

mother being there and having her photograph made and of our having our first automobile ride, on a White Steamer, I am reminded that it was at that Exposition that I saw James Bryce, the British Ambassador and the author of The American Commonwealth, my one and only time. Later, while I was at work on Race Distinctions, or some subject, I wrote Mr. Bryce for some information. He answered me on a handwritten postal card, in his own handwriting, I presume. I have that card somewhere, in my office in the yard among the papers to be preserved.

This 1906 Commencement ended my work in the Graduate School. After another year at home, a second sabbatical, I returned to Harvard for three sessions in the Law School. But, first, let me tell about that year at home. It really was a significant year, as it turned out, in preparation for my life-work.

Again, my father acted wisely in having me stay out of school another year. It meant much more than rest and relaxation from schoolwork. I needed time to think through and try to think out what I should do for my lifework. I still was undecided as between teaching and law. When I had entered the Graduate School in 1904 and even after I had gone on to Harvard in 1904 I could not decide whether I was preparing for teaching or for politics via the law.

In 1906 I was 22, nearly 23 years old. It was time for me to get my bearings. I got them, partly at any rate, in a most unexpected way.

This is the way I describe it in my volume, Reflections of a Trustman, Chapter I, and I cannot do better than quote direct from that:

Between leaving the Harvard Graduate School and entering the Law School, I took a year off from school and stayed at home. During the summer of that sabbatical year I attended a local farmers' meeting and heard an address by a representative of the American Society of Equity. This was a farmers' organization with its head office somewhere in the Middle West. The speaker urged the peanut growers of southeastern Virginia and north eastern North Carolina to organize a division of the Society for their protection and for the promotion of their interests. Our farmers responded to this appeal. They invited me to take over the organization of the peanut division of the Society, and I accepted.

During that school year, I went, mostly by horse-and-buggy, from township to township throughout the peanut-growing areas of the two States. I called together the farmers in school-houses, on store porches, wherever I could get them together, explained to them the best I could the workings of the Society, and organized them into local chapters. Also, that was the year of the Jamestown Exposition, and I was active in arranging a peanut exhibit in the Exposition. In our area the American Society of Equity has been succeeded by the Farm Bureau and the Peanut Growers Association which are much more effective organizations than the Society or its Peanut Division ever was. But it was the A. S. of E. - as it was abbreviated - that gave me my first experience in organizing and influencing men for a common objective.

So much for the somewhat impersonal side of that work. I was paid, not a salary, but a commission on the new members whose membership fees I collected, took out my commission, and turned in

the net amount. The money I made, which was not much, I used mostly in buying a colt named Nellie who - who, no which - lived on to a ripe old age and was a rich character to the end of her days. She had personality. She almost could unlock barn doors and open gates and go where she wanted to go.

Not only did that year, as I quoted above, give me my first experience in organizing and influencing people; it gave me my first insight into the homelife of the farmers of the Tidewater Section of Virginia and North Carolina - Southampton, Nansemond, and Isle of Wight in Virginia; Northampton, Hertford, Bertie, and Gates in North Carolina. I got my first taste of hotel life. Working the Virginia counties, I would go by train to Suffolk, spend the night, and work out from there the next day, using the Seaboard, the Norfolk and Western, and the Norfolk Southern Railroads.

It was during this sabbatical year, too, that I met Grace. I have typed a diary of hers for that year, 1906-1907. I find several entries about "Mr. Gilbert Stephenson" calling. And my own Journal carries numerous entries of my calling. She was teaching in the Conway School and living with her sister, Mrs. D. H. Reed. In fact, I think it was after a peanut meeting that I made my first call on her. I do not think she attended the meeting; she was not at all interested in that. But, as I recall, after the meeting Will Stephenson took me to Dr. Reed's and introduced me to the new teacher, Miss White.

Is it not interesting to note how many things of the very greatest importance in one's life come unexpectedly and in the most unexpected places? My experience with the A. S. of E. that year and my meeting Grace made that year the most eventful of my

career up to that time and probably ever since.

With the coming of the school year, 1907-1908, I decided to return to Harvard and to enter the Law School and work for a Law degree, LL. B., rather than return to the Graduate School and work for a Ph. D.

Why Harvard? Let me stop here and in this connection pay tribute to my father: He wanted me to have the best education that was obtainable. He did not know what that was nor where I could get it. But he only wanted the "best" - the best of everything, the best horse, the best buggy, the best house, the "best" anything and everything.

