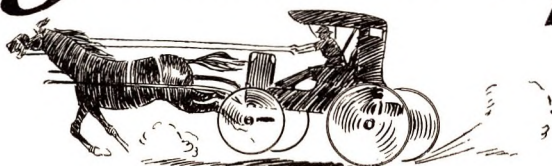
shallow; in freeing ourselves from prejudice, we have surrendered our standards of right and wrong; in our attempt to analyze everything we have become impotent. I have the right to expect better things of my lawyer friends, than I have of the average man; their education is wider; their opportunities for growth are more numerous; their possibilities for leadership are greater. My lawyer friend, while holding onto the foundation facts of religion with a firmer hand, than the average man, because of his clearer vision, ought to be less sectarian, wider in sympathy, more understanding in heart, less fearless in leadership.

The failure of my lawyer friends, is the common failure of most men of today, that of not taking the spirit of Jesus Christ into daily life. Jesus is the one dynamic mighty enough to cope with the gigantic forces that are against man today. The christian religion will give my lawyer friends motive, creative thinking, dynamic leadership, personal satisfaction, and the ability to see life whole. I owe a great debt to my lawyer friends for their fellowship and friendship, but this debt might have been greatly increased if they had made their religion more of a daily affair; taken God into the Legislative Hall and court room. My lawyer friends, as a group, have been the most helpful to me, personally of all my associates in the Universe. They have been understanding, sympathetic, patient, loyal, and gracious towards my faults. They have been quick to express appreciation; constructive in their criticism; free with their advice. They have filled office; taught; helped to formulate plans; aided in paying the bills of the Kingdom of God; and shared in the preachers hours of recreation.

All lawyers should assume a more vital leadership in these days when men are groping in the darkness, bewildered by the noises and complexities of life. You can help men to become better acquainted with the Great Law Giver of the Universe. You can

especially aid young people to strengthen their hold on the finer things of life; to keep the stars in view. I believe in time you will assume this responsibility which is yours by right, and bring your profession back to a position of confidence.

25 Years Ago



GEORGE FINK

The last event of interest occurring twenty-five years ago in our fraternity as related in the last article under the above title, was the installation of Campbell Chapter at Ann Arbor, Michigan, on November 11, 1905. Between November 11, 1905, and December 1, 1905, is a short period and your contributor must confess to the lack of material.

It was evident to the national officers that the fraternity was bound to expand by the addition of chapters in law colleges outside of Chicago. This required funds, so the principal topic at the frequent meetings of the national officers was that of finances. Ryan Chapter at the University of Wisconsin and Magruder Chapter at the University of Illinois had been installed with little expense, as the ceremonies took place at Chicago at the same time, on March 11, 1904.

The installation of Campbell Chap-

ter, however, necessitated a trip to Ann Arbor by the installing team and if the fraternity was to grow, funds had to be raised to cover installation expenses and also to meet at least to some extent the expenses of chapter delegates to the fraternity's conventions. The possibility of chapters at the University of Arkansas and Western Reserve University at Cleveland and the necessity of a convention in 1906 and the publication of a magazine through which the chapters and members of the fraternity could be kept advised of the fraternity's affairs, all called for the expenditure of money. These problems were all solved in due season as will be shown by subsequent articles.

The accompanying pictures, submitted through the courtesy of Brother Sidney B. Meyer, (Fuller), one of the founders of the fraternity, may be of interest at this time, especially to "old-timers."

FULLER CHAPTER 1902



1 Mark Bell
2 George Watson

3 Elias Mayer
4 Roland Hollock

5 Sidney Meyer
6 Chas. Daly



1 Chris Whalen
2 P. D. Harvey
3 S. B. Neltner
4 John Brown
5 Hugo Pitte
6 S. T. Sutton

7 Mark Bell
8 Chas. Daly
9 Fred Ross
10 Ed Lennon
11 Ed Sherburne
12 T. P. Octigan

13 Eugene Reilly
14 David Taylor
15 Roland Hollock
16 Chas. Wolf
17 James Power

New York Fraternity Clubs Building

The New York Fraternity Clubs have constructed a beautiful building.

The Building has been designed as a men's club. Phi Alpha Delta has chosen this building as headquarters of their New York Club. It is also the home of the Cornell Club, the Clergy Club, the Fordham Club, Maine University Alumni, Western Reserve, Theta Upsilon Omega, and many others. Any member of Phi Alpha Delta accepted by the initiation committee may join this club for \$5.00. All members who may have occasion to be in New York City are invited to visit the building and acquaint themselves with what the club has to offer.

For the clubs that are interested in establishing definite headquarters, mailing and telephone address, and the use of the clubs' facilities for their members, a plan has been inaugurated whereby they will be able to do so, at a very small charge.

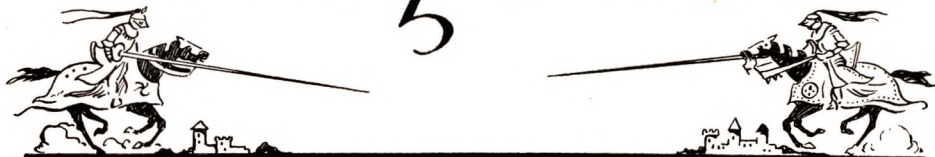
A number of these smaller clubs can share a private club room, that is, some definite club space large enough to serve its purpose as a lounge, and furnished in the usual manner with card table, radio, magazines, easy chairs, and etc. The charges for this are \$5.00 per member per year, for clubs with a membership of 40 or more, and a minimum of \$2.00. per year for clubs with a membership of less than 40. This fee includes everything, with the exception of postage and stationery which must be paid by each club, although the clubs' regular office staff will do the actual



work of writing and mailing without additional charge.

In this building clubs are able to have definitely established headquarters, which is known to the members as such. In these headquarters there must be an office, where the files, references, and various records may be kept, and from which all mail can be dispatched in a prompt and efficient manner. This office, under the direction of a residential secretary will serve a multitude of other purposes, such as answering the telephone, taking messages, arranging entertainments, such as football trips and smokers, and keeping the members informed of all matters of interest concerning their club. This is only one small part of what the club is prepared to offer.

Trial by Combat



By JOHN KASTOR

There seems to be no date recorded for the beginning of trial by combat. It appeared before the Middle Ages and was used in Northern Europe even before history.

King Gundabold, in A. D. 501, first issued the edict making trial by combat a legal procedure. He did this to combat perjury which at that time was particularly rife. It is interesting to note that perjury seems to have increased with the coming of the church and the making of church oaths—hence King Gundabold's measure. Gunda, King of Burgundy, issued an edict preventing subjects from attesting by oath "what they were not certain of, nay, what they knew to be false." He also introduced the judicial combat believing that bodies could be risked better than the immortal soul. It soon became the accepted means of meteing out justice. Trial by combat came to establish the virtue of queens, test the veracity of a witness, or re-argue a contested case—it would hang a traitor, murderer or thief, settle a disputed line of succession, give a widow her dower or prove a questioned grant.

On the Continent various modes of battle came into use. Sometimes the battle was fought bareheaded, barefooted, barehanded with a sword and shield. When the outcome was sure to be a matter of life or death, a bier stood ready to carry away the "convicted." At times clubs were used but

this method did not remain in use except among the serfs. Knights fought on horseback with sword, shield and helmet.

A spectacular case in West's Mediaeval Digest for breach of promise was tried by the plaintiff and defendant in person. The man had his left arm tied to his side, was given a short baton or club and made to stand in a tub sunk waist deep in the ground. You will wonder what chance the poor man had, but in turn the plaintiff was armed with a paving stone sewed up into the lengthened arm sleeve of the solitary undergarment she was allowed to wear. You see she was at some disadvantage herself. She was allowed to circle about her victim in the tub and watch for a favorable opportunity of delivering a crushing argument with the paving stone. The result of this celebrated case would lead us to believe that the defendant was a wealthy bachelor and the plaintiff a modern gold-digger, for the trial ended with the plaintiff's head in the tub and her heels in the air. "God guards the right."

The right of appeal in these cases was denied if the appellee could slay a bull produced for this purpose, with but a single blow.

Around 855 the Church ordained the ordeals of fire and water as instruments of the Devil, and it also tried to include the duel in this denunciation, but they continued to flour-

ish with the clergy themselves taking part in duels in some places. According to the advice of an Archbishop a trial of this nature took place in 978. During the eleventh and twelfth centuries the clergy eagerly sought the right to trial by combat. For the most part the clergy itself did not take part in the dueling; this was done for them by proxy. From this custom the maintenance of hired "champions" or fighters to try legal questions came into use. (Behold your esteemed and virile predecessors!) The Pope, higher Church and state dignitaries did not sanction this method, but it was permitted by them. Champions and hired fighters remained in vogue until the latter part of the fourteenth century.

All over Europe the Trial by Combat gradually faded out, although there are instances at even a late date. In the tenth century the right of the sons of a son to be considered as members of the family was determined by combat of champions rather than by a council of judges. In the fifteenth century the duel ceased to be in any way or sense a proper part of the law. A new duel appeared in its place—a duel of law still but more chivalric than legal in its nature. St. George was the patron Saint of Chivalry and it was to him that the French knights made their vows when they met in duels on the charge of treason. This type of duel served its purpose and even as late as the fifteenth century it had many adherents. A judicial duel was fought in Spain as late as 1522. Even after the extinction of trial by combat, it left its mark in the popularity and frequency of the private duel.

In the British Isles there are traces of the judicial duel even as early as the fifth century. It was then so common, one writer reports, that St. Patrick himself had to forbid his "clerics" from indulging in it. For a time it was customary to stake a man's entire belongings on the issue of the fight—the winner taking all the prop-

erty of the vanquished as spoils of victory. Hence, this style of dueling became a sure way to wealth for the successful fighter, and professional champions plied their trade from one end of the country to the other, growing rich from their victories. During the tenth century we are told of an ubiquitous Scot, Leot the Pale, going back and forth through Norway and growing wealthy from the right and rigor of single combat. His career was cut short by the renowned Norse warrior, one Egill Scallagwimson, who met him in a duel over an heiress, and having defeated him, vindicated all of his goods according to the law.

There is another tale of Alfuin, a great captain, who aspired to the hand of Guida, the widow of an English Earl. She, however, would have none of him, and had pledged her hand to Olaf, a Norseman. Alfuin challenged Olaf to a duel with 12 men on each side. Olaf armed himself with a great battleaxe and ordered his men to do likewise and bade them follow his example in the fight. At the very outset he struck the sword from Alfuin's hand with a mighty blow of his battleaxe—a second blow and Alfuin was completely at his mercy. Olaf's men adopted similar methods with success and Alfuin found himself vanquished and Olaf vindicated to himself of all of his possessions.

It has been reported that King Arthur, at the siege of Paris in the eleventh century, was challenged by Flollo, the Roman tribune of Gaul, to single combat. The realm of the conquered was to belong to the victor.

The battle took place on an island near Paris. With fixed lances these warriors charged each other—Arthur hurled his spear against Flollo's chest and unhorsed him. He was back on his feet at once and stabbed Arthur's charger, causing the fall of both man and horse. Arthur sprang up unhurt, and renewed the fight on foot. It was not, however, until he was wounded in the forehead and saw his own

blood on his shield, that he nerved himself to strike a decisive blow—then with a “stalwart stroke he drove his good sword Caliban right through the helmet of Flollo and cut his head in two. By which wound” proceeds our loquacious author, Geoffrey of Monmouth, “Flollo fell, striking the ground with his heels, and gave up the ghost,” as well he might.

In the statement of William of Malmesbury, we find further conclusive evidence of legal dueling. He reports that William the Conqueror when he laid claim to the throne, offered single combat to Harold, as a mode of settlement. He is said to have suggested “that they might ventilate the matter by the sword, whilst the armies looked on.” All this, of course, is traditional rather than historical.

