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## Bulletin, no. 23

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# THE BULLETIN

Published, four-monthly, by the Law Class of '94, U. of M. Please send all communications to H. W. Webber, President and Editor, 52 Vanderbilt Avenue, New York City.

No. 23

New York City, June

1927

## 'NINETY-FOUR LAW AND VARSITY BASEBALL

By H. G. CLEVELAND

In reading the account of the Spring trip of the Varsity baseball team to the Southland, contained in a recent issue of the *Alumnus*, there came surging back to memory the days of '93, when, under my management, the team made its first excursion South, and, as in 1927, also accompanied by plenty of rain, but, I am proud to say, victorious in every game played. Judge Yerkes, in Kentucky, gave the team a fine reception at his spacious home, and Centre College hosts at midnight tendered two kegs of amber brew, which latter hospitality nearly cost them their attendance at college. And in St. Louis, the great and mighty St. Louis Browns escaped defeat at our hands only by reason of rain, lasting two days, when "Chris" Van der Ahe, of that team, paid us the first guaranty he had ever turned over to an amateur baseball aggregation.

We much needed the cash, for, in those days, baseball returns carried the whole athletic activity in college, and especially took care of the football baby.

The approach of Spring of '93 found the athletic treasury empty, and, but for the loyalty of faculty supporters, the team could not have been put upon the diamond. My scrapbook contains two paid promissory notes of the Athletic Association, signed by classmate, Law '94, Eugene Batavia, Treasurer, and although "Gene's" name to notes, aggregating \$801, would gladly have been recognized later when baseball was in full swing, what really enabled the Association to receive the much needed money then at the beginning of the season, from the Farmers & Mechanics Bank of Ann Arbor, were the endorsements, on the notes, by Professors J. C. Knowlton, our "Jerry," John C. Rolfe, A. H. Pattengill and Charles A. Nancrede.

The Decoration Day game with Cornell, in Detroit, enabled the Association to pay its debts, and, incidentally, to hand over for the use of the football team something like \$2,500. How small a sum that seems in these days, when compared with the receipts from an attendance of 75,000 at a game!

We were beaten by Cornell, in that game, in the eleventh inning, by a score of 7 to 5, as many classmates will probably remember. Classmate, Law '94, Sherman Spitzer, played at "short," and long and lengthy "Jeff" and others in the Law School played in that game. We played eighteen games that season, winning fourteen, and scored 213 points to our opponents' 103.

## RED PAINT AND POLITICS vs. GREEN PAINT AND GOBLINS

By LIEUT.-COL. H. C. SMITH

In the October, 1916, *Bulletin*, Messick, growing reminiscent as to the doings of the University of Michigan Democratic Club in the 1892 campaign, stated that on election night, "when the parade broke up and the boys began to come back toward the campus, someone discovered a partially completed house and several cans of red paint. This paint was quickly appropriated and some members proceeded to paint the upper part of the town red, not figuratively, but actually, especially in words and figures "'94 Law," and the marks of that celebration remained in evidence for several months afterward."

In the February, 1927, *Bulletin*, Stoneman, in discussing "'94 Laws and Sigma Chi," said: "And busy Hugh Smith, who knew something about all those intensely green '94 Law decorations that startled Ann Arbor the morning after our first Hallowe'en."

I think that all who were in the University, from October, 1892, to June, 1894, will agree with me that the '94 Law insignia was painted about Ann Arbor town on only one occasion. Such a furor was raised about the first escapade as to make a second too hazardous to undertake. So, Messick and Stoneman must have referred to the same circumstance.

As I received my degree, and the Statute of Limitation has barred prosecution, I am not concerned with Stoneman's thinly veiled charge that I was a *particeps criminis* in the affair; and, besides, Messick is my star witness, as he asserts the culprits were members of the Democratic Club, and he knows that I was never a disciple of Jefferson.

But there are two burning questions that arise in connection with the articles referred to, viz.: first, was the painting done on election night, as stated by Messick, or on Hallowe'en, as claimed by Stoneman; secondly, was the paint red, as asserted by Messick, or was it green, as Stoneman remembered it.