Illustrative of his wanting the best: One year he attended the Baptist State Convention. The Convention sermon - the big event - was preached by a city pastor. My father did not think much of it. He remarked that he knew country preachers who could outpreach that man. One of those country preachers was Rev. Q. C. Davis who had a pastorate, I think, in the Chowan Association near Elizabeth City. In some way - I do not know how - my father got him on to preach the Convention sermon the next year. He did outpreach the city pastor of the year before. My father attended that convention too. No mother ever was more concerned about the looks and actions of her daughter at her coming-out party than my father was over his preacher - his clothes, his delivery, everything. In fact, he made a good selection. The Reverend Mr. Davis was a theologian and a good speaker. He had a brother who was a federal court judge in New Jersey and an active church layman. He came down to Wilmington for a YMCA address, and we entertained him at 814 N. Broome Street. My father had a son who was, perhaps still is, a professor in one of the Baptist

theological seminaries. But my father was most interested in having "his" preacher outreach the city preacher of the year before two years and three sessions later that the book of that title was My father got his wanting the "best" from his mother rather than his father. And he had this ambition far more than my mother did. She would have been willing for me to stop school after I was graduated from Wake Forest in 1902 and go to teaching or something. Not he. If there was any better educational obtainable, here or abroad, he wanted me to have it. While money with him was not plentiful, he would have found a way to finance further schooling no matter where, just so it was the "best."

Now, after this digression, let me get back to the selection of a law school. Why I chose Harvard in the first place I really do not know. I presume I inquired around among the professors in Wake Forest and from them got the impression that, when all is said and done, Harvard is the best institution of higher learning in either the United States or Great Britain. So it was Harvard I selected.

This was about the time of the beginning of the Rhodes Scholarships to Oxford University. I thought for a while of trying for one of them. But that was too far away from home for me. Harry Trantham, David Covington's first cousin, did try and got one. In later years I twice visited Oxford University, in 1927 and again in 1956. I wonder what would have been my lot in life if I had gone there for graduate work or even for law, as our friend Robert Lee Humber did, a lawyer, also named *Graduate School* with whom? But why the Law School instead of the ~~Law~~ School? I am sure Professor Albert Bushnell Hart had a hand in that too, though he did not realize and perhaps would not have approved

Now let me come back to the place where Professor Hart it at the time. Early in my Graduate School work under him I veered me toward the Law School. As anyone who glanced through had begun to work on Race Distinctions in American Law. But that the book, Race Distinctions in American Law, will see, was three years and three session later that the book of that ti- source material is statutes and court decisions. See the page tle was written. Professor Hart, always eager to promote his after page of footnotes at the end of each chapter. Running students, had got me on the program of the Baltimore meeting of down these statutes and decisions took me to the Law School the American Political Science Association. He had me speak library. Later, while I was preparing the book for publication, on race distinctions.

I was given the run of the stacks, for which privilege I gave Three things about that convention I remember: One, the due credit to the Librarian, Mr. John A. Arnold, in the preface audience room was one of the Johns Hopkins classrooms with rising of the book. tiers of seats from front to rear - an amphitheatre. When my time came on the program I was sitting on one of the top tiers of and away from the Graduate School. But this does not mean at all seats. Starting to walk down I stumbled and fell sprawling. However, I picked myself up and went on and made my address. This was my first address before a learned gathering.

Second: During the convention the head of the Catholic Church in Baltimore - Cardinal Gibbons, I think he was - gave a reception and I attended it. That was my first intellectual social affair of that kind.

Third: My address was published in the American Political Science Review of May 1909. Somewhere I think I have a copy of it.

Then, too, Professor Hart put me in touch with Charles E. Grinnell, editor of The American Law Review. Mr. Grinnell, then an old man, had me out to dinner and to spend the evening with him and Mrs. Grinnell. Mr. Grinnell himself, I think, as a young man, had seen Abraham Lincoln or perhaps had seen his body as he lay in state. They had a son, a lawyer, also named Charles, with whom I had some, not much, contact later. Mr. Grinnell, editor, accepted for publication a series of articles by me on race distinctions. This was my first break-into a legal publication.

Now let me come back to the place where Professor Hart I entered the Law School, in 1907, the first part of Langdell veered me toward the Law School. As anyone who glanced through Hall had been completed and our classrooms were in it. We still the book, Race Distinctions in American Law, will see, its used the reading room and washrooms and lockers of Austin. Since source material is statutes and court decisions. See the page then unit after unit has been added to Langdell until now it after page of footnotes at the end of each chapter. Running is spread all over what used to be the Holmeses' garden. down these statutes and decisions took me to the Law School library. Later, while I was preparing the book for publication, In 1870, three months after President Eliot had been inaugurated, Christopher Columbus Langdell had been installed I was given the run of the stacks, for which privilege I gave as Dane Professor of Law. In 1895 he became Dean of the Law due credit to the Librarian, Mr. John A. Arnold, in the preface School. Encouraged by President Eliot, he had introduced the of the book.