The wager of battle entered England with William the Conqueror in 1066. According to his law an Englishman charged by a Norman with perjury, murder, homicide or open robbery, could defend himself as he preferred, either by the ordeal of carrying the hot iron or by the duel. A Norman had the same option and in addition he might clear himself by the oaths of witnesses after the custom of Normandy. An accused Englishman, who would not fight must necessarily go to the ordeal. The Norman might clear himself by oath.

This distinction, however, soon disappeared and we have never heard of a litigant refusing battle because he was a Norman. Domesday Book reveals that in the eleventh century disputed ownership was proven by battle or ordeals. However, there could be no battle in non-criminal cases unless the dispute was worth at least ten shillings.

The year 1219 brought the abolishment of the ordeal. A person charged with a crime was then tried by jury. If he would not submit to such a trial, he was starved into submission as none could be tried by jury who

had not accepted that method of trial. Trial by battle was not abolished and the jury trial was only substituted when the parties involved were too old to fight or for some other good reason could not fight.

The thirteenth century shows the ordinary criminal procedure to be something like this: The Accuser appealed or accused the defendant of the crime charged, stated the facts of the offense and offered to prove it by his body or as the Court should ordain. The defendant pleading “not guilty” denied the whole accusation, word by word. If he did not wish to fight he might elect to be tried by the country, a local jury. If he wished to fight, he might elect battle and offer to prove his innocence by his body. It was then for the judge to consider the case. If he adjudged battle, the gloves of the parties were exchanged as a symbol of plighted faith and of the challenge and acceptance of same. They then obtained “wads” or pledges, professional bondsmen, who became bail for their due appearance on the day of battle. The wager of battle was only the preliminary—the pledge to fight. When battle had been waged, the judge decreed “Let them come armed,” and named the day. The parties appeared on the day set, duly armed, and each took oath of the truth of his cause.

The Accuser swore first. A Priest held out a copy of the Gospel upon which the Accuser laid his right hand, clasping the right hand of the Accused with his left. Then the Accused swore—“So help me God and these Holy Evangelists,” that he did not do the deed laid to his charge, and that the Accuser never saw him do that deed. Next the Accuser made his oath that the Accused was a perjured liar, that the charge was true, and that the Accuser himself had seen the deed.

At this point the Sergeant of the Justician would cry in a loud voice all over the field, announcing and commanding in the King’s name that

none should either stir or say aught, whatever he should see or hear between these parties, and that if any one did so, he would be seized and sent to the King's prison, there to remain for a year and a day.

All this done, the combatants, well guarded, were led into the lists or barras, a ring of palisades around which an eager crowd thronged. The Accused took his station on the eastern side of the ring and the Accuser took the west side. Each now took oath that he had used no magic to aid him in the fight. Each knelt for a hasty, whispered prayer while the priest bestowed his benediction upon them. The battle then got under way.

They fought until one or the other was ready to yield the point. If the luckless accused was defeated, his punishment followed close on the heels of his defeat, for a "hempen" justice awaited him. If the Accuser yielded he was doomed to wear the calf-skin, to own himself a craven, perjured and infamous man. Thus was the course of justice swift and ominous and it behooved a man to know well the temper and skill of the man he accused of a felony.

Penalties for the fine of the duel, which related to the civil duel, refusal to fight, and absence from a duel, were paid to the Court having jurisdiction of the case and included the County Court, Hundred Court and Barron Court. Financially the duel was to the Crown a cause of outlay as well as income. The outlay including payments made to approver's or accuser's and numerous other items. The records show that during the 12th year of the reign of Henry II, thirty-four ordeals, fourteen defacements, fourteen hangings and five duels cost the Crown exactly nine pounds, 11 shillings and three pence.

An inevitable product of the system of trial by combat was the Champion. He had no place in the criminal docket for the appeal of felony had to be conducted, with rare exceptions, by

the Accuser and Accused in person. After 1176, there grew up the benefit of clergy, which exempted them from the duel. Women were not subjected to battle and men past sixty years of age were exempt, if they chose, as were men who plead mayhem.

Hired Champions were forbidden. Nevertheless much hiring, direct and indirect, occurred. Championship, in spite of the law, became a regular occupation notwithstanding its dangers. The benefit of the clergy did not extend to pleas on writ of right. Therefore, the Churchmen, who preferred the use of arms to the sacrifice of land and goods, hired Champions on a large scale.

After 1300 the duel of law rapidly declined under Henry II and Edward I. In the fourteenth and fifteenth centuries, battle was still waged but it had fallen from its high place, and the duel actually fought was rare. In 1355 the Bishop of Salisbury brought a writ of right against the Earl of Salisbury for the recovery of a castle, and battle was waged. On the day set the Champions appeared. Robert Shawel, the Bishop's man, was arrayed in white leather with a red sur-coat of silk bearing the arms of the Bishop. A Knight carried his sword and a varlet his shield. The Earl's Champion was arrayed and attended after the same fashion, and his red sur-coat was decorated with the Earl's shield of arms. But when the Justices examined the accoutrements, they reported that they had found some defects in the harness of the Champions and the case was continued. It was said that in the coat of the Bishop's Champion they had found several rolls of prayers and charms. In the interval of the continuance a settlement was effected, and the castle became the property of our Lady of Salisbury, for the substantial payment of 1500 marks. When the Bishop died his epitaph commemorated his achievement. The figure of a Champion was in brass and the inscription records

how like a galloping Champion, the Bishop had recovered the castle which had been forcibly withheld from the Church for over 200 years.

In 1456 occurred the last recorded approver's duel. When battle was a mode of defense, which any criminal might claim, when every crime required a private prosecutor, and when failure meant fine whether there was a duel or not, with imprisonment for false accusation, there arose a class of confessed criminals, who were pardoned contingent on their ridding the land of a given number of malefactors by combat. Usually an approver was pardoned should he conquer in five duels. Often enough such approver fought the full five times, only to be hanged in the end for his own crimes. This particular malefactor, Thomas Whitborn by name, was imprisoned at Winchester. To save his life he made a series of appeals against honest men, some of whom were hanged. This continued for almost three years until at last one that he appealed said that he was false in his appealing, and that he would prove this with his body. The judge, in ordering battle, laid down some most peculiar law. After instructing the parties as to the conditions, he explained that if the "peler" prevailed he would go back to prison but would fare better than before. The combatants must be clad all in white sheep leather, body, head, legs, feet, face, hands and all. The staves, three feet long, were to be of green ash one end of which was to have a horn of iron, like a ram's horn, as sharp as it might be made. And indeed as our reporter says: "It is too shameful to rehearse all the conditions of this foul conflict." But most singular of all was the judge's law when he told the defendant that if he slew the "peler" he was to be hanged for man-slaying, because he had slain the king's approver. Nor should the slain man have Christian

burial; he should be cast out as one that wilfully slew himself.

James Fisher, the accused, the meek innocent, did not shrink from battle even on these appalling terms, and the day was set.

Duly appareled in sheep skin and armed with their terrific lances, the plaintiff and defendant entered the place of battle near Winchester, the "peler" from the east and the accused from the southwest. While the "meek innocent" prayed, the crowd whose sympathies were all with him, howled for the extermination of Thomas Whitborn. The defendant rose and with the words that his quarrel was faithful and true, smote at the "peler" but broke his own weapon with the blow. One stroke only was the approver allowed to make at the defender, then the officers took his weapon away, too. A long time they fought with their fists and rested and fought, and rested again, and then "they went together by the necks." With their teeth they tore each other until their leather coats and flesh were all torn, and it seemed as though the false "peler" had gained the victory, when suddenly the "meek innocent," raising on his knees, took the false "peler" by the nose with his teeth and put his thumb in his eye so that the "peler" cried out for mercy "and that he was false unto God and unto him."

So the duel ended, and the judge pronounced sentence upon the approver, sentencing him to be hanged until dead, then drawn and quartered.

The victor was set free, but the memories of that terrible hour seem to have darkened his life. He became a hermit and died soon afterwards. A fitting finish for a barbarous procedure.

These judicial combats should not be confused with the duel of chivalry, which succeeded the judicial duel, or the private duel which succeeded the duel of chivalry. Under the three Edwards chivalry came to the front.

Young Edward III, while still a youth, in prosecuting his claim to the throne of France, wrote a letter to King Phillip VI in which he offered to settle the discussion between them by their two bodies. This Phillip refused to do.

In the following years the treason duel of chivalry became common. These duels had nothing to do with the law, but were ordained and witnessed by the king or his special representative. One of the famous duels of this type was fought in 1350 before Edward III. Sir John de Visconti of Flanders accused Sir Thomas de la Marche, illegitimate son of the king of France, of betraying a Christian army to the infidel Turk. At Westminster the battle was fought within the bonds of the royal palace. At the trumpet blast the contestants charged each other. At the first shock the spears were shattered against the shields without unhorsing either knight. Promptly alighting they drew their swords and fought on foot. After a time both swords became useless and they grappled in a fierce struggle. Both were covered with impenetrable armor, except the helmets, which were guarded with small steel bars. The Frenchman, Sir Thomas, who had short sharp pricks of steel, called gadlins, fastened on the knuckles of his right gauntlet, took advantage of this opening and struck through the helmet bars at the face of his opponent, who having no gadlings, could not return the blows. Repeated wounds on the face forced Sir John to yield, and the battle ceased. The vanquished knight became the prisoner of the victor, but Sir Thomas chivalrously gave his captive to the Prince of Wales, who set him free. It is painful to report that the valiant and victorious Sir Thomas was shortly beheaded by his jealous brother, the King of France, because of his fighting the duel before the English king.

Another interesting treason duel of chivalry was fought in 1380 before

King Richard II at the same place. Sir John Annesley, a knight, made a charge of treason against Thomas Katington, his squire, asserting that in 1375 he had surrendered a castle, fully manned and provisioned, to the King of France. Battle was adjudged and on the day set enormous crowds flocked to the spectacle. The knight having appeared and the squire summoned, the articles of accusation and defense were read. The squire tried to make objection but was sharply told that unless he owned the accuracy of the charge, doing which he would be hanged without parley, he must prepare to fight. To which he bluntly replied that on those conditions he would fight the knight or any one else in the world.

The preliminaries over, the battle began—at first with spears, then with swords and last with daggers. At length the knight disarmed the squire and threw him to the ground. Then he prepared to throw himself with all the weight of his armor on his prostrate foe, but exhausted from the long fight, he slipped and fell by his side. The squire, seeing his opportunity, threw himself across the knight.

A great cry arose, some saying that the knight was beneath and therefore vanquished, others that he would soon arise and gain the victory. The king ordered that the knight should be raised. When the officer started to obey the order, the knight implored them to let him lie exactly as he was, but he was too exhausted to shake off the squire and he was lifted. No sooner was he up than he ran to the king and asked as a favor to be put back in the same position with the squire over him and that the battle be continued. He had noticed that the squire was nearly dead from his extraordinary efforts in the long duel and the heat and weight of his armor. Meanwhile, the squire had been raised also, but being unable to walk, had been set in a chair in the lists.

When the king saw how eagerly

the knight desired that the battle should be resumed, and more especially when he offered a great sum of money for that purpose, he decreed that they should be replaced in their former positions, the squire above, the knight below. But suddenly the squire fell from his chair as if he were dead. After a long delay, during which his armor was removed, he revived, raised his head and looked fiercely around. The knight who had laid aside none of his armor, came up to him, called him a false traitor and dared him to fight again. But the squire was too far gone to answer. The long battle was over, and the squire was carried home to bed, to die the next morning, raving in delirium. The result of this duel gave great satisfaction, showing conclusively the truth of the knight's cause.

