



Harry A. Bigelow

by Sheldon Tefft

Harry A. Bigelow was the youngest of that small group of young lawyers whom President William Rainey Harper brought to The University of Chicago early in the twentieth century to establish its law school. When Mr. Bigelow joined the faculty he was under 30 years of age and had been out of law school slightly more than four years. After a brief period as a clerk in a Boston conveyancing office and one semester as a part-time instructor in criminal law at the Harvard Law School, he had moved to Honolulu, where he spent three very active years as a junior member of the Bar of the Hawaiian Islands.

In January 1904, Acting Dean Joseph H. Beale, Jr., who was then on leave from Harvard to help President Harper organize the new law school in the West, persuaded Mr. Bigelow to abandon the practice and join the faculty at Chicago. There he spent the remainder of his life and for more than 40 years was an active member of the Law School faculty.

The combination of an extremely acute

analytical mind, unusual facility of lucid, succinct, lively presentation, and a wide range of experience and interests¹ made him exceptionally well qualified to teach. Within a short time he achieved and merited the reputation of being a most brilliant teacher. To sit in his classes was an experience highly prized by his students, who developed a deep affection for him in spite of the terrifying intellectual chastisement frequently meted to students whose recitations were confused or slipshod. His reputation was enhanced by the publication of his casebooks on *The Law of Personal Property* and *The Law of Rights in Land*, which soon became standard classroom materials and extended his influence to a large proportion of the students in American law schools.

Though Mr. Bigelow was a superb master of the case method, he early recognized that in some fields it was so cumbersome and time-consuming as to be ineffective. Furthermore, his experience indicated that investigations of legal questions that were limited to the materials in the law reports were often sterile. At a time when it was fashionable to believe that textbooks in the hands of students were pernicious, he published his *Introduction to the Law of Real Property*, a brief historical introduction that has proved to be an invaluable tool for students of the modern land law.

Mr. Bigelow realized that an effective understanding of law frequently requires the study of subjects that, traditionally, had been excluded from the law schools. Under his leadership the curriculum of the Law School was expanded to include subjects such as accounting, economics, and psychology. He also encouraged the faculty to pioneer in the development of a program of tutorial instruction that greatly enriched the training that the school afforded its students.

When the American Law Institute was organized Mr. Bigelow made distinguished contributions to the preparation of the *Restatement of the Conflict of Laws*, the *Restatement of the Law of Torts*, and the *Restatement of the Law of Property*, of which he was, originally, the Reporter. In 1929 he

¹Mr. Bigelow's nonprofessional interests included fields as diverse as art, motor cars and motoring, golf, primitive cultures, overseas travel, and the exploration of remote areas. In the 1950s with his Chicago friends Herbert and Mary Hastings Bradley, he organized two important overland expeditions to remote sections of the Belgian Congo which were then largely unexplored. He was a connoisseur of African and Japanese art; his collection of Japanese prints was especially noteworthy.

resigned as Reporter of the Property Restatement when the University chose him to succeed James Parker Hall as the second dean of the Law School. He was also then named the first John P. Wilson Professor of Law.

In 1933 Mr. Bigelow was appointed Trustee in Bankruptcy of Insull Utility Investments, Inc. In the liquidation of that ill-fated enterprise his acumen and sound practical judgment commanded the respect of businessmen and lawyers alike, many of whom were surprised that a professor could master even the most intricate problems of that most complicated business organization.

When Mr. Bigelow reached the University's retirement age in 1939, he relinquished the deanship, but, though emeritus, he continued to teach classes in conflict of laws, property, and future interests for another five years.

In 1947, he was drafted by President Truman to be a member of the National Loyalty Review Board, and to the work of that agency he devoted the last years of his life. One who does not have access to the Board's files and deliberations cannot, of course, know how valuable to the nation were his services; but no one who knew how preeminent were his qualifications for the difficult and extremely sensitive work of that agency can fail to be thankful that, in spite of his failing health, he had accepted the appointment.

The service that Mr. Bigelow rendered the nation as a member of the Loyalty Board was a fitting climax to his career. His contributions to his students, to the Law School to which he had devoted 46 years, to the profession at large, and to the nation will always inspire those of us who were privileged to have been associated with him.

Upon his death Mr. Bigelow left a substantial bequest to the University, which enabled the trustees to add a much-needed professorship to the Law School. It is particularly appropriate that this professorship bears his name. It serves as a perpetual memorial to a lifetime of distinguished teaching and scholarship that encompassed substantially all of the first half-century of the school's existence and contributed so brilliantly toward the realization of President Harper's goal that the Law School of The University of Chicago should be worthy of a place in the great institution that he envisioned. ■

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