Thus it is easy to see why I headed toward the Law School case system of teaching law. This was something new under the sun. Instead of the teacher's telling student what the law is and away from the Graduate School. But this does not mean at all that I lost touch with Professor Hart. In fact, I saw more of or letting him go to a textbook to find out what the author thought the law on a given point is and then recite to the him during my Law School days than I did of any of the Law School teacher, the student had a casebook - that is a book of selected professors and after I left Harvard I remained more intimate cases. He was to study these cases, find out what the points of with him than I did with any of them. It was many years later the court's opinion were, and be prepared to discuss them in class. that my intimacy with Austin Scott came.

So much for why I entered the Law School. Certainly there in class the teacher did not lecture. He only raised point after point that had been covered in the assigned cases and called upon was no blazing enthusiasm for the law nor dedication to the legal students to discuss or students volunteered to discuss the point. profession. It was, at best, a platonic, rather than an emotional, The only instructor I had who almost-lectured to us was Ed (Bull) attachment.

Having already spent two sessions in Harvard, I knew my Warren, because he did near-lecture instead of lead discussion, he was not rated so high as an instructor as the others were. It way around. I returned to 14 Oxford Street to room and to Randall was these classroom discussions that brought out what was in the Hall to eat.

During my Graduate School years, the only Law School student. Some of them were loquacious and talked too much; and the instructor had a nice way of squelching them. Others made building was Austin Hall. I had played tennis where Langdell Hall names for themselves by their intelligent discussions. Among the now stands. This open space for tennis courts once had been the letter were Robert Swaine of Iowa, Hanley O. Hudson of Missouri, Vegetable garden of the Holmeses - Dr. Oliver Wendell Holmes and Harrison Tynd of New York, and Winthrop Aldrich of Rhode his son Justice Oliver Wendell Holmes. But by the time I entered island but let us postpone for the moment anything further

I entered the Law School, in 1907, the first unit of Langdell Hall had been completed and our classrooms were in it. We still used the reading room and washrooms and lockers of Austin. Since then unit after unit has been added to Langdell until now it is spread all over what used to be the Homleses' garden.

In 1870, three months after President Eliot had been inaugurated, Christopher Columbus Langdell had been installed as Dene Professor of Law. In 1895 he became Dean of the Law School. Encouraged by President Eliot, he had introduced the case system of teaching law. This was something new under the sun. Instead of the teacher's telling student what the law is or letting him go to a textbook to find out what the author thought the law on a given point is and then recite to the teacher, the student had a casebook - that is a book of selected cases. He was to study these cases, find out what the points of the court's opinion were, and be prepared to discuss them in class. In class the teacher did not lecture. He only raised point after point that had been covered in the assigned cases and called upon students to discuss or students volunteered to discuss the point. The only instructor I had who almost-lectured to us was Ed (Bull) Warren, because he did near-lecture instead of lead discussion, he was not rated so high as an instructor as the others were. It was these classroom discussions that brought out what was in the student. Some of them were loquacious and talked too much; and the instructor had a nice way of squelching them. Others made names for themselves by their intelligent discussions. Among the latter were Robert Swaine of Iowa, Manley O. Hudson of Missouri, Harrison Tweed of New York, and Windthrop Aldrich of Rhode Island. But let me postpone for the moment anything further

the vowels and all of the consonants that were not determinative about these and other leaders in my class.

In my judgment the case system is the ideal way to teach opportunity, aptly. There were a few signs. The was /; of the law to men who expect to be really learned in the law. Instead of telling them what the law is - who knows? - tell them how writing and is being taught in business schools. Anyhow, I became to find out what, others think, the law is or should be. In rather proficient in this system of speedwriting. Even, now, when practice, when a lawyer gets a case, he tries - or he should I get into a pinch, I can use it almost as well as I did in my try - to reason out what the law should be or what he hopes it student days.

is. Then he tries to find out what the statutes, if any, say it is for the time being. For several years The News and Observer was so busy taking down what the instructor or the student has carried a column, This Is the Law, by a college professor saying about a point of law that sometimes I failed to get what of law. Let's not name the college nor the man. Had that man the conclusion about the point was. Furthermore, I was so busy been trained in the Harvard Law School he, I hope, never would taking notes that I did not participate in the classroom dis- have given his column any such cocksure title.

In my library I have a collection of casebooks I used something like to my note-taking. all during my three sessions in the Law School. They, of course, have been superseded by casebooks containing more recent cases. As soon as the class or classes were over I would go back to my room and type out the lecture or lectures. It would have For instance, I have Volume I of Ames's selected cases on The Law of Trusts, published in 1893, and Austin Scott's selectee cases and other authorities on The Law of Trusts, second edition, published in 1931, 38 years later. And, no doubt, there are many bound and lettered in leather and cloth, just like lawbooks. other, later editions of selected cases on the law of trusts They are among my prized possessions. Someday, maybe, they will and other subjects. The case system still applies in the Law be offered to the Harvard Law School Library, not for the School and has spread to the leading law schools of the coun- goodness of the notes but for the way one student made and kept try.

