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REGISTERED AT THE GENERAL POST-OFFICE FOR TRANSMISSION ABROAD.
No. 2370.—Vol. LXXXV. SATURDAY, SEPTEMBER 29, 1884.

THE LOSS OF THE YACHT MIGNONETTE.—FROM SKETCHES BY MR. EDWIN STEPHENS, THE MATE.

The way in which they stowed themselves in the dinghy.

Sailing before the wind: How the dinghy was managed during the last nine days.

How the dinghy was managed in the heavy weather: with the stern-stays set, and the "swan necks" made of the water-breaker bed and the head-sheets grating.
Cannibals at Common Law
A. W. B. Simpson

Since the reign of Christopher Columbus Langdell of Harvard, the study of leading cases has become the typical method of legal education. Among the more entertaining old chestnuts is the case of Regina v. Dudley and Stephens, 1884, now approaching its centenary. Technically, it deals with the defence of necessity to a charge of homicide, and its counterpart in American case law is U.S. v. Holmes in 1842. The English case, however, has the particular distinction of involving not merely murder but cannibalism, for in it two sailors were convicted of killing young Richard Parker to eat him. The case decided that you must not do this, however hungry you are. Alexander William Holmes, the leading figure in the American case, was troubled not by hunger but by overcrowding; he was convicted of manslaughter for throwing a number of Irish emigrants out of a ship’s boat after a shipwreck. Though involving in some ways a more horrible story, the decision has never achieved the preeminent status of its English counterpart.

Leading cases are not studied by lawyers primarily as historical events, but as weapons to use in legal argument, or as vehicles for educational discussion. In this article, I propose to look at the case of Dudley and Stephens as an event in nineteenth-century history. Fortunately, a mass of material has survived outside the law reports—in departmental files, in letters, in diaries, and even in oral tradition. There exist no fewer than seven original accounts of the voyage in Dudley’s own hand and, as far as oral tradition goes, I have had the odd experience of talking to old Budge Frost, whose father, Jim, was to have gone as ship’s boy but never did; in the family, if Jim reproved his children, they would reply: “They should have eaten you, Dad, you might have tasted better.” Our enquiries into Dudley and Stephens will lead us into the strange world of the nineteenth century, when cannibals abounded.

First, and briefly, the facts of the case. Thomas Dudley was engaged to sail the yacht Mignonette from Brightlingsea in Essex to Sydney, New South Wales. The Mignonette was a registered vessel, 31 tons and 52 feet overall—about the same length as Gypsy Moth IV—and had been bought by Jack Want, a lawyer. Dudley and his wife, Phillippa, together with their four-year-old daughter, sailed her with the Frost brothers from Essex to Southampton, where she was pulled out for repairs. With some difficulty, he engaged a crew for the 14,000-mile journey—Edwin Stephens, mate; Ned Brooks, able seaman; Richard Parker, ordinary seaman. Richard, an orphan, was only 17—hence, a “boy,” but not a cabin boy (cabin boys were domestics). The Mignonette sailed on 19 May 1884, expecting to make Sydney in 110 to 120 days, with calls at Madeira and Cape Town. In the South Atlantic, she met heavy weather, and on Saturday 5 July she was struck on the stern by a heavy sea and her planking sprang loose—she sank in five minutes or less. All four men escaped in a 13-foot open dinghy, but were quite unable to rescue any fresh water, and for food had only two small tins of turnips. Dudley thus describes the scene in his direct but unpunctuated prose:

to raise our position it was very bad sea like a mountain at times and water coming in faster than we could bail it out and night coming on it seemed our time was near but we must do the best we can and trust God to take care of us and I feel sure he ruled the waves that night... about 11 p.m. I should think by the moon a large shark came knocking his tail against our frail boat which made me think our time was near for him to be dining off our bodies, but I prayed that we might be spared to see all at home and if possible live a better life in the future. “Speared” phonetically produces his Essex dialect accent. Dudley did not confine himself to prayer—“the thought of a monster like him near us was not very agreeable I assure you after a few hits on the head from our ore he left.”

“Our enquiries into Dudley and Stephens will lead us into the strange world of the nineteenth century, when cannibals abounded.”