Richard II was fond of excess of the tilt and tournament, a love which led him to cultivate the court of chivalry. The treason duel became an established branch of the law, with marshals and constables as officials of law and chivalry combined. This practice of pageants led him to neglect his other kingly duties and caused his ultimate downfall. In 1398 a right royal treason trial occurred between two of the most powerful nobles of the kingdom. Henry, the Duke of Hereford, accused the Duke of Norfolk of high treason. Norfolk denied the charge, and the King, who hated Hereford and had good reason to fear his ambition, appointed September 16th for the duel.

Great preparations were made on both sides. The best armorers from Milan and Germany came to fit these doughty warriors. An enormous crowd gathered at Coventry on the fateful day, little thinking that they were to witness a turning point in English history.

Hereford, the people's favorite, appeared first. Soon the King took his seat, surrounded by 10,000 soldiers to quell any disorder. Norfolk, then

entering, both took solemn oath of the truth of his cause and prepared for battle. Then a strange thing happened. King Richard stopped the duel and summoning both nobles, banished them. Hereford's exile was to be for ten years, Norfolk's forever. Norfolk never did return, but Hereford came back the following year with all England to greet him. Henry IV took the place of Richard II, deposed. Far better for Richard to have put his faith in Norfolk than in a dissatisfied people.

Many duels were fought following this, and one which deserves a report here, was fought by a lawyer. John Upton, a notary, accused John Downe, Gentleman,—I trust you will note the distinction—of treason in that he plotted the King's death on his coronation day. Henry VI had been crowned when a mere boy. On January 21, 1430, the duel was fought in the presence of the royal child. There was a long fight but in the end the king took the matter in hand and forgave both parties. Forgave the lawyer for being a lawyer, probably.

A case reported in 1446 will be given in as near the original as possible. "This yere," says our reporter, "An armourer's servant of London appealed his master of treason whiche offered to be tried by battail. At the daie assigned, the friends of the master brought him Malmesey and aqua vite to comforte hym with all, but it was the cause of his and their discomfort; for he poured in so much that when he came into the place in Smithfelde, where he should fight, bothe his witte and strength failed hym, and so, he beyng a tall and hardye personage, overloaded with hote drynks, was vanquished of his servant, being but a coward and a wretch, whose bodye was drawn to Riburn, and there hanged and beheaded." The grammar of the passage is not of the best. It was not John Davy, the armorers' servant whose body was drawn to Tyburn, at

least not then. He slew his master in the duel and the body lay in the field all night. Next day the dismemberment, which followed treason, was duly inflicted, and the severed head was set on London Bridge. The adjudication of costs in that case include the words, "for the watchying of the ded man in Smythfields; for the cloth laid upon the body; for the hire of a horse to draw it to the block; and for the pole and nails in fixing up the hed".

Chivalry died fast during the fifteenth century. The feudal power was breaking up, due to the discipline and weight of infantry. Gunpowder ruined chivalry, and with chivalry dead, trial by combat could not survive.

In the year 1492 occurred what is believed to have been the last judicial duel on English soil. It arose out of a quarrel between Sir James Parker and Sir Hugh Vaughn relative to a coat of arms. A great joust was being held at Richmond, and taking advantage of the opportunity the question was fought out before King Henry VII. In the first charge, Sir James was slain. His helmet gave way before the spear of Sir Hugh, "and so he was stricken into the mouth

that his tongue was borne into the hinder part of his head, and so he died incontinently."

Thus passed one of the greatest periods of the world. And what more true than the words of a contemporary, John Major, in his history: "Laws and judges sin in allowing such encounters. The accuser sins and so does the defender, if he can in any other way protect his life. Besides it has often been found that the vanquished had the just cause, for God wills not to reveal innocence in this bad way. It ought to be sought only by legitimate means. If in other ways a settlement cannot be found concerning the matter in dispute, they should leave it in the hands of God, for men can not give judgment except according to what is pled and proved. I add that the victor has little glory and the vanquished much shame among the people. Therefore, he acts imprudently and ill who hazards his life on such a cast. And what mockery is the confession which is made before the duel, seeing that the shriven sinner persists in his sin. Seeking to take his opponent's life, he risks his own, which it is his bounden duty to preserve. Wherefore the priest ought not to absolve him at all, and if he died unshriven he will be damned."

We just have received a note from Brother L. A. Recken of Portland, Ore. Brother Recken informs us that all the brothers out there are at least making a living. This may encourage some of the brothers in other cities. On the ninth floor of the Public Service Building of that city you will also find Brothers Marvin K. Holland, B. G. Skulason, and W. E. Cameron.

Friends of Bert Van Moss, George Washington University Law, 1920, will be interested to know that he has been elected municipal judge of the City of Longview, Washington. The contest was a keen three cornered affair, republican, democratic and independent sticker, the latter having previously been eliminated by Mr. Van Moss in the republican primaries.



E D I T O R I A L

As the final copy went to press we received the following telegram from our Supreme Secretary: "Bank of Hollywood closed this morning, all funds tied up. Believe it will reopen soon, but in meantime it will be necessary to withhold present issue as no funds available now. Will keep you advised of developments and will write Chapters explaining the Magazine delay."

Unfortunately for your editor the expense for the December issue of The Reporter was already incurred. We were hurrying it along trying to get it to the Brothers in the Active Chapters before they went on their Christmas vacations. It may be a hard winter for your editorial staff, but it will be a cheerful one if the letters continue to come in as favorable as they have in the past few months.

We extend our sympathy to our Supreme Secretary. This misfortune at a time when he was getting the funds of the Fraternity in such fine shape is indeed too bad. We also

pledge to him, for ourselves, and we are sure for every chapter in the Fraternity, our cooperation in every way possible to carry on the plans of the Fraternity during the temporary suspension of our revenue.

We sincerely appreciate the friendly attitude of the Brothers as to our first attempt at the publication of the Fraternity Magazine. We have only one objection—there was not sufficient criticism. We hope that this issue will bring forth a lot of new ideas and suggestions.

We would like for someone to produce an article on a real live issue. Something that will cause the Brothers to rise up in righteous indignation, and bring them to the defense of their pet hobbies. If nothing appears before the next issue to create this desire to take down your pen in defense of long cherished theories, the editor is going to write an article on prohibition. It is doubtful which side of the question will be chosen as yet. It will depend on whether the article is written before or after the holidays.

IN MEMORIAM

Judge Samuel W. Smith, Jr., was born August 24, 1859, in Cincinnati, Ohio, the son of Samuel Watson Smith and Mary Caroline Woolley Smith. He received his early education at the Chickering Institute of Cincinnati and received the A. B. degree from Brown University, Providence, Rhode Island, in 1880, and the LL. B. degree from Cincinnati Law School in 1882. He was a member of the national fraternity of Alpha Delta Phi.

On completion of his law course he entered practice with the office of Lincoln & Stephens of Cincinnati, which later became Lincoln, Stephens & Smith. He married Miss Olive Douglas Perkins of Warren, Ohio, October 29, 1891. Of this marriage there were two children, both of whom are still living in Cincinnati, Watson Smith, and Elizabeth Baldwin Smith, now Mrs. Russell Wilson.

The Judge at all times during his life took an active interest in local politics and was always an ardent Republican. He was elected twice as Judge of the Court of Common Pleas of Hamilton County, Ohio, and served in that capacity from 1897 to 1907. In the latter year he became Judge of the Circuit Court



Samuel W. Smith

of the First Judicial Circuit of Ohio (now called the Court of Appeals) and served one term. After his retirement from the bench he never resumed active practice of the law but gave his time to travel and reading.

In the spring of 1925 he suffered a slight paralytic stroke and was in poor health thereafter until his death May 2, 1930, the immediate cause of which was heart failure. He was a 33d degree Mason and a member of many local clubs and national fraternal organizations.

ACTIVE CHAPTER NEWS

A. H. C.

We hope that you will be interested in the following reports from the active chapters. We know that the Alumni of each chapter are interested in news from their own chapters and we think that these chapter records are of interest to all members of Phi Alpha Delta, both active and alumni. We desire to thank all of the chapters who have been so good as to send in the splendid reports which follow. We hope that those who are not in this category will be among those present in the next issue.

BENSON.

Benson Chapter entertained with its annual Christmas party the evening of Dec. 12th at the Hotel Kansan. Over 160 alumni, actives and guests danced to the rythm of one of the Middle West's leading bands. The boys from Benton and Green Chapters were with us that night in full force.

This year we have deviated from our old "social smokers" to a monthly "law-fest", held regularly at the chapter house. In November, Hon. T. A. Lee, Topeka attorney, was the guest of the chapter and led in the discussion, "Starting to practice law."

Beginning with Homecoming, Benson has had many out-of-town callers including alumni from all over the state. Men from Benton, Harlan, and Green Chapters have been among the visitors. All P. A. D's coming through Topeka are urged to stop at the house, 1612 College Avenue.

Plans are being made to celebrate our tenth birthday in February at our annual Founder's Day Banquet. Brother Gilbert, Supreme Justice, and Brother Ludwick, Supreme Secretary, along with Brother Hatcher, Supreme Editor, have promised to be on hand with us, when we have our "birthday party." It will be a party well worth attending.

BENTON.

Frank K. Woolley, Clerk of Benton Chapter, writes in from Kansas City that the name of the present Justice of that Chapter was incorrectly spelled in the last issue of "The Reporter" Brother Woolley says, "As you no doubt know, a Justice feels as though his elevated position desires that his name be spelled in the traditional family form so it will make Walter's morale rise a few notches if his family name is spelled 'Danneburg'. To the best of my knowledge that is correct and if it isn't a recognition from the clerk will be in order." Apologies are extended to Brother Woolley and Benton Chapter.

In our letter of September 29th, 1930, which we submitted for publication in the National Magazine and which was thereafter published, we remarked that on October 20th, a "Smoker" would be held by the active chapter in conjunction with the Alumni. The aforesaid "Smoker" was duly held at the International Arena, on Saturday night, October 25th. The "Smoker" went over with a "Bang" from every standpoint. We obtained some very, very interesting pictures from an Alum in California, named Harvey Taylor (Hoo-Ray for Harvey) which occasioned a tremendous amount of favorable comment.

Everyone who attended or even heard about the event has been clamoring for another affair of the same description.

It seems as though the P. A. D.'s of the Kansas City School of Law are developing into far better politicians than a number of our rivals. Although the P. A. D.'s in the Senior Class were not as successful as they might have been, nevertheless, many of the class offices in the three classes below were captured by our fraternity. In the Junior Class the entire

slate that we were backing for offices obtained their coveted goal. James L. Williams, who is referred to by many eminent speakers in this city, as "A Second Will Rogers," was appointed Editor of the Law School's year book. John V. "Bebe" Noonan, walked away with the office of treasurer. (We hope he is as successful as Bro. Frank Ludwick.) Edward Mulloy nosed out his opponents for the office of Sergeant-at-arms.

In the Sophomore Class a very interesting thing happened, which will prove amusing to P. A. D.'s but which might not work out so well if adverse parties were to happen upon the glaring truth. While the present Sophomores were Freshmen they adopted a constitution for the following four years with a clause in it which provides that a nomination committee shall be elected each year, whose duty it will be to nominate all of the candidates who will run for offices the next year. Their choice of candidates is to be final. Unwittingly the Sophomore Class elected a committee composed entirely of P. A. D.'s. Provided there isn't a revolution and the constitution of the Sophomore class thereby overturned, it appears that the Junior Class for 1931 and 1932, which by the way edits the year book, will be composed solely of our beloved fraternity brothers.

Bro. Wilbur Moebus, who dropped out of school last year is back this semester.

We have eighteen pledges at the present time and we all feel quite confident that any member of P. A. D. would be more than glad to call them their fraternity brother. These pledges of whom we speak so well, were also on their toes in the class elections, so it appears that Thomas Hart Benton Chapter of P. A. D. is functioning in a most satisfactory manner.