I am sure if "Jerry" Knowlton were living his testimony would be convincing, as the paint soaked into his concrete walk and remained there for some time. Another credible witness would be the occupant of the stucco house on the corner just west of 48 East Liberty Street—" '94 Law" stood out on the white walls of that house until the house was repainted. The third witness would be the party who found the paint can, brush and a pair of

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# THE BULLETIN

The Bulletin is issued, throughout the year, in February, June and October.

## FRANK E. CHAMBERLAIN AND CHARLES A. DENISON

The deaths of F. E. Chamberlain and C. A. Denison, officers of our class organization, mean a great loss to us as a body, as well as to the individual members of the class, among whom they had formed many close friendships. Their devotion to Law '94, both before and since graduation, afforded the finest example of class spirit.

The mortality among the members of our class, since the preceding issue of the Bulletin, as reported in this number, though seemingly large, is not abnormal when taken in connection with the total number of deaths covering the entire period since graduation. In fact, the death rate is low, and many years of life and usefulness are ahead of us. Therefore, let us carry on stimulated by the undying remembrance of those who have gone before and happy in the thought that the high ideals in life are being constantly attained by the members of the class of '94 Law.

## WE LEVY NO ASSESSMENTS

The slogan of our class organization for a long time has been "Every single classmate interested, rich or poor." That we have gone a long way toward accomplishing the above is amply shown by our record-breaking reunion attendance, of any class thirty years out, at our latest reunion, in 1924.

"But how has this all been brought about, may be asked: "you were only a law class a large one at that, of nearly 300 members, later scattered far and wide"; "you were together only two years, the law term then, and not a few were in attendance only a year"; "you scarcely had time to get acquainted"?

The simple answer is, "we do not penalize class spirit." We do not go to a member and say, "you are assessed" at so much a head, or your share of this or that is the dollar sign. It is true that machinery cannot be kept going without fuel or oil. Our financial support comes solely through voluntary contributions, small or large, by those who can afford to make them, and the small contributor, or non-contributor, is kept free from embarrassment by the size or the fact of contributions by others. So that each member, no matter what his circumstances may be, is

encouraged to take an interest in the class organization and to attend the reunions.

Our plan of keeping up the organization is distinctive; our budgets are made up or authorized at the reunions, and the current one is being strictly adhered to, and its financial requirements have been fully met.

A short time ago, a "Class Secretaries' Council" was organized at Ann Arbor, which, among other things, calls for annual dues "assessed" against classes to a certain amount per capita "for each living member of each class," etc. In order that the members of our class will not get a false impression, it is here emphatically stated that our class, or its secretary, is not a member of that organization, and that the secretary did not "promise the support of his class for any action taken" at that organization meeting, as was reported in the *Alumnus* at the time, and has since been repeated elsewhere notwithstanding notification of the error. The members of the class can rest assured that nothing of the kind will be done by its officers without authority direct from the class at its regular meeting in 1929.

## MY FIRST LAW PARTNERSHIP

By A. S. HINDS

It will be remembered that our class claims the distinction of inaugurating the first moot court directly under the control and jurisdiction of the Law School and its faculty, and presided over by a professor. Under the capable guidance of Professor Mechem, the new Practice Court became a real help and inspiration to the student body. Numerous partnerships were formed for the practice of law and many intricate questions were settled to the satisfaction of the successful attorneys. The erudition and oratory of the embryonic lawyers were often truly remarkable — by the absence of those qualities.

Under the above auspicious circumstances, the firm of Hollander & Hine's was formed, and two cases were tried before dissolution. John L. Hollander, he of the tall stature, commanding presence and red flowing mane, was addressing his argument to Judge Mechem upon a proposition which even his logic could not sustain. Judge Mechem stemmed the flow of his oratory long enough to remark that he was wrong, whereupon the young man replied: "Well, I'll have to admit that your Honor is right, and I am wrong, as your Honor usually is." Needless to say, we lost the case.

Hollander is now Judge of Probate for the County of Kalamazoo, Michigan. We hope he will not be too busy to attend the 1929 class reunion, a duty that he failed to perform in 1924.