The disaster occurred midway between St. Helena and Tristan da Cunha, and they were off the steamship route and the usual track of sailing ships. Effectively, because of the set of the winds and currents, the nearest land was South America, two thousand miles away. Towards it they drifted, catching a small turtle and a very little rain water, augmented by the unpleasant expedient of drinking their own urine. Their position became

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increasingly desperate, and eventually, probably on 24 July, Dudley killed Richard Parker, with the agreement of Edwin Stephens. Brooks took no part, but passively acquiesced. On a number of earlier occasions, Dudley had proposed the drawing of lots, but the others had not agreed. All three men then ate the boy, and on 29 July, they were rescued by the German sailing barque Moctezuma. Dudley’s own account is a classic: “on 24th day as we were having our breakfast we will call it Brooks who was steering shouted a sail true a sail it was we all prayed the stranger would be directed across our path.” He recorded how “their hearts were in their mouths” lest the ship should pass by, but it didn’t, and they were landed at Falmouth in Cornwall, England, on 6 September. Much other detail of their ordeal survives but is not relevant to this article. On landing, Captain Dudley and his men, after a frantic exchange of telegrams between Falmouth and London, were arrested and charged with murder; but on 18 September, Brooks was discharged and became a prosecution witness. Dudley and Stephens were soon released on bail, and in November stood trial before a judge, Baron Huddleston, and jury at Exeter. There the jury, at the instigation of the judge, found a special verdict, setting out the facts and leaving it to the court to decide whether the men were guilty of murder. In 1884, this procedure had long been obsolete: it was specially revived for the occasion. By various procedural devices, probably improper, it was contrived to bring the case before a bench of five judges (constituting the Queen’s Bench Division) in London in December, and argument principally turned on whether the killing had been justified by necessity (the principal procedural objections, though known, were not raised). The Lord Chief Justice, Lord Coleridge, and his colleagues ruled against the men, who were then sentenced to death (Coleridge did not, however, don the black cap). Later, the death sentence was stayed, and after some days the men were pardoned on condition of serving six months’ imprisonment without hard labour. They came out of Holloway Prison on 20 May 1885, a year and a day after the voyage had begun, and largely vanished from history.

There are many puzzling and curious features of the Case of the Mignonette, as it was known at the time, features that are not illuminated by the law reports. Let me instance some of them. Who were these men? Why did they take on so hazardous a journey? Why was the peculiar procedure employed to bring the case before the Queen’s Bench Division? It has never been used since and had never been used in precisely the same form before. Why is the well-known judicial opinion of Lord Coleridge the only example in this period of an opinion with pretensions to literature? Why were Dudley and Stephens allowed out on bail—a quite unprecedented act in a murder case at this time? Why did Lord Coleridge not don the black cap when pronouncing sentence? What became of the men afterwards? One immediate source of information is, of course, newspapers—the Case of the Mignonette naturally filled the world’s press. But at first, at least, this material, which is voluminous, raises two further questions.

The first is this: why, as is quite apparent from press accounts, was public sympathy almost entirely on Captain Dudley’s side? From the moment the men landed at Falmouth, they were viewed not just with sympathy, but with positive admiration—they were heroes. Captain Dudley himself, when released on bail, travelled up to London to meet his wife, Phillipa, at Paddington station; men took off their hats as he passed. It is not the sort of reception a British cannibal murderer could look forward to with any composure today, even in postpermissive Britain. Even the trial judge sang Dudley’s praises—“a man of exemplary courage.” The mayor of Falmouth was threatened with murder for issuing the warrant for his arrest; Mr. Dankwerts, who prosecuted for the Crown in the preliminary hearing, was told that his life would be in danger if he secured a conviction at the Exeter Assizes. And, incredibly enough, Daniel Parker, Richard’s eldest brother, formally and publicly forgave Captain Dudley in open court, shaking him warmly by the hand. There is much other evidence of the same kind, and large sums were raised publicly to pay for Dudley and Stephens’s defence. In the press, there were few dissenting voices.

The second question concerns the strange lack of c o y n e s s exhibited by all three men. Under the Merchant Ship-
vided endless entertainment and interest, particularly as ships, like aircraft, possess the ability to kill large numbers of people at the same time. We all still remember the loss of the Titanic, but many of the more celebrated nineteenth-century disasters are largely forgotten—the Atlantic, which hit Nova Scotia in 1873, killing 562 of 933; the Princess Alice, which sank in the Thames in 1878 with a death roll of around 400; and the Cospatrick, an emigrant ship, which burned in 1874, leaving a mere four out of 500 to tell the tale. A huge literature recounted and celebrated these and other disasters in paintings, woodcuts, prose, and poetry. The best horror stories were frequently commemorated in street ballads. As well as sinking, sailing vessels not infrequently ran out of provisions, or became waterlogged hulks on which food could only be had by diving. As for the sailors, they were portrayed partly as heroes and partly as drunken, stupid, and sometimes vicious villains. Elaborate philanthropic activities, partly reinforced by law, endeavored both to save them from the sea and to redeem them from their degenerate ways. Such men, in the aftermath of marine disasters, could well resort to cannibalism, the survivors eating their dead shipmates, and