his notes back in the 1900's. The following is a list of my In the Law School I became a slave to my notes. In the Notes; Ames, Equity, Pleading, and Trusts; Beale, Criminal Law Graduate School Professor Hart had taught me a system of tak- and Conflict of Laws; Brannan, Bills and Notes; Gray, Evidence; Smith, Torts; Washburn, Agency and Constitutional Law; Warren, Corporations and Property I; Williston, Sales; and Wyman, Mort-

the vowel^s and all of the consonants that were not determinative of the sound. For example, character was crtr; marriage, mrg; opportunity, optnty. There were a few signs. The was /; of the, v/ It is substantially the same system that now is known as speed-writing and is being taught in business schools. Anyhow, I became rather proficient in this system of speedwriting. Even, now, when I get into a pinch, I can use it almost as well as I did in my student days. law student, so far as I know, was supposed to

be a . . . In saying that I became a slave to my notes I mean that I was so busy taking down what the instructor or the student was saying about a point of law that sometimes I failed to get what the conclusion about the point was. Furthermore, I was so busy taking notes that I did not participate in the classroom discussion. This, however, I think, was due more to my timidity or something than to my note-taking. came, and was there to welcome

Ericks. As soon as the class or classes were over I would go back to my room and type out the lecture or lectures. It would have been much better if I had spent less time taking and typing notes and more time studying and discussing cases in and out of classroom. In my library I have 17 volumes of these notes nicely bound and lettered in leather-and-cloth, just like lawbooks. They are among my prized possessions. Someday, maybe, they will be offered to the Harvard Law School Library, not for the goodness of the notes but for the way one student made and kept his notes back in the 1900's. The following is a list of my Notes: Ames, Equity, Pleading, and Trusts; Beale, Criminal Law and Conflict of Laws; Brannan, Bills and Notes; Gray, Evidence; Smith, Torts; Wamborgh, Agency and Constitutional Law; Warren, Corporations and Property I; Williston, Sales; and Wyman, Mort-

gages and Suretyship. and Sam Boyd Sebree of Kansas City, Missouri. There is one volume missing. I loaned it to Charlie the Vogel in Winston-Salem. He died soon thereafter. I asked his only brother Herbert to try to find it for me; but he never was able to find it. Today it may be hidden away in some attic in Winston-Salem. I do not recall now in what course this volume of Notes was. Every law student, so far as I know, was supposed to be a member of some Law Club. Mine was the Smith Law Club. Why or how I became a member of it I have no idea. It was not one of the distinguished clubs of the Law School. It was named for Professor Jeremiah Smith. He was one of the oldest members of the faculty. He taught Torts. They used to say that he was living when Lief Erickson from Scandinavia landed on our coast, long before Christopher Columbus came, and was there to welcome Erickson. For some reason I was elected "clerk" of the club my first session, and charged with the duty of keeping its records. I have a 133-page copy of the records of the club, 1907-1908, the year of my clerkship. It contains a copy of the constitution of the club, the outline of Professor Wambaugh's lecture to the club on how to find authorities, and a statement of the 11 cases we moot-tried that session. It contains also the lawyers' briefs on the cases. Someday I should like to find out whether the Smith Club still is in existence and, if so, maybe it would like to have my copy of its records for that year, 1907-1908.

The records contain a roster each of the First Year, Second Year, and Third Year students. Of the eight First Year members the only two that I kept in touch with are Edward Rieman

Lewis of Indianapolis and Sam Boyd Sebree of Kansas City, Missouri. In recent years I have lost touch with both these. Of the ^{akv} either members of the Second Year Court I kept in touch with only Ben Parham of Oxford, North Carolina, who married Kate Johnson, Gerald's sister, practiced law in Oxford, and died rather young. Of the five members of the Third Year Court I never had or, if I ever did, I lost touch with all of them. This was in no sense a social club. We met weekly to argue cases that had been assigned to us.

I argued my first case November 5 1907. It was a criminal case, and I appeared for the prosecution. The point was whether pointing an unloaded pistol - known by the victim but not by the defendant to be unloaded - was an attempt to murder. As I glance over my brief in that case I am rather pleased with it. It looks as though I did go to the heart of the case; and my citations indicate that I really had made a study of the different points covered in the prosecution.

Now let me tell some of my reminiscences of the instructors in the Law School, 1907-1910, and of the courses they gave. In the history of the Law School it was midway, before the old men went out and before the new ones came in.

James Barr Ames was not only Dean of the Law School but also taught Trusts, Pleading, and Equity. I took his course in Trusts my second year. He was succeeded by Austin Scott, of the Class of 1909, who has been giving it ever since and who is retiring at the end of the next, 1960-1961, session at the age of 76.