BREWER.

Stetson university has been making great progressive strides during the

past year, having not only a large increase in attendance, but also in the dedication of three new buildings on the campus. A new gymnasium has been erected; also a new library building, as an annex to the old one. The most recent addition is an Assembly Hall to be used by the Speech Arts department and by the women of the university.

The law college has added another full time professor to its list, and also a new full time librarian. Also many speakers of prominence are scheduled to lecture to the classes this winter. We are boasting one of the best, if not the best, law schools in the South.

Brewer chapter has been keeping the pace set by the school, and reports the pledging of five men who are outstanding in their scholastic work as well as the social life of the campus. Pledge Booth is president of the Stetson student body and an officer in the Theta Alpha Phi dramatic fraternity. Pledge Norwood is president of the Delta Sigma Phi social fraternity. Pledge O'Kelley is one of our old-time football men who has returned for his law work. Other pledges are Woodward and Greene.

The members of Brewer chapter are very busy with student activities. Our present Justice, Mox, captained last year's football team for a very successful season. Brother Gautier is the present captain of the team. Brother Jenkinson was captain of last year's basketball team; Brother Mox was also a member of this team, and Brother Jenkinson was a member of the football team. Brother Luckie is president of the Theta Alpha Phi dramatic fraternity.

To indicate that studies do not constitute the entire interest of our members and pledges, let me mention that Brother Mathas married during the summer. Also two of our pledges, Norwood and Woodward, have recently married.

We feel that Brewer Chapter is in for a most successful year, and we

are confining ourselves to pledging only the most outstanding men in the law school, thereby keeping our standard high and assuring the success of the chapter.

CAMPBELL.

Campbell Chapter enters the current school year with a comparatively small group of active members, fifteen in all, but in other respects the chapter is well situated. At present we have nine pledges, with excellent prospects of doubling that number within the semester. The problem of getting good pledges is rendered somewhat difficult by the existence of the Lawyers Club, large dormitory for law students, and of four competing law fraternities, three of which maintain chapter houses.

The Campbell chapter house was completely re-decorated during the past summer through the kindness and cooperation of the Detroit Alumni of this chapter.

In the activities of the Law School the chapter is well represented. Two brothers are on the Michigan Law Review, six are members of Barristers, and in each of the three classes the chapter has at least one class officer.

CLARK.

As an interesting and instructive innovation in the regular curriculum of the Washington University School of Law in St. Louis, Brother Wiley Blount Rutledge, Acting Dean of the School, has introduced weekly assemblies at which prominent members of the legal profession, and men prominent in political science and the social sciences generally address the law students. The speakers to date have included the Hon. Chas. Nagel, former Secretary of Commerce and Labor, Warden Amrine of the Kansas State Penitentiary, and prominent members of the local Bar and professors of political and social sciences whose reputation is nationwide.

Champ Clark Chapter, as usual, has

furnished its quota of men prominent in campus activities. Bro. Jack C. Conreux, as President of the Senior Class of Washington University, President of Sigma Phi Epsilon, President of the Pan-Hellenic Council, Head Cheer Leader and President of the Bears (pep organization), and over a dozen minor activities, is at the head of the list, not only of the chapter but probably of the university as a whole.

Bro. Lyndel Conreux is President of the Senior Law Class, while Bros. Barton Warren and Wilbur Lindauer are members of the Law Council. Bro. Howard Campbell is Business-Manager of the St. Louis Law Review, and member of the Student Council. Bro. Barton Warren, winner of last year's Breckenridge Prize for scholarship, is Note Editor of the Law Review, and Justice Carl Eimbeck and Vice-Justice Philip Alexander are active on the staff. Bro. Clarence Wright is a Student Instructor in the Use of Law Books. As a member of the Varsity Debate Squad, Bro. Marshall Mitchell recently won a place on the team which debated Cambridge University.

The members of the chapter maintain rather close contact with the St. Louis Alumni Chapter, attending the luncheons and special functions of that body, the members of which, in turn, attend meetings of the active chapter and are of invaluable assistance to the active men in school.

FULLER.

Since the beginning of the fall term Fuller chapter has pledged the following men: Thomas C. Cooke, Orrin C. Knudsen, Paul F. Reich of Chicago, Ill., John F. Waterman and Julius F. Frefz of Evanston, Ill., Walter V. McAdoo and John H. Royster of Peoria, Ill., John Barber and Henry R. Barber of Springfield, Ill. The fraternity pledge ceremony was carried out at an evening dinner program and proved to be a very effect-

ive method of affiliating the new men with the chapter.

Northwestern Law School has recently established a Board of Student Publications for the purpose of enabling a considerable number of students to engage in active editorial work on legal publications controlled or partly controlled by the school. Among these publications are the Illinois Law Review, the Journal of the American Judicature Society, the Journal of Criminal Law and Criminology and the Air Law Journal. Hamilton O. Hale, the present Justice of Fuller Chapter, has been honored by appointment to the chairmanship of this student Board. Bros. David V. Lansden and Edward C. Sweeney are also members of the group; also pledge Orrin C. Knudsen.

Among the other scholastic accomplishments of P. A. D. members should be mentioned the award of the scholarship cup to Bro. David V. Lansden. This cup is presented annually to the member of the first year class who achieves the highest scholastic standing. Bros. Edward C. Sweeney and Lansden and pledge Knudsen were also among the honor men of their respective classes.

In the intra-mural football league Fuller chapter emerged victor in the Law School over four other fraternity teams and lost the championship of the professional schools by a narrow margin to Phi Rho Sigma, Medical fraternity. Bros. Schultz, Gregg and Eardley formed a passing combination on the P. A. D. team which was unusually successful and attracted wide attention.

GREEN.

Green Chapter is able to report that it is in a flourishing condition with thirty actives and thirty-five pledges on the chapter roll. Recent initiates include Bill Ryan, Lebanon, Wayne Phelps, Pittsburg, Phil Cook, Lawrence, Lee Vaughn, Kansas City, and Ray Sloan, Selden.

In scholarship, the average of Green Chapter for the past semester was first in the Law School. Of the fifteen men on the Dean's Honor Roll recently published, eight were Phi Alpha Delta's.

Members of the fraternity have been active in University politics. Bros. Turner and Hassett and Pledges Cox and Lampl are members of the men's student council. Pledge Irwin is Treasurer of the junior class. Bros. MacDonald, Fleming and Garranson and Pledge Aitchison are members of the law school student council. Bro. Greenfield has been nominated for president of the senior law class and we are confident of his election. Two of our men have branched out into state politics. Bro. McDowell is chairman of the University democratic club and Bro. Lattimer is chairman of the republican club. These men have brought excellent speakers of considerable importance to our Thursday night dinners.

Our football team was not as successful as formerly. For the first time in four years we lost a hard fought "Turkey game" to Phi Beta Pi medical fraternity.

On November 14 the fraternity had its Fall party. Guests to the party included brothers from the chapters located at Topeka, Kansas City, and Norman, Oklahoma. The whole party was a huge success.

But now the fun is over and we are getting down to serious study in preparation for the semester finals which are drawing alarmingly near.

GUNTER.

The Gunter Chapter, located at Boulder, Colorado, is showing some signs of life this year. It now has twelve promising pledges, ready for initiation, as soon as the proper scholastic record is made.

Wm. R. Arthur, Justice, has just received a set of Corups Juris, being the prize which was awarded to him for having received the highest rank

in the course on the use of law books. Bill, as he is generally known, hopes to be able to make some use of it, after the present school year is over if there is still a place left for a beginning lawyer.

The Chapter is justly proud of Bill Brophy, one of its new pledges, as he received some of the highest, if not the highest grades in the Freshman law class last year. Bill is working again this year, and promises to raise his rank to a new high mark.

Fred North, the bald headed man, with a little more age to his credit than he can entirely account for, is proving a valuable aid to the local chapter. Fred drifted in here from somewhere, and said he would like to stay, and that is all he said. Later, it was learned he had a handful of grades from Leland Stanford law school. Then later it was learned that Fred's father was the first District Judge of Boulder County, and one of our first early settlers. Fred, you are welcome, stay as long as you are happy.

The local chapter is proud of its honorary member, Justice John T. Adams of the Supreme Court of Colorado. At the October meeting of the chapter, Bro. Adams was the speaker, and entertained the boys immensely by giving the history of the great contempt case which involved two conspicuous pioneers, Teller and Tabor.

At the December meeting of the chapter, Ernest Morris, a Denver attorney, is to address the members on some phases of the early history of the practice of law in Colorado. Mr. Morris has been a life-long student of the history of the legal profession, and has written much on the subject.

HAMMOND.

The Hammond Chapter of Iowa University with twenty eight active members has one of the largest memberships in recent years. Eight of these men are recent initiates and there

is at present a pledge membership of seven, all of whom are freshmen. The financial status of the chapter is not the best but the prospects are bright of striking a balance soon.

The social activities of the fraternity have been more numerous this year than during recent years. After starting off the year with a Smoker for prospective pledges, the social committee held a P. A. D. informal dance at City Park with the Phi Delta Phi Chapter as guests. A dinner for Dads of the members was inaugurated this fall as a part of the Dads Day festivities and during Homecoming open house was held for the alumni, both innovations being well attended and favorably received. Plans are now under way for a formal dance which is a part of the yearly social calendar.

All of the graduates of the Chapter last spring, eight in number, passed the Iowa State Bar and six of these men are now practicing law in this state. There are fourteen members in line for graduation next June. Bros. Russell Graham and Otto Erheart are members of the Law Review Board of which Prof. Paul L. Sayre is faculty editor.

JEFFERSON.

Thomas Jefferson Chapter at the University of Virginia has completed a most successful first term. The brothers of the chapter have been active in the Law Clubs, three of the five clubs having Phi Alph Deltas as president. In the trials conducted by these clubs members of the chapter have been elected to represent their respective clubs in several instances. It is hoped that some member of the chapter will have the honor of reaching the final third year trials and winning his case. However, this does not come off until later in the session.

There are two members of the local chapter who hold the coveted and honored positions of Notes Editor and Recent Decisions Editor, respectively,

of The Virginia Law Review. Several older brothers are on the editorial board, and it is hoped that we shall have a greater representation after the new members are elected to the board during this term.

The Phi Alpha Delta Scholarship Award, consisting of a silver goblet, was instituted this year. It is awarded on the basis of scholastic standing plus outstanding participation in various student activities. The award is made to a student in his second year at the Law School for his record made during his first year. The intention of the chapter in presenting this award is to foster a higher interest in the first year law students in their work and in their participation in activities. This year the award was presented to Samuel Rice Baker of Montgomery, Alabama.

A smoker was given this term to which about thirty outstanding men were invited. The feature of the evening's entertainment was a negro quartette which delighted everyone with really close harmony such as no other type of quartette can equal. Several of the brothers made brief speeches. The chapter has pledged twelve men.

Among the plans of the chapter is one to get in touch with the charter members of Jefferson Chapter, and, if possible to have them return as guests of the chapter at times to see just what their chapter has done, and to give informal talks. In this way it is planned to create a more intimate connection between the active chapter and its alumni. Various other plans are under consideration, but have not been materialized sufficiently up to the present time to announce them yet.

MAGRUDER.

Magruder Chapter of Alpha Phi Delta located at Champaign, Ill., is fortunate in having Bro. Mason Clarke serving as Chairman of the University of Illinois Law Club. Through Bro. Clarke's efforts Bro. Fletcher, General

Counsel of the Illinois Central Railroad, was secured to address the club at one of its meetings.

Eleven men have been pledged.

Magruder is entertaining with an informal dance on December 13, alumna are cordially invited as well as any brothers from neighboring chapters who may be able to attend.