## THE BULLETIN

### RED PAINT AND POLITICS

(Continued from Page One)

paint-soaked gloves under his front stoop the next morning.

As it is quite possible none of the witnesses mentioned are available, why not send a copy of the Bulletin containing this to T. F. Fulkerson, care of Argyle State Bank, Kansas City, Missouri, and ask him to act as arbitrator. Fulkerson left our class after graduation, to become a "G. O. P." office holder, and, I am sure, if the painting was done on election night, he was in no mood to have it done; in fact, he may have gone home to vote. He has a wonderful memory for dates, particularly of occasions of the sort in question, he is not color blind, and, besides, I believe that, if requested, he would put his award in rhyme, making it both satisfying and pleasing.

### OBITUARIES

Charles A. Denison died on April 18, 1927, in West Palm Beach, Florida, of apoplexy, at the age of 58 years. In the fall of every year, he and Mrs. Denison would leave their home in Argenta, Ill., to spend the winter in Florida, at their cottage in West Palm Beach, where he had his garden and many friends. They were to return to Illinois within a few days, when death came without warning and pain. Up to almost the moment of his death he had been in apparent good health. His wife was with him when he died. He was buried in Decatur, Ill.

Denison came to us from the academic department of the University. Immediately after graduation from the Law School, he engaged in practice in Chicago, where he also taught in a local law school. In 1904 he retired from practice and returned to his old home, in Argenta, to assist his father in his business. Since the death of his father he was concerned chiefly in the management of the large estate left by his parent, of which he was the only heir. He had been Mayor of Argenta and was a 32nd degree Mason and Shriner.

Frank E. Chamberlain died, by his own hand as announced by the Coroner, on February 25, 1927, in Twin Falls, Idaho, at the age of 64 years. He had been a sufferer from fits of depression and nervousness ever since the death of his wife about two years ago, and an attack of pneumonia about a year ago left him in a weakened condition physically. He had intimated, it is said, that he might himself put an end to his suffering in the manner that he eventually did. His sister, Mrs. Knowles, of Chicago, had gone to Twin Falls only a short time before, at his request, to keep house for him there.

Chamberlain returned to his home town, Manistee, Michigan, to practice, upon graduation from the Law School, where he served as Assessor and also as Prosecuting Attorney. On account of ill health, he moved to Twin Falls, some years ago, where he became the first Probate Judge in Twin Falls County. He retired from practice and became interested in local enterprises. He was a profound student of Shakespeare and German literature and a disciple of Robert Burns. He belonged to all the York Rite Masonic bodies. He was buried in Twin Falls.

Judge Gilbert W. Phelps died on May 13, 1927, in Portland, Ore., at the age of 55 years. He suffered a stroke of paralysis about a year ago.

Judge Phelps was a native of Pennsylvania, but raised in Oregon. Upon graduation from Law School, he settled in practice in Oregon, serving as member of the Legislature, District Attorney and then as Judge of the 6th Judicial District and was on the bench for sixteen years. He was well known in all parts of the state.

Charles W. Burdick died on January 8, 1927, in Washington, D. C., where he was temporarily on business, at the age of 66 years, after an illness of but six days of pneumonia.

Burdick attended Law School while he was holding the office of State Auditor of Wyoming. Soon after graduation, he was elected Secretary of State of Wyoming. After quitting office he opened a law office in Cheyenne. He was interested in ranching and cattle, very active in politics and ultimately acquired extensive interests in oil wells and a large fortune; was said to have paid the largest income tax in the state, at the time of his death. He was a 33rd degree Mason. He was survived by his wife and a married daughter, and is buried in Cheyenne.

Bernard J. Hope died on April 20, 1927, suddenly, at the age of 60 years. Hope had been for a number of years with the New York Title Company, in Brooklyn, N. Y., in its title search department, and his late residence was in that Borough of the City of New York. Immediately after graduation from Law School he practiced in Wilkesbarre and in Brooklyn. He was a widower, and was survived by a son, Robert P. Hope, representing Jas. D. Lacy & Co., timber land factors; he may be addressed at Box 1673, Asheville, N. C.