Dean Ames was one of the most democratic, personable, unpretentious men of the Law School Faculty. He lived in a house

just back of 14 Oxford Street where I roomed. In the morning he would crawl through the space of a left-out board in the fence around his backyard and dog-trot by Pierce Hall, in which Professor Hart's office was, over to his own office in Langdell Hall. Once or twice I stopped him on the way and asked him about some point. He was as simple and approachable and democratic as anyone could be. It is interesting that trust has turned out to be the branch that I have had the most to do with. I do not know now the grade that I made in the course; it could not have been above a B; maybe it was only a high C. I do remember that in 1909, my second year, it was my first examination coming on Monday. The Sunday evening before I had been out with the Larramendi girls and had overeaten and had not slept well. How well I did on the examination the next morning I do not know; but, I suspect, not very well. Dean Ames died during my third year in the Law School. I went to his funeral in Appleton Chapel. He had been stricken with what then was called "softening of the brain." One day, I was told, he called the Law School Faculty together at lunch in the University Club. He told them, as they sat together around the table, that there was something the matter with him, that he could not call the name of a single one of them, and that he was going away. He went, but he did not return.

He was succeeded by Professor James Bradley Thayer. I never had any course under him nor knew him. And my LL. B. diploma granted in 1910 carries the name of A. Lawrence Lowell President and Samuel Williston Dean of the Law School ad hoc. As I

The students who, as I have indicated, referred to him as Jerry, recall, Dean Thayer, on account of ill health did away with himself. He had been a member of the faculty since 1890 after a long and distinguished career at the Bar and on the Bench in his native State of New Hampshire. He was succeeded mediately or immediately by Roscoe Pound, who had been brought in from Nebraska. I heard him lecture at the University of North Carolina, I saw and perhaps met him at American Bar Association meetings. But I never warmed up to him. He still is alive, I think. The only dean after Ames that I did come to know was Erwin Griswold, the present Dean, during his college days he had lived in College House which was the dormitory of boys in straitened financial circumstances. Although I never came into much, if any, direct contact with him, I had tremendous respect for him; and I think everyone else did. to remain a teacher.

Twice Austin Scott was offered the deanship of the Law School and twice had the good sense to turn it down. He preferred to remain a teacher.

Samuel Williston taught Sales and Contracts. He was the third man who came onto the faculty that same year, 1890. In 1909 he published a textbook, not a codebook, on The Law of Sales of Goods at Common Law. I noted on the flyleaf that I bought a copy on April 6 1909, "bought the day the book appeared." I always thought of Professor Williston as a lovable man. In 1941, long after I had left the Law School and long after he had retired, he wrote his autobiography, Law and Law. Perpetuities and for his scathing denunciation of Spendthrift Trusts. I suppose his work on the rule against perpetuities is affectionately dedicated to my former students and the many friends who have come to me through a long life. I bought a copy and read it with a great deal of pleasure. So much did I enjoy reading it that I wrote him a note of congratulation, of the present-day Law School Faculty, A. James Casner, long has never dreaming that I would hear from him except, perhaps, by formal note. To my amazement and very great satisfaction promptly there came this handwritten note:

I already have mentioned Professor Smith - Jerry - as the patron saint of the Smith Law Club. I do not recall his ever having attended a meeting of our club; maybe he did. But he was a very popular member of the faculty and had the universal respect of

the students who, as I have indicated, referred to him as Jerry. He had been a member of the faculty since 1890 after a long and distinguished career at the Bar and on the Bench in his native State of New Hampshire.

Joseph H. Beane also came onto the faculty in 1890. He taught Criminal Law and Conflicts of Laws. He was a small, plump man, with a walrus mustache. His nickname with us was Joey. During his college days he had lived in College House which was the dormitory of boys in straitened financial circumstances. Although I never came into much, if any, direct contact with him, I had tremendous respect for him; and I think everyone else did.

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Mr. dear Mr. Stephenson,

Thank you for taking the trouble to write me that you find "Life and Law" interesting. The author of an autobi-

ography feels a little shame-faced about it - at least I do - and is grateful for testimony that it has been worthwhile, one of the younger ones during my day. He was Edward H. Warren who taught me Corporations and Property I. Although I have spoken somewhat disparagingly of him because he was more inclined to tell us what the law is than to discuss it with us. I became and remained somewhat prejudiced against him because of this incident: One day in the reading room of Austin Hall I saw Professor Warren sitting huddled over a book in one of the side-rooms off the main reading room. I went over and asked him still is alive in the flesh but is a mental invalid.

I hope very much that if you are in Cambridge again you will look in on me. I am ordinarily at the Law School throughout the morning.

Very sincerely yours,

Daniel Williston

Recently - February 1960 - I learned that Mr. Williston still is alive in the flesh but is a mental invalid.