Our annual Pig Banquet will be held about December 17. Supreme Justice Gilbert is planning to attend, if business will permit.

We are inaugurating a plan of having some attorneys conduct a discussion group on some legal subjects. It is planned to have one such meeting every two weeks. This will keep the members in constant touch with the bar association and offers a great amount of value.

McREYNOLDS.

With the small but enthusiastic and co-operative bunch of P. A. D.'s led by Fred Bauchman, Justice, the McReynolds Chapter located at the University of Tennessee in Knoxville, Tennessee, is moving forward with a rather definite and constructive program. In view of the fact that the Chapter does not maintain a house it has been found most conducive to a finer fraternity spirit to call the members together at an informal dinner once a month.

On the 2nd of December, a smoker was given for the prospective pledges; an entertaining program was worked out for this occasion. The pledging of freshman lawyers will be immediately after the first semester law examinations in January.

Bro. Ladd, editor in chief of the Tennessee Law Review, is proving to be a most worthy and efficient editor, and states that the first issue of the "Review" will be off the press soon.

MITCHELL.

Mitchell Chapter, at the outset of the new school year, looks back with pardonable pride upon the progress

which it has made during the nine-months' period ending last June. In both scholarship and activity, the chapter was superior to any year since its entrance to the University of Minnesota, and indeed, it could justly be said that the combination of both of those primary elements stamped Phi Alpha Delta as the leading legal fraternity at Minnesota.

At the close of the past year, Mitchell Chapter had twenty-two active members, representing ten academic fraternities. In scholarship, it came second among the four legal groups. Three of its men, Donald Holmes, Floyd Nelson, and Clifford Carlson, were members of the student editorial board of the Minnesota law review. Bro. Holmes was one of the four officers of the editorial body, and was awarded one of the four "Order of Coifs" at the end of the year. As well, the chapter prides itself with three Phi Beta Kappa men.

Phi Alpha Delta in all-university student activities was especially prominent. Elbert Hartwick, a graduate of last year, was business manager of the Minnesota Daily, the world's largest college daily. Edwin Martini, also a graduate of last June, was president of the law school council, representative of the law school upon the all-university council, and also Cadet-Colonel of the University R. O. T. C., by virtue of which he led the military ball, one of the primary social functions of the year. Floyd Nelson was president of the junior law class, and Weston Grimes was the freshman representative to the law school council. Clifford Carlson was a member of the varsity debate squad which met Cambridge (England) last year, and is also a member of Delta Sigma Rho, honorary forensic fraternity.

At the start of the present year, Mitchell Chapter has been unusually active with luncheons, dinners and smokers, and will bend every effort

to make itself worthy of the high esteem which it last year held at Minnesota.

(Brother Benshoof of Mitchell Chapter has been kind enough to forward a cut of the chapter, this cut is greatly appreciated but due to lack of space will not be run until the next issue.)

MORGAN.

At a recent meeting of Morgan Chapter, University of Alabama, the following men were initiated into the Fraternity: Brothers J. L. Daffron, W. W. Flowers, J. R. Hobbs, John McRee, W. C. Johnston and G. M. Rogers. These men are all of the highest caliber, leaders in their classes and a credit to Phi Alpha Delta.

Brother Nelson Fuller, an outstanding member of the senior class, was recently elected Secretary-treasurer of the student body of the University of Alabama. The students could not have made a better choice, and Morgan Chapter is justly proud of Bro. Fuller.

At the last regular meeting, it was the chapter's privilege and pleasure to have as its guest the active chapter committee of the Birmingham Alumni Chapter. Each member of the committee, composed of Bros. Judge Russell, E. McElroy, Yel Cowherd and Paul G. Parsons, gave a short talk on subjects of interest to the chapter. Bro. Parsons is Justice of the Birmingham Alumni Chapter and is Assistant District Justice for the Southern District. Plans were made for a closer contact between the Morgan chapter and the Birmingham Alumni chapter.

Bro. McElroy will remain in Tuscaloosa for the next few days to preside at a special hearing of the Tuscaloosa election contest. Chief Justice Anderson of the Alabama Supreme Court appointed Bro. McElroy to this special duty. It is worthy to note that Bro. McElroy is the youngest Circuit Court judge in Alabama, and has already served one term of office.

REESE.

Reese Chapter again flourishes and looks forward to results to be obtained in the coming year. Most of the actives have returned and we have some fifteen pledges in whom we place much confidence for the future.

Reese Chapter is having a formal on December 12, 1930, to which all members are invited, and given an especially cordial invitation to attend. The house has been the center of a number of parties, so far, most successful of which was an "Indian Pow-Wow" where Chief Hof-In-Pof Roulier, otherwise known as the justice, officiated at the smoking of the peace pipe, and dispensing of Chief Hof-In-Pof's Tonic at the punch bowl. A large evening was enjoyed by all, the squaws venturing the timid statement that we were indeed a lively bunch of Indians.

Reese Chapter was at some pains this year to decorate the chapter house for the annual homecoming show, and many of the alums returned and were entertained at the house until the small hours of the morning.

The chapter was fortunate in placing two men on the staff of the Nebraska Law Bulletin, the men being Bros. Marold and Jensen. These men will contribute various legal articles to this magazine during the course of the year. We are also looking forward to engaging in intra-mural sports, as we have a special bracket to compete in this year. We had a championship bowling team last year, and will endeavor to repeat this during the coming year, with the assistance of Coates, Wright, Roulier, and Jensen. Reese Chapter will look forward to reporting more and better things in the next letter.

SUTHERLAND.

The University of Utah is making rapid strides in both scholarship and enrollment; and a number of changes are being made on the campus to provide proper facilities for efficient expansion in various departments. The



John R. Park Memorial Building
Houses Administrative Offices and Law School
University of Utah

Mines and Engineering buildings were recently constructed to enlarge their respective schools. Kingsbury Hall, the spacious new auditorium, has been dedicated; and the Union Building, in the course of erection through the means of student and alumni funds, will be ready for occupancy within a year. The approach to the stadium is being beautified with pines and shrubbery; and with scenic improvements on the main approach to the buildings on the circle, the John R. Park Memorial Building, which houses the administrative offices and the School of Law, will be visible for miles.

Utah has come into the national football limelight again, having won every game by a top-heavy score. The Utes are looking for an intersectional game with some formidable foe.

The Medics sought to avenge the 7-0 defeat in football suffered at the hands of the Barristers last year; and also to recoup the cost of the party which the lawyers enjoyed at the exclusive expense of the Medics. Owing to the failure of the Barristers to push the ball over the goal line on fourth down, the game this year ended in a scoreless tie. The P. A. D.'s were will represented on the Barrister team. Although retaining the championship, the lawyers became extravagant and paid half the cost of the party.

Bro. Calvin Behle, justice of the Sutherland Chapter, was elected president of the Barristers Club, and Gor-

don Strong, a pledge of Phi Alpha Delta, was elected secretary-treasurer. Gordon Strong was also elected to Phi Kappa Phi, having the highest scholastic record at the University of Utah.

The following are the officers of the chapter: Bro. Calvin Behle, justice; Bro. DeVere Wootton, vice-justice; Bro. Richard Johnson, clerk; Bro. James L. Platt, treasurer; Bro. Arthur Jones, marshal; and Bro. Paul E. Reimann, historian. Bro. DeVere Wootton, the vice-justice, was one of the four Rocky Mountain Conference representatives at a national track meet in Chicago last June. Besides the relay, he runs the 100 yard dash, the 220, and the 440. DeVere is one of the outstanding "U" track men.

Thirteen law students have been pledged. At the annual pledge banquet held at the Newhouse Hotel, October 24, Dean William H. Leary of the School of Law, and Justice William H. Folland of the Supreme Court of Utah, were formerly initiated as honorary members of Phi Alpha Delta. Dean Leary was instrumental in getting the School of Law into the American Association of Law Schools.

Dr. Frederick Hines has been added to the law school faculty. Bro. Hines was formerly affiliated with the Holmes Chapter. Bros. Calvin Behle and LeGrand Carlson are leading in the Corpus Juris contest.

The Sutherland chapter is participating in the Legal Aid Society in Salt Lake City as a fraternal activity. The third year law students are assuming the responsibility for the work.

As a point of contact between actives and alumni, the Salt Lake alumni chapter holds a luncheon every Wednesday noon. The weekly luncheon has provided an opportunity for actives to become acquainted with the men who have achieved distinction in the legal profession.

WATSON.

It is indeed unfortunate for Watson

chapter, from the standpoint of news, that the entrance requirement of the law school be a college degree from a recognized and accredited college or university. This restricts the activities of the students to the law school proper and prevents any news which might arise if the requirements were otherwise, of feats on the gridiron, basketball court, or any participation whatsoever in sports or extra curriculum activities. If we were permitted to indulge in the past and run the tangent of reminiscence, our group could boast individual collegiate accomplishments that could be equaled by few chapters and to adequately cover the work and do justice to each member, would require space not available in "*The Reporter*." For that reason the work of this reporter is somewhat simplified and news must necessarily be confined to the activities within the chapter.

To date fourteen men have been pledged and on Tuesday evening, November 25th, ten new members were added to the roll of Phi Alpha Delta. The informal and formal initiation was preceded by an exceedingly well attended banquet on the part of actives and alumni, held at the Mayfair hotel. The two main speakers of the evening were Prof. M. L. Lewis, of the law faculty, and a charter member of Watson chapter, and Prof. O. E. Roberts, our visiting brother professor from the University of Kentucky, a member of Henry Clay chapter.

There are many good men who have not, as yet, been pledged to any organization and Watson chapter hopes to initiate at least ten more men at the spring initiation.

At this writing all of the senior arguments have been held and all of the junior arguments will be out of the way by the first of the year. All arguments were well presented and exceedingly well attended by actives and pledges. Pledges attending all arguments will enable them to approach their own arguments, begin-

ning the second semester, with a greater feeling of assurance and confidence than any previous new men.

On Thursday evening, December 18th, the outstanding social event of the first semester will be celebrated. It will consist of a formal banquet and dance and will be held at the William Penn hotel. The chapter is planning not only to make this one of the most enjoyable social events in the history of the chapter but is endeavoring to have present every alumnus and active of Watson chapter, located in the Pittsburgh District. If these events can be made to serve a dual purpose, afford an enjoyable evening for everybody and bring about a closer relationship between the active chapter and alumni, these events will not have been held in vain.

WEBSTER.

The first issue of the "Reporter" was cordially received by the members of our chapter, and all comments thereon have been most favorable. In fact, the writer is quite certain that he expresses the feeling of every P. A. D. in the Chicago Law School in saying you deserve our highest commendation for the manner in which you have prepared this official magazine of the fraternity. We were especially pleased with the detailed report on the events of the last national convention contained therein and realize that it must have required a great deal of work on your part to gather this information of so vital importance to us.

Webster Chapter is at the present time planning to initiate several pledges into the fraternity on December 6th. The initiation will take place in the afternoon in the chapter rooms of the fraternity located in the Chicago Law School. Immediately after the initiation a banquet will be given in honor of the occasion at the residence of the Chicago bar association, and Supreme Justice Allen Gilbert will be the principal speaker of the evening. We deem it a great privi-

lege and honor to have with us on that date Bro. Gilbert, Supreme Justice, who so kindly accepted our invitation. We also expect the presence of two other former Supreme Justices, viz: Judge Edgar A. Jonas and Bro. George Fink, who are scheduled to give short talks on some topic of general interest to the fraternity. Those to be initiated are Elmer J. Tone, W. H. Albrecht, S. J. Durante, E. A. Hale and Henry Fedele. Mr. Tone is a practicing lawyer in Chicago, a member of the faculty of the Chicago Law School and an alumnus of that school. Although our association with Mr. Tone has been continued we are very happy to have him join the ranks of Phi Alpha Delta and are confident that he will be of great service to us. We might also add that he took his liberal arts work at the Iowa State College, Ames, Iowa.