Arthur M. Lewald died on April 26, 1927, in the Illinois Central Hospital, at the age of 55 years. He settled in practice in Chicago upon graduation from Law School; for the past few years, however, he was engaged in the real estate business as a broker. He was a member of the Psi Upsilon fraternity; he graduated from Union College before entering Michigan. He was buried in Chicago.

### ITEMS

Professor Mechem has made a gift to the Law School of about 600 well selected books in the general field of jurisprudence and comparative law. "The collection represents the exercise of sound scholarly judgment by Professor Mechem through many years. Because of his long and intimate association with the Law School, the faculty feel especially grateful to him."

H. D. Messick attended the Bankers' Convention in this city. His daughter, Catherine, who with her parents was at our last reunion, is a student at Wells College.

Dean Pounds of Harvard Law School dedicated his latest book, "Law and Morals," to Henry M. Bates, Dean of our Law School.

William P. Harvey's daughter, Catherine E., who attended with her father our last reunion, is studying for her master's degree at the University.

A letter has been received from J. B. Newman calling attention to the fact that his present home address is 452 Spring Street, Elgin, Ill.

Lulu Richardson Kelby's family is to consist wholly of lawyers. Her husband is Ex-judge C. H. Kelby, now in practice in New York City. Their only son, Robert H., who was graduated from Princeton, and their only daughter, Adelaide, a graduate of Vassar, are to enter Harvard Law School and Yale Law School respectively. Harvard does not admit women, which, perhaps, accounts for their division of choice.

Humphrey S. Gray, of Benton Harbor, Mich., has one son, in the Law School of Chicago University; he has, also, two adopted little daughters.

Joe Kirby has removed from Chicago to Atlanta, Ga. His present address is care of Falk's Mid-town Hotel, 103 North Prior St., Atlanta, Ga.

Rex R. Case is President of The Jersey Transcript, "Jersey's Greatest Picture Paper"; his present address is 30 Van Ness Place, Newark, N. J.

L. A. Stoneman, of Detroit, Mich., has been designated a Vice-president of our class organization, to fill the vacancy created by the death of F. E. Chamberlain, for the unexpired term. Stoneman rendered valuable assistance in getting ready for our last reunion and we are to have his active co-operation again for the coming reunion in 1929.

Judge John G. Stone, of the Twelfth Judicial District of Michigan, whose home is in Houghton, Michigan, in the northern peninsula, has been holding court in the City of Detroit.

Holbrook G. Cleaveland, known in his college days as "Grover," is Assistant Secretary of the American Sugar Refining Company. He lived for many years in St. Louis, Mo., after leaving Law School.

W. Herbert L. McCourtie has looked up his old home town in southern Michigan, furnished paint to all householders to dress up their buildings and is otherwise making the little forgotten hamlet a blooming rose in a perhaps otherwise unattractive farm country.

Lieut.-Col. Hugh C. Smith, who has completed his assigned duties in the Philippine Islands, has been assigned to duty in the office of the Judge Advocate General, U. S. Army, in the State, War and Navy Building, in Washington, D. C., where he now may be addressed.

Albert S. Hinds has been in general practice in Shelby, Michigan, for many years. He was born and raised in Muskegon.

Oreon E. Scott is Secretary of the Board of the Christian Church, that is supervising the erection of a magnificent church in Washington, D. C., to be known as the National City Christian Church, representing an investment of two million dollars, raised by popular subscriptions from the members of that denomination.

Indications point to one of the largest class reunion attendances this June at the University. The tendency toward increased numbers present every year, although partly attributable to the larger output of graduates, may be due to the more efficient and systematic handling and housing of visiting alumni. There is still much to be done, however, in the way of comfortably lodging the visitors, especially older alumni.

Fifty-Fifty Judge (to Italian seeking citizenship: "Don't know how many stars there are in the American flag? Well, you're not very smart, are you?")

Italian: "Well, judge, maybe you ain't so smart, either; tell me—how many banan' in one bunch?"—*Boston Transcript*.