Professor Eugene Wambaugh came to the Law School from Iowa State University in 1892. I had him in Agency and Constitutional Law. And, I recall, I made an A in his course in Constitutional Law. After I had left the Law School I remember paying a courtesy call on him in his office in Austin Hall. More than that, once when Grace and I were visiting the Albert Bushnell Harts, Professor Hart gave a dinner for us in the University Club, and Professor Wambaugh was one of the guests. Then I did have opportunity really to sit down and have a talk with him as man to man and on that level.

What impressed me then was the difference in attitude of a former student toward his former teacher when the two meet in afterlife as man to man. Professor Wambaugh's attitude toward me was different from what it had been when he was teacher and I, student; at any rate, I thought it was. And now, when I myself am in my 70's, I cannot get quite used - in fact, I do not want to - to the difference that younger people pay me simply because I am older or because I have held or still am holding some position which they regard as higher than theirs.

Speaking of Professor Wambaugh's (Wamby's) change of attitude toward me, let me introduce another member of the faculty, one of the younger ones during my day. He was Edward H. (Bull) Warren who taught me Corporations and Property I. Although I have spoken somewhat disparagingly of him because he was more inclined to tell us what the law is than to discuss it with us. I became and remained somewhat prejudiced against him because of this incident: One day in the reading room of Austin Hall I saw Professor Warren sitting huddled over a book in one of the side-rooms off the main reading room. I went over and asked him some point about ~~some point~~ in one of his courses. He resented my intrusion and showed it rather plainly. I was as wrong in intruding upon him as he was in showing his resentment; so we

broke even on that. Years later, back in the Law School on a visit, I called at Dean Griswold's office to pay my respects to him. Professor Warren, then old and retired, was in the office at the time. Either I went up and introduced myself or Dean Griswold introduced me. He was the essence of gentlemanliness toward me.

Years had softened and sweetened him. In 1942 he wrote an autobiography entitled Spartan Education. I ordered a copy. On the flyleaf of the one I received is this: This edition limited to one thousand copies. Printed at the Riverside Press, Cambridge, Massachusetts, U. S. A., in August 1942. This is number 224 (autographed) For Gilbert T. Stephenson, Edward H. Warren." As I recall, the book as a whole reveals something of the personality of Bill Warren that had characterized his career as teacher.

Professor Joseph Doddridge Brannan taught us Negotiable Instruments or Bills and Notes or, as we called it, Bulls and Nuts. He was not an impressive personality nor instructor. In fact, I

returned to South Dakota and became a country lawyer. He was I remember his daughter Elsie upon whom, along with a group, I called a few times, better than I do him. He was regarded as one of the intimate friends of Dean Ames.

These were the men who made the Law School what it was in the 1900's. No doubt the succeeding generations and the present generation of teachers, typical of whom are Austin Scott and A. James Casner and Manley Hudson, have built well upon the foundations that these men laid and today are doing a better job of teaching than their predecessors did. This in no way discounts the contribution that Langdell, Ames, Gray, Thayer, and their generation made to legal education, not in Harvard alone, but in every law school through the common-law world.

Let me speak now of some of my classmates. The two with whom I was the most intimate were Manley O. Hudson and Charles V. Implay. But before I say more about them, let me say a little about several others.

Perhaps the most distinguished member of our class as a lawyer was Robert T. Swaine. At the time of his death Bob Swaine was a member of the firm, Cravath, Swaine, & Moore, New York City, long and honorably known as the Cravath Firm. In 1947 Bob sent me Volume I and in 1948 Volume II of The Cravath Firm, 1819-1948. Of course, he sent the two volumes to every member of our class; there was nothing whatever personal about his sending them to me. During his student days Bob already was a man of mark. From the Law School he went to New York City and on up to the top of the profession. Bob himself was a native of Council Bluff, Iowa.

Another member of our class was William Christian Rempfer of Parkston, South Dakota. Bob Swaine and Rempfer were friends and kept up some contact with each other. After graduation Rempfer

returned to South Dakota and became a country lawyer. He was the son of a Russian emigre - whether Jew or not - do not know. - who had come over here and made good. He came a country banker out in South Dakota. Rempfer succeeded his father as President, I think, of the bank. It was at bankers meetings that I used to see him. He became a big frog in a little pond. Bob Swaine, on his part, became a big frog in a big pond. Bob was so busy in his profession that he had a desk fitted up in the back seat of the automobile that took him daily from his residence to the suburban station in the morning and went for him in the afternoon, so that he could work between home and station. Bob, I think, had marital trouble, divorcing one wife and marrying another. He died at 63. The few times I saw Rempfer, he and I talked about Bob and his distinguished career at the Bar. There was not one vestige of jealousy on Rempfer's part over Bob's career compared with his. Nor was there any on my part. I would not have exchanged places with Bob any more than Rempfer would have.