Bro. Jean Du Bois, Chancellor of the Chicago Law School, has just returned from Europe where he was called to attend an international convention in London. Bro. Du Bois, who is an honorary member of Webster Chapter of Phi Alpha Delta, visited France, England and Germany, and it is the hope of our chapter to have him address us concerning his trip within the near future. During his absence the Chicago Law School was under the able leadership of Harold V. Snyder, executive secretary.

Bro. Robert Friedlander of Fuller chapter has joined the faculty of the Chicago Law School and is teaching the law of agency. He is also engaged in the practice of law in our city and is associated with Mr. John Kehoe, one of our more prominent personal injury lawyers.

Dr. Carter Davidson, professor of public speaking at the University of Chicago has also joined our faculty and is giving a course in that subject on Tuesday evenings. Many of us find it a great pleasure to be in his class.

The first purely social function of

Webster chapter for the year will be a pre-holiday dance on December 20th. We regret very much that we are unable to submit for publication the detailed plans of that event which will undoubtedly be colorful.

In closing we wish to give you definite assurance of our whole hearted support, and of our willingness to do our part in making "The Reporter" a real success.

WILSON.

Woodrow Wilson chapter of Cornell University was honored by a visit from Bro. Frank Rutledge, supreme vice-justice. His stay in Ithaca was a short one and the chapter hopes he can make a longer stay on his next visit. The chapter recently gave a banquet for the members of the committee on the restatement of the law of contracts and to members of the faculty of the Cornell University. This banquet was a most important affair at the University and many im-

portant figures in the legal fields were in attendance.

Following the banquet a short welcome speech was given by the Justice of the chapter and at his request Prof. Samuel Williston gave an interesting and much appreciated talk, stating how very welcome Cornell, Ithaca, and Phi Alpha Delta had made the Contracts Restaters feel.

The Director of the American Law Institute, William Draper Lewis, then gave an interesting talk on the work of the Restaters. He discussed the progress that has been made in the past few years and the vast amount of work that is yet to be done on the Contracts Restatement. Although no further speeches were called for, it was well over an hour after Mr. Lewis had finished talking that the meeting adjourned. Everyone seemed quite willing to sit around and talk with his neighbors, and it is this latter element that made the chapter believe that the evening had been eminently successful.

**IF PHI ALPHA DELTA WAS WORTH
BELONGING TO WHILE IN COLLEGE
IT'S WORTH KEEPING IN TOUCH
WITH IN AFTER YEARS.**

**EARL HATCHER,
TOPEKA, KANSAS.**

Dear Earl:

Sure I'm with you.

Inclosed find check for—

life subscription, \$10.00 ☐

current subscription, \$2.00 ☐

professional card, \$2.00 ☐

Name _____

Address _____

NEWS OF ALUMNI

J. R. S.

Brother Herbert F. Horner (Ryan), formerly of Fargo, North Dakota, and now of Minneapolis, Minnesota, is General Counsel for the Northwest Grain Association with offices at 600 Flour Exchange. Prior to his appointment to this post on May 1, 1930, he had been engaged in the general practice of law at Fargo for the past fifteen years. From 1923 to 1927 he served as State's Attorney of Cass County. He has long been active in Republican politics and at one time was Chairman of the Cass County Republican Central Committee.

Brother John P. McGoorty (Blackstone) of Chicago, Illinois, who is a Judge of the Superior Court of Cook County, became Chief Justice of the Criminal Court on September 1, 1930. He will serve in this capacity for a year. Brother McGoorty has had many years experience on the Circuit and Superior Courts of Cook County. He is a man of great independence and courage and has rendered distinguished judicial service. His son, John P. McGoorty, Jr. is a member of Story Chapter and is engaged in the practice of law at 231 South La Salle Street, Chicago.

Brother William R. Arthur (Gunter) of Boulder, Colorado, has a one hundred per cent law family. From 1909 to 1915 he was Dean of the School of Law of Washburn College at Topeka, Kansas, and since 1915 he has been a professor of law at the University of Colorado. He is the author of "The Newspaper and the Law" and is now engaged in a law book entitled "Drugs and Druggists."

His wife is a law student and is assisting him with research work for his book. His son, William R. Arthur, Jr., (Gunter), who was a delegate to the convention at Milwaukee, will receive his degree of Bachelor of Laws next June, and his daughter, Helen, who received her Bachelor of Arts degree last year, graduating "cum laude" is the only girl in the freshman law class at the University.

Brother J. Harry LaBrum (Taft) and Brother George E. Beechwood (Taft) of Philadelphia, Pennsylvania, who have been associated with Mr. William J. Conlen for several years, became members of the law firm of Conlen, LaBrum & Beechwood on October 1, 1930. The firm will continue its offices in the Packard Building.

Brother Harold W. Glassen (Ryan '30) is associated with Mr. J. Earl Brown of Lansing, Michigan, having been admitted to the Michigan Bar this fall.

Brother Allen J. McAndrews (Ryan '30) is associated with the law firm of Hill, Beckwith & Harrington at Madison, Wisconsin, with offices in the Beaver Building.

Brother John S. Cavanaugh (Ryan) of Madison, Wisconsin, is a member of the law firm of Sanborn, Blake & Aberg with offices in the Gay Building. Brother Donald McDonald (Ryan '30) is associated with the same firm.

Brother James R. Hoffman (Gunter) of Denver, Colorado, who is a mem-

ber of the law firm of Hoffman & Richardson with offices in the Midland Savings Building, was recently elected President of the Denver High Twelve Club.

Brother Richard T. Wilson (Hughes) of Denver, Colorado, is a Deputy City Attorney of that city. He is also President of the Denver Chapter of the Disabled American Veterans of the World War.

Brother George O. Bakke (Hughes) of Denver, Colorado, is Deputy City Attorney in charge of Police Court matters. He is a past Justice of Hughes Chapter.

Brother William J. Forman (Temple) of Reno, Nevada, recently became associated with his father, William Forman, in the general practice of law under the firm name of Forman & Forman with offices in the United Nevada Bank Building. Prior to that he had served for five years as Deputy Attorney General of the State of Nevada at Carson City.

Brother Philip S. Brooke (Holmes) of Spokane, Washington, is a member of the law firm of Hamblen & Gilbert with offices in the Paulsen Building. He has been engaged in the practice of law at Spokane for the past fifteen years and has been active in civic affairs. He is a past President of the Kiwanis Club and a trustee of numerous organizations including the Manito Golf Club.

Brother A. J. Hutton (Marshall) of Spokane, Washington, has been associated with the law firm of Hamblen & Gilbert for the past eleven years. He is married and has a son five

years old. He has long been interested in golf and has played over the entire Northwest and as far north as Jasper National Park in Canada. During 1929 he was President of the Manito Golf Club at Spokane.

Brother William H. Longroise (Kent) of Boise, Idaho, who is an Assistant United States Attorney for the District of Idaho, attended the November term of the United States District Court which convened at Moscow on November 3, 1930. The University of Idaho is located at Moscow.

Brother David O. Mathews (Reese) has been engaged in the general practice of law at Omaha, Nebraska, for the past five years. He has an office at 954 Omaha National Bank Building. He was married to Miss Lucille Gillette on June 23, 1926. His wife was a Phi Omega Pi at the University of Nebraska. They have a daughter, Shirley Ann, born August 15, 1929.

Brother William H. Martin (Magruder) of Tulsa, Oklahoma, is associated with the law firm of Aby & Tucker with offices at 1403 Exchange Bank Building. The firm formerly had offices in the First National Bank Building. Brother Martin is a past Justice of Benjamin D. Magruder Chapter and was largely responsible for the rehabilitation of the chapter after the World War.

Brother Otto P. Higgins (Benton) of Kansas City, Missouri, who is engaged in the general practice of law with offices at 416 Scarritt Building, is special counselor for the Park board of that city. Recently he handled a large number of cases for violation of the city vehicle tax ordinance.

Brother O. Hays Wardrip (Benton) of Kansas City, Missouri, who is President of the young Men's Regular Democratic Club, was recently endorsed for appointment to the post of Secretary of the Park Board of Kansas City. Brother Wardrip is associated with the law firm of Ellison & Dabbs with offices at 718 Commerce Building. He is married and lives at the Emerson Hotel, 2017 Linwood Boulevard.

Brother Alvin D. Stevens (Lurton '26) is Assistant Prosecuting Attorney at El Dorado, Arkansas, with offices in the new Union County Court House.

Brother Guy Fulk, Jr., (Lurton '26) is engaged in the practice of law at Little Rock, Arkansas, with offices in the Rector Building.

Brother John M. Cartwright (Lurton '27) and Brother W. D. Buntin (Lurton '27) are in business together at Nashville, Tennessee. They own and operate a haberdashery shop in the lobby of the Andrew Jackson Hotel.

Brother John Best (Ryan '30) is associated with the Wisconsin Tax Commission with offices in the Capitol Building at Madison, Wisconsin.

Brother Paul Griffith (Ryan '30) is associated with the law office of Mr. Darrell MacIntyre in the Pioneer Building at Madison, Wisconsin.

Brother Frederick Hillyer (Ryan '30) has opened a law office in the Pioneer Building at Madison, Wisconsin. We understand that he plans to form a partnership with Brother Arthur Maye (Ryan) upon the latter's graduation from Law School.

Brother Benjamin W. Blanchard (Hamlin) is Mayor of the City of Bangor, Maine.

Brother George H. Gillin (Hamlin) is engaged in the practice of law at Portland, Maine.

Brother Verner E. Gilpatrick (Hamlin) formerly of Bangor, Maine, is engaged in the practice of law at Bucksport, Maine.

Brother J. Rankin Davis (Calhoun) of Wilmington, Delaware, has his law offices at 810-812 Equitable Building. At one time he was a member of the law firm of Saulsbury, Curley & Davis. He has also served as Referee in Bankruptcy for the District of Delaware.

Brother Howard P. Wright (Taft) is Deputy Prohibition Administrator for the Northern District of Georgia with offices at 206-208 Post Office Building, Atlanta, Georgia. Brother Wright was initiated into William Howard Taft Chapter of the Fraternity in 1909. He has served as Clerk of the chapter and also Clerk of the Washington, D. C. Alumni Chapter. A great many years ago he also served as Associate Editor of the Phi Alpha Delta Quarterly. At present he is Justice of the Atlanta Alumni Chapter.

The Atlanta, Georgia, Alumni Chapter has had some very interesting meetings in recent months. Honorable Clint W. Hager of Atlanta, United States Attorney for the Northern District of Georgia, has addressed the chapter on "Federal Procedure." Major Walter L. Van Nostrand, Supervisor of Radio, United States Department of Commerce, has also given a splendid talk on "Radio Law" and

"Broadcasting." The Chapter is also looking forward to a visit from Supreme Justice Allan T. Gilbert of Chicago and Supreme Vice Justice Frank E. Rutledge of Buffalo, New York.

Brother Robert Carpenter and Brother Marion Williamson of Atlanta, Georgia, have been appointed by Brother Howard P. Wright, Justice of the Atlanta Alumni Chapter, to serve on the Active Chapter Committee which is to co-operate with the members of Keener Chapter. He has also appointed Brother Richard A. Chappell (Fish) and William B. Beauchamp, Jr., (Lurton) also of Atlanta to work with the members of Fish chapter.

Brother Richard A. Chappell (Fish) who has for sometime been Federal Probation Officer in Georgia, was recently transferred from Macon, Georgia, to Atlanta as Federal Probation Officer for the Northern District of Georgia with offices at 210 Post Office Building.