Another distinguished member of our class was Winthrop Aldrich. He was the son of Senator Aldrich of Rhode Island. His sister was the first wife of John D. Rockefeller, Jr., the mother of Nelson and the other Rockefellers of this generation. Winthrop was born with a silver spoon in his mouth, but, infinitely better than that, he was born with a clear head and a good character. In addition to being a distinguished member of the New York Bar, he became President of the Chase, now Chase-Manhattan, Bank and later, I think, our Ambassador to the Court of St. James. I had no contact with him while we were in the Law School. Later, while he was President of the Chase, I did have a talk with him about a fidu-

ciary's voting stock by proxy. In the Middle West a big lawsuit was in process over the consolidation of two or more big oil companies. The Chase, as well as other trust institutions, wanted to vote the stock that it held in fiduciary capacities for or against the consolidation. Aldrich told me that he was afraid to vote by proxy the stock that the Chase held in fiduciary accounts and that he had had a representative of the Chase go out to the meeting and vote the stock in person. That led me to do some thinking and studying on a fiduciary's voting stock by proxy. This eventually led to the ^{ul}formation of a suggested statement of policies on voting stock which was recommended by the Trust Division Committee on Trust Policies of which I was serving as draftsman.

Charlie V. Imlay was from Missouri, graduate of the University of Washington. His father was a cabinet maker or woodworker. The Imlays were poor in this world's goods. Early in life Charlie was stricken with polio which left him with a shriveled leg. Ever thereafter he had to hobble around on a cane. Entering Harvard, he worked his way through college, made Phi Beta Kappa, and was graduated A. B. in 1908 and LL. B. in 1910. Upon graduation he went to New York into the legal department of the American Telegraph and Telephone Company. The strain of working his way through college and law school was too much for him. He had what was almost, if not quite, a nervous breakdown. At my invitation he came down to Warren Place during the summer of 1910 and spent several weeks on the farm. He led a real farmer's life. He hobbled around with us wherever we went. I remember his going with us up to near Weldon for a yoke of steers. The outdoor, country life

worked a complete recovery for him. While I was here he reconditioned the chest of drawers that now stands in our second-floor hall which, but for his reconditioning, would, no doubt, have been junked long ago. Charlie returned to Washington City, practiced law, taught in a law school sponsored by the YMCA, and became a respected, though not distinguished, member of the Bar. He married Nelle Hudson, Manley's sister. They visited us once while we were living in Wilmington. In his later years he became somewhat garrulous and tedious and hard of hearing. I had tremendous respect for Charlie. Whether he is living or dead I do not know. These reminiscences may lead me to try to get the latest facts about him and some of my other classmates.

Manley O. Hudson was from Missouri, graduate of the University of Missouri, son of a physician, member of a Baptist church of which a Reverend Mr. Green had been pastor. This Mr. Green was the father of Sylvester Green, a member of the administrative staff of Wake Forest College and now of William Jewell College and, at his own request, was reviewer of our book, We Came Home to Warren Place. The elder Mr. Green had been a pastor of the Boykins Baptist Church, and Sylvester had spent some years of his youth in Boykins. ^{and} Meeny, who was not flushed with money, lived in a Settlement House in Boston, which helped him to meet expenses in both Graduate School and Law School. I think that he had been an assistant to Professor Hart in one of the Graduate School courses, but I did not know him until we came together in the Law School. In the Law School he soon became a student of mark; but I do not believe that he quite made the Law Review. After a few years out of Law School, he was called back, was made Professor of Torts and later of In-

ternational Law. He became a member of the Secretariat of the League of Nations in Geneva, Switzerland. Once Grace and I called upon him at Geneva and had outdoor lunch with him. Later still he was appointed a member of the World Court sitting at the Hague; but he was not reappointed. In 1956 Grace and I visited the Hague; and I stood before the dais on which Manley as a member of the World Court had sat. After his service on the World Court he returned to Harvard to his chair of International Law. A few years ago he had a stroke. The last time I saw him, in 1958, he was a crippled old man, though not as old in years as I am, crippled in his leg and having difficulty with his enunciation. And he died April 1 1960, soon after I have made the first draft of this paragraph.

All these 50 years since we were graduated I have seen Manley from time to time. He visited us once in Wilmington, down there from Cambridge to represent Harvard in some University of Delaware affair. I visited him in Cambridge before he was married. He married late in life a woman much younger than himself, whom I never met.

In January 1911 (January 11) soon after we were graduated he presented me a copy of Gleason L. Archer's Ethical Obligations of a Lawyer (Little, Brown and Company, 1910) inscribed as follows: To Gilbert Thomas Stephenson, a friend in the law, whose appreciation of his ethical obligations has won my respect and admiration.

Manley O. Hudson

Columbia, Missouri,

4 January, 1911

In 1960 ^{my} Law Class of 1960 is to celebrate its 50th

personal about it; I simply was one of the students at the anniversary. Already I am receiving notice of and literature about it. It will be June 14-15. I cannot be there because I shall be in Gainesville, Florida. If I were here, I doubt that I should attend because my connections with the members of my class are too tenuous for me to make the trip. However, when I see the group photograph of those who do attend, I shall be glad to take a close look at it to see how many - more likely, how few - of them I do remember. The past 40 years and more my associations have been, not with lawyers, but with trustmen. But, as I expect to bring out later, during the years 1937-1951 I doubt that any member of my class, certainly except law professors, saw as much of the leading law schools of the country, including Harvard, as I did.