Brother David Sholtz (Calhoun) is the senior member of the law firm of Sholtz, Green & West at Daytona Beach, Florida. He is a former State's Attorney for the Seventh Judicial District of Florida. He was instrumental in the establishment of the David J. Brewer Chapter of the fraternity at the John B. Stetson University of DeLand, Florida, and was the first Justice of the chapter.

Brother William A. Pasley (Jay) of Jacksonville, Florida, is an Assistant United States Attorney for the Southern District of Florida. He was appointed October 27, 1928.

Brother Philip E. Barnard (Jay) of

New York City, New York, is associated with the law firm of Nadal, Jones & Mowton with offices at 45 John Street. He has been with the firm for several years. He is past Supreme Editor of the Phi Alpha Delta Quarterly. Prior to his election as Supreme Editor he served as Supreme Marshal.

The New York City Alumni Chapter has a luncheon at the Planters' Restaurant, 124 Greenwich Street, on the second Monday of each month. The chapter extends a most cordial invitation to attend the luncheons to any member of the fraternity who happens to visit in the city. Arrangements have been made with the New York Fraternity Clubs Building, 38th Street and Madison Avenue, by which the chapter will have a permanent lounge room at the club and will be entitled to all of the privileges of the building. All members of the fraternity who visit the city are urged to avail themselves of the facilities offered at the club and to make use of the Chapter's quarters. Room and board can always be obtained at the Club at reasonable prices by making reservations in advance. Any inquiry relative to reservations, etc., should be addressed to the Fraternity Clubs Building.

Brother Ralph M. Hoyt (Ryan) of Milwaukee, Wisconsin, is President of the Title Guaranty Company of Wisconsin. Brother Hoyt will be remembered as the able Chairman of the committee in charge of the entertainment for the Twenty-second Biennial convention of the fraternity which was held at Milwaukee last August.

Brother Byron J. Conway (Ryan '30) has opened a law office at Wis-

consin Rapids, Wisconsin, which is his former home.

Brother J. Zach Spearing (Martin) of New Orleans, Louisiana, who has represented the Second Congressional District in Congress for more than six years, will retire at the close of the Seventy-first Congress on March 3, 1931.

Brother Lewis H. Tribble (Brewer) of DeLand, Florida, formerly Acting Dean of the College of Law of John B. Stetson University, is now Dean of the College of Law. He is a charter member of David J. Brewer Chapter.

Brother Lincoln Hulley (Brewer) of DeLand, Florida, who is President of John B. Stetson University, and formerly State Senator, is teaching a course in Florida Statutory Law in the College of Law this year. He is a great inspiration to the members of David J. Brewer Chapter.

Brother John J. Kindred (Brewer) of Astoria, New York, who represented the Second Congressional District of New York in Congress for ten years, is a part time instructor in the College of Law of the John B. Stetson University at DeLand, Florida. He is teaching a course in Constitutional Law and also a course in Medical Jurisprudence. Brother Kindred has had many years experience as a physician and is a specialist in Mental Diseases. He has also studied law and has a Bachelor of Law degree. While a member of Congress he was admitted to the Supreme Court of the United States. His wife was admitted at the same time.

Brother M. S. McGregor (Brewer) of DeLand, Florida, who has had

several years experience in the practice of law and as a law teacher, has been added to the faculty of the College of Law of John B. Stetson University as a full time instructor.

Brother Cary D. Landis (Brewer), who is a member of the law firm of Landis, Fish & Hull of DeLand, Florida, is giving a course in Practical Problems in Municipal Corporation Law at the College of Law of John B. Stetson University. He has twenty-five or more years experience in representing Municipal Corporations in the State of Florida. Brother Bert Fish and Brother Dossie C. Hull are associated with Brother Landis. All are honorary members of David J. Brewer Chapter.

Brother Harold Shepherd (Holmes), formerly of Palo Alto, California, is a member of the faculty of the University of Chicago Law School at Chicago, Illinois. He is a graduate of the School of Law of Stanford University. From 1922-23 he was Dean of the University of Wyoming Law School at Laramie, Wyoming. In 1923 he became a member of the faculty of the School of Law at Stanford University. During 1929-1930 he served as a visiting professor at the University of Chicago while on sabbatical leave from Stanford. He is now teaching a course on Introduction to Law and a large part of the course is Contracts.

Brother Joseph W. Madden (Marshall), who is a member of the faculty of the School of Law of the University of Pittsburg at Pittsburg, Pennsylvania, is the editor of a new casebook on Domestic Relations which is published by the West Publishing Company.

Julius C. Gunter Chapter which is located at the University of Colorado is fortunate in having three fathers and sons who are all members of the chapter. They are Honorable John T. Adams of Denver, who is an Associate Justice of the Supreme Court of Colorado, and his son, John R. Adams, who is engaged in the practice of law at Denver; Omar E. Garwood, who is engaged in the practice of law at Denver, and his son, Milton Garwood, who is still an undergraduate; and Professor William R. Arthur, who is a member of the faculty of the School of Law and the University of Colorado and his son, William R. Arthur, Jr., who is a member of the senior law class at the University.

Brother Glenn E. Cunningham (Hammond) is engaged in the practice of law at Spokane, Washington, with offices in the Sherwood Building.

Brother Arthur J. Kinnane (Magruder) of Bay City, Michigan, is a member of the law firm of Kinnane & Leibrand with offices at 404-407 Shearer Building. His Uncle is senior member of the firm.

Madison, Wisconsin, November 11.—The right of municipalities to enact ordinances prohibiting traffic in illicit liquor was upheld by the State Supreme Court today. An opinion written by Chief Justice Marvin B. Rosenberry in the case of William Hack vs. the City of Mineral Point, maintained that a municipality may prohibit the liquor traffic even though the state condones it. Wisconsin has no state liquor enforcement law.

Chief Justice Rosenberry is an honorary member of Edward G. Ryan Chapter of the fraternity.

Brother John J. Pershing (Lawson) of Washington, D. C. delivered an Armistice Day address at Washington on November 11th. He was followed by Honorable Henry J. Stimson, Secretary of State, and Honorable Patrick J. Hurley, Secretary of War. The addresses were given under the auspices of the Military Order of the World War and the Reserve Officers Association.

Brother Scott W. Lucas (Capen) of Havana, Illinois, was re-elected National Judge Advocate of the American Legion by the National Executive Committee at a meeting which was held at Indianapolis, Indiana, on November 13, 1930. He is a former State's Attorney of Mason County, Illinois, and a past Department Commander of the American Legion of Illinois. He has been active in the American Legion ever since it was organized and has rendered splendid service.

Brother Albert J. Harno (Calhoun) of Urbana, Illinois, who is Dean of the College of Law of the University of Illinois, gave an address before the annual convention of the Illinois League of Women Voters which was held at Urbana, November 17-21, 1930.

Portland, Oregon, November 17.—Robert G. Duncan, self-styled Oregon Wildcat was sentenced today to six months in the county jail and fined Five hundred dollars for using obscene language over radio station KVEP. His attorney, John J. Jeffery, served notice of an appeal and Federal Judge Robert S. Bean set bail at \$2500. Duncan made 15 or 20 radio speeches last April and May attacking chain stores and prominent Portland and Oregon business men.

Honorable Robert S. Bean, who is Judge of the United States District Court for the District of Oregon, is an honorary member of George H. Williams Chapter of the fraternity which was at one time located at the University of Oregon.

Brother Marion R. Kirkwood (Holmes) of Palo Alto, California, who has been Dean of the School of Law of Stanford University for the past seven years, is absent on leave this year. Professor Arthur M. Cathcart is Acting Dean.

Brother Lisle W. Menzimer (Ma-gruder) of Rockford, Illinois, who has been associated with Mr. Fred H. Smith in the practice of law for the past three years, became a member of the law firm of Smith, Menzimer & Smith on November 1, 1930. Miss Rowena Smith, who was admitted to the bar in October, is the junior member of the firm. Brother Menzimer has been active in Republican politics and has been Secretary of the Winnebago County Republican Central Committee since last April. He has been a member of the committee since 1928 and represents the First Precinct of the Third Ward, which is the precinct in which your Associate Editor resides.

New York, November 21.—Mr. and Mrs. Silas H. Strawn of Chicago, Illinois, were among the passengers who sailed tonight on the White Star liner, Majestic. Mr. Strawn, who is a past President of the American Bar Association, is the head of the American delegation which will attend the meeting of the Council of the International Chamber of Commerce which will be held at Paris on December 5, 1930. While on his way to New York

he stopped over at Washington to confer with President Herbert Hoover.

Mr. Strawn is an honorary member of the James V. Campbell Chapter of the fraternity at the University of Michigan.

Among those who attended the Mid-Year meeting of the Illinois State Bar Association at Chicago, Illinois, on November 28, 1930, were the following Phi Alpha Delta brothers: Albert J. Harno of Urbana, William E. Britton of Urbana, Joseph E. Daily of Peoria, John H. Searing of Murphysboro, Frederick O. Mercer of Lewistown, Walter F. Dodd, Leo F. Daily, John M. O'Connor, James H. Turner, Denis E. Sullivan, of Chicago, and John R. Snively of Rockford. At the morning session Brother Snively gave a report of the work of his Committee on the Unlawful Practice of the Law. At the afternoon session he gave a brief talk on "Local Bar Associations and Court Rules." The annual reception and dinner to the members of the Supreme Court of Illinois and their ladies was held at the Stevens Hotel. The speakers were Honorable Frank K. Dunn of Charleston, Chief Justice of Illinois, and Honorable Charles A. Boston of New York City, the President of the American Bar Association.

Brother John H. Page (Campbell) of Rockford, Illinois, has announced the formation of a partnership with Mr. Edward S. Foltz, Jr. of this city effective December 1, 1930. Brother Page has been Assistant United States Attorney for the Western Division of the Northern District of Illinois since August 16, 1928. Mr. Foltz was admitted to the bar in October. The firm will have its offices at 615-617 Rockford National Bank Building.

Brother Edward F. Dunne (Webster) of Chicago, Illinois, former Governor of Illinois and a very distinguished attorney, was appointed attorney for the Board of Election Commissioners by County Judge Edmund K. Jarecki on December 1, 1930. He succeeds Francis X. Busch, resigned. Brother Dunne is a former Circuit Judge of Cook County and also a former Mayor of Chicago. Since his retirement as Governor on January 3, 1917, he has been engaged in the general practice of law as the senior member of the law firm of Dunne & Corboy with offices at 209 South La Salle Street.

Brother Henry J. Allen (Benson) of Wichita, Kansas, who was appointed to fill the unexpired term of Honorable Charles Curtis in the United States Senate on April 1, 1929, retired from the Senate on December 1, 1930. He was succeeded by Honorable George McGill, a Democrat and also a resident of Wichita. Brother Allen is a very good friend of President Herbert Hoover and heartily supported the program of the administration.

The Birmingham, Alabama, Alumni Chapter has been very active since our last issue. In addition to its regular membership and committee meetings, Brother Paul G. Parsons, Justice of the Chapter and Associate District Justice, Brother Russell McElroy, Chairman of the Active Chapter Committee, and Brother Yelverton Cowherd, a member of that committee, all of Birmingham, met with the members of John Tyler Morgan Chapter at Tuscaloosa, Alabama, on December 1, 1930. A very interesting program was arranged, and an exceedingly well prepared reading on the late Chief Justice William Howard Taft was given by Pledge Johnson. Brother

McElroy, who is Judge of the Circuit Court at Birmingham, had been appointed by Honorable John C. Anderson, Chief Justice of the Supreme Court of Alabama, of Montgomery, to preside over an election contest which was being held at Tuscaloosa, and as Brother Leigh Clark, the third member of the Active Chapter Committee, was presiding over Judge McElroy's court at Birmingham in his absence, Brother Clark was unable to accompany the other members of the committee to Tuscaloosa.

The Birmingham Alumni Chapter and John Tyler Morgan Chapter which is located at the University of Alabama are awaiting an expected visit from Supreme Justice Allan T. Gilbert, and plan to have a joint meeting at such time as Brother Gilbert can arrange to visit them. A very close and friendly relationship exists between Birmingham Alumni Chapter and John Tyler Morgan Chapter. The members of the alumni chapter do all that they can to assist new members of the fraternity to get located and to become acquainted with the courts.

Memorial services will be held in the Supreme Court of the United States on December 13, 1930, for the late Chief Justice William Howard Taft and the late Associate Justice Edward Terry Sanford. The late Chief Justice is the most distinguished lawyer and jurist that has ever been a member of this Fraternity and he had served in more important public offices than any person in the history of the world.

Brother Frank J. Kessel has recently been elected to the Board of Trustees of the Michigan Club at Cleveland. There are about nine-hundred Michigan graduates in Cleveland. They have a luncheon every Monday.

DIRECTORY OF ACTIVE CHAPTERS

- BENSON CHAPTER**—Washburn College, Topeka, Kansas.
Justice: William E. Studebaker, 1324 Mulvane St.
Clerk: Martin S. Hall, 1612 College Ave.
- BENTON CHAPTER**—Kansas City School of Law, Kansas City, Mo.
Justice: W. E. Danneburg, 1618 S. 14th St., Kansas City, Kans.
Clerk: F. K. Woolley, 3600 Charlotte, Kansas City, Mo.
- BLACKSTONE CHAPTER**—Chicago-Kent College of Law, Chicago, Ill.
Justice: Loraine Combe, 907 Adams St.
Clerk: G. L. Powers, 28255 Austur Blvd., Cicero, Ill.
- BREWER CHAPTER**—Stetson University, DeLand, Fla.
Justice: G. O. Rasco, Stetson Univ., DeLand, Fla.
Clerk: J. D. Mathas, Pi Kappa Phi House, DeLand, Fla.
- CALHOUN CHAPTER**—Yale University, New Haven, Conn.
Justice: David P. Evans, 2606 Yale Station
Clerk: Earl A. Forsyth, 2606 Yale Station
- CAMPBELL CHAPTER**—University of Michigan, Ann Arbor, Mich.
Justice: Robert Finch, 1223 Hill St., Ann Arbor, Mich.
Clerk: Clarence L. Becker, 1223 Hill St., Ann Arbor, Mich.
- CHASE CHAPTER**—University of Cincinnati, Cincinnati, Ohio
Justice: James L. Nolan, 3547 Charles Place
Clerk: Davis W. Hardin, care College of Law
- CLARK CHAPTER**—Washington University, St. Louis, Mo.
Justice: Carl V. Eimbeck, 6132 Pershing, St. Louis, Mo.
Clerk: Clarence W. Wright, 6174 McPherson, St. Louis, Mo.
- CLAY CHAPTER**—University of Kentucky, Lexington, Ky.
Justice: J. K. Lewis, 137 Limestone, Lexington, Ky.
Clerk: Herbert T. Willis, 323 E. Maxwell St., Lexington, Ky.
- COLE CHAPTER**—Drake University, Des Moines, Ia.
Justice: Roy E. Montgomery, 1922 Tenth St., Des Moines, Ia.
Clerk: Alvin Doran, 2821 Brattleboro Ave., Des Moines, Ia.
- CORLISS CHAPTER**—University of North Dakota, Grand Forks, N. D.
Justice: R. Fred Rolevig, 815 Reeves Drive, University, N. D.
Clerk: H. W. Hartwick, 222 Seward Ave., University, N. D.
- DUNBAR CHAPTER**—University of Washington, Seattle, Washington
Justice: Allan Pomeroy, 4555 15th N. E.
Clerk: Jack Bolinger, 4506 17th N. E.
- FIELD CHAPTER**—University of California, Berkeley, Cal.
Justice: Folger Emerson, Boalt Hall, Berkley, Calif.
Clerk: Ringer Kemble, 1739 Milvia Berkeley
- FISH CHAPTER**—Mercer University, Macon, Ga.
Justice: P. F. Etheridge, Mercer Univ., Macon, Ga.
Clerk: F. P. Graham, Mercer Univ., Macon, Ga.
- FLETCHER CHAPTER**—University of Florida, Gainesville, Fla.
Justice: C. M. Maddax, Wanchula, Fla.
Clerk: C. R. Hall, Jr., Box 739, Gainesville, Fla.
- FULLER CHAPTER**—Northwestern University, Chicago, Ill.
Justice: H. O. Hale, N. U. Law School, 357 E. Chicago Ave., Chicago
Clerk: Robt. G. Howlett 357 E. Chicago Ave., Chicago

GARLAND CHAPTER—University of Arkansas, Fayetteville, Ark.

Justice: Dennis B. Patten, S P E House, Fayetteville, Ark.

Clerk: Frank Burke, Kappa Sigma House.

GREEN CHAPTER—University of Kansas, Lawrence, Kans.

Justice: Vincent Fleming, 1140 Louisiana St., Lawrence, Kans.

Clerk: Joe H. McDowell, 1140 Louisiana St., Lawrence, Kans.

GUNTER CHAPTER—University of Colorado, Boulder, Colo.

Justice: Wm. R. Arthur, 1013 Grandview

Clerk: Wm. Lester, 1135 Lincoln Place

HAMMOND CHAPTER—University of Iowa, Iowa City, Ia.

Justice: Horace E. Pike

Clerk: John S. Peterson, 4 E. Market St., Iowa City, Ia.

HARLAN CHAPTER—University of Oklahoma, Norman, Okla.

Justice: Stewart Baiely, Acacia House, Norman, Okla.

Clerk: Jack Rarschack, 212 W. Lenn St., Norman, Okla.

HAY CHAPTER—Western Reserve University, Cleveland, Ohio

Justice: Howard D. Barnes, 3317 Cummington Road, Cleveland, Ohio.

Clerk: James L. Broz, 4142 E. 138th St., Cleveland, Ohio

HOLMES CHAPTER—Leland Stanford University, Palo Alto, Calif.

Justice: Nomman W. Applegaeth

Clerk: Harry W. Dudley

HUGHES CHAPTER—Denver University, Denver, Colo.

Justice:

Clerk:

JAY CHAPTER—George Washington University, Washington, D. C.

Justice: Harold C. Nystrom, 2410 20th St., N. W., Washington, D. C.

Clerk: Albert W. Perry, 3701 16th St., N. W., Washington, D. C.

JEFFERSON CHAPTER—University of Virginia, Va.

Justice: B. Nightingale, care Miss May, Virginia Ave.

Clerk: M. M. Durrett, Pi Kappa Alpha House

KENNER CHAPTER—Emory University, Atlanta, Ga.

Justice: Wm. L. Woodruff

Clerk: Wm. G. Brown Box 279, Emory Univ.

KENT CHAPTER—University of Idaho, Moscow, Idaho

Justice: Frank H. Davison, 616 S. Jefferson St.

Clerk: Edward G. Cross

KNOX CHAPTER—University of Arizona, Tucson, Arizona

Justice: W. K. Peterson, 1501 E. 1st St.

Clerk: John H. Jas, 2038 E. 6th St.

LAMAR CHAPTER—

Justice: David Cottrell, Law School, University, Miss.

Clerk: Warner Beard, Laurel, Miss.

LIVINGSTON CHAPTER—Columbia University, New York City, N. Y.

Justice:

Clerk:

LURTON CHAPTER—Vanderbilt University, Nashville, Tenn.

Justice:

Clerk:

McKINLEY CHAPTER—Ohio State University, Columbus, Ohio

Justice: Robt. S. Hatch, 149 E. Fraubes Ave.

Clerk: J. R. Jones, 442 W. 6th St.

- McREYNOLDS CHAPTER**—University of Tennessee, Knoxville, Tenn.
Justice: Chas. F. Baughman, 613 W. Main St.
Clerk: Roger F. Johnson, Powell Station
- MAGRUDER CHAPTER**—University of Illinois, Champaign, Ill.
Justice: A. M. Hall, 1007 S. 5th St., Champaign, Ill.
Clerk: L. V. Kuhar, 1007 S. 5th St., Champaign, Ill.
- MARSHALL CHAPTER**—University of Chicago, Chicago, Ill.
Justice: Lucien S. Field, 6222 Woodlawn Ave.
Clerk: Herbert F. Zornow, 601 W. 138 St., Riverdale, Ill.
- MARTIN CHAPTER**—Tulane University, New Orleans, La.
Justice: Harry B. Kelleher, 1209 Nashville Ave., New Orleans
Clerk: Fred Inbau, 426 Deleny St.
- MITCHELL CHAPTER**—University of Minnesota, Minneapolis, Minn.
Justice: Floyd Nelson, 1206 5th St. S. E.
Clerk: Lowell Benshoof, 629, 15th Ave. S E.
- MORGAN CHAPTER**—University of Alabama, Tuscaloosa, Ala.
Justice: Carl G. Moebes, Univ. of Alabama.
Clerk: N. O. Fuller, Univ. of Alabama
- REESE CHAPTER**—University of Nebraska, Lincoln, Nebr.
Justice: Leon Roulier, 1620 R St., Lincoln, Nebr.
Clerk: John P. Jensen, 1620 R St., Lincoln, Nebr.
- ROSS CHAPTER**—University of Southern California, Los Angeles, Calif.
Justice: Wm. V. R. Smith, 728 S. Cloverdale, Los Angeles
Clerk: Gordon Shallenberger, 2060 W. 28th St.
- RUFFIN CHAPTER**—University of North Carolina, Chapel Hill, N. C.
Justice: G. A. Smith, Smith Bldg.
Clerk: Hugh Lobdell, care Smith Bldg.
- RYAN CHAPTER**—University of Wisconsin, Madison, Wis.
Justice: Frederick Hillyer, 271 Langdon St., Madison, Wis.
Clerk: Norman J. Baker, 271 Langdon St., Madison, Wis.
- STAPLES CHAPTER**—Washington & Lee University, Lexington, Va.
Justice: R. C. Ammerman, Box 258 Lexington, Va.
Clerk: Alfred T. McDonnell, 1505 N. Dearborn St., Chicago, Ill.
- STORY CHAPTER**—DePaul University Law School, Chicago, Ill.
Justice: Patrick T. Driscoll, 1505 N. Dearborn Parkway, Chicago, Ill.
Clerk: Dan J. Hays, 5520 S. Green St., Chicago, Ill.
- SUTHERLAND CHAPTER**—University of Utah, Salt Lake City, Utah
Justice: Calvin Behlee, 457 E. Bdway
Clerk: Richard Johnson, 370 Center St.
- TAFT CHAPTER**—Georgetown University, Washington, D. C.
Justice: Jas. E. Murphy, 1741 K. St., N. W.
Clerk: L. D. Lott, Jr., 1741 K. St.
- TEMPLE CHAPTER**—Hastings College of Law, San Francisco, Calif.
Justice: W. E. Pringle, Hastings College of Law, State Bldg.
Clerk: Frank J. Needles, 1025 Jackson St.
- WATSON CHAPTER**—University of Pittsburgh, Pittsburgh, Pa.
Justice: John M. Bash, 271 W. Prospect, Ingram, Pa.
Clerk: Howard O. Stevens, 212 Orchard Ave., Canonsburg, Pa.
- WEBSTER CHAPTER**—Chicago Law School, Chicago, Ill.
Justice: C. G. Koepke, 414 Washington St., Wilmette, Ill.
Clerk: Alvin Olson, 5442 Kenmore Ave.

WILLEY CHAPTER—University of West Virginia, Morgantown, West Va.

Justice: Morgan V. Martin, 640 N. High St.

Clerk: Walter B. Johnston, Pi Kappa Alpha House, Morgantown, W. Va.

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