Now let me say something about my social life in Harvard. I was between the ages of 20 and 26 while I was, first, a graduate student and then a law student in Harvard. That, it would seem, would or should have been my years of the greatest social activities. Not so, simply because I was not inclined that way nor adept in it.

As I already have said, during my first session up there and until they moved to Chicago, I saw and went out a good deal with Clara Dixon. But I met very few of her friends, none of them I now recall. In fact, I do not believe that the Dixons themselves had many purely social, nonchurch contacts. Dr. Dixon was too serious-minded and too absorbed in his pastoral work for that.

In Cambridge during my later years I did go out Sunday afternoons occasionally with a group of students. I remember our calling upon Elsie Brannan, and once upon Elizabeth Kittridge, daughter of Professor Kittridge. But there was nothing whatever

personal about it; I simply was one of the students making rounds. Neither of them, should she still be alive, would remember my calling.

In Cambridge I did call repeatedly upon two girls. One of them was Roxanna (Roxy) Henderson and the other was Marian Shepherd who lived at 33 Garfield Street.

Roxanna Henderson was the daughter of a carriage manufacturer in North Cambridge. She had a sister who had married one of the Harvard professors or instructors. Roxy had open house every Sunday afternoon. The boys flocked to it; she was pretty and attractive. One afternoon I stayed over and took supper with the family. However, I do not remember ever going out with Roxy alone or taking her to any social affair.

Marian Shepherd lived near in. She too had open house every Sunday afternoon. Her father ran a grocery store on the Square. She always served tea. I drank my life quota of tea at her house and have abstained from it ever since. After I left Harvard I kept in some touch with her. Only a few weeks ago (February 1960) in an elevator in the Waldorf Astoria Hotel I found myself with a man and a woman whose Trust Conference identification labels showed that they were from Nashua, New Hampshire. I asked them if they ever had heard of a woman in Nashua named Marian Shepherd. They both said yes, that she had been a teacher there, and that she was a customer of their bank. Really, I should like to see Marian after all these over-50 years.

Over in Boston, in Jamaica Plains, I saw really a great deal of the Larramendi girls - Marie, Lucile, and the youngest Sophia (pronounced Sophia-i-a) Their father had been a physician in Cuba. They were real, cultured, aristocratic, Castilian

Forest I made and kept and had bound Notes on Professors Gullie's Spaniards. I never knew a more cultured family. John McManus of Macon, Georgia, and I used to go out to see them frequently. He went with Maria; I, with Lucila (pronounced Luthila). Once I went with the girls down on the Cape to spend a weekend with a family that, after the Civil War, had emigrated from Louisiana to Bra-

It was during this summer in Wake Forest that I made several all where the family could raise coffee with slave labor. The lasting friendships. Among them were that of Melville Broughton, son of the emigrants, our host, had, I think, been a ship captain on a run between Brazil and Boston. I knew the family only after he had retired down to the Cape and only on this one visit. Melville later went on to Harvard Law School for a year, became Governor of North Carolina, and died United States Senator.

When my mother, along with Clarene Joyner Woodard (Antoinette Joyner's mother) came up to my Commencement in 1910, the Lar-ramendis sent her a beautiful ^{bouquet} corsage of American Beauty roses and had her and me and, I believe, Clarene, out to their home for dinner. John Gates, who had been a newspaperman in Fayetteville before he studied law, returned to Fayetteville, became a rather outstanding lawyer, was historian of the Cape Fear section, married first a woman (Dr. Henry A. Brown's wife's sister) about 20 years

It was one of the girls - Maria or Lucila - who said to me that Americans did not know how to leave a social affair - whether public or in the home - with grace and ease; that they did not know how to say good-bye. And this I have noted so often in recent years and remarked about it many times. The only two people in the South who do retire gracefully and quickly - that is, of course, among our friends - are Jim and Carroll White. It is, indeed, quite an art.

Soon after graduation from the Harvard Law School in June 1910 I returned to Wake Forest College for the summer law school session to cram up for the Bar examination in August. Cramming up for the Bar examination in the Wake Forest summer school was the order of the day. Students, such as I, from other law schools went there to cram. Ralph Ferrell of Raleigh, nephew or cousin of Professor V. J. Ferrell, my Uncle Wiley's classmate, married Belle Willingham of Richmond, daughter of Dr. W. J. Willingham. I was one of his ushers. He came an outstanding lawyer first in Albany, Georgia,

Just as I had done in the Harvard Law School, so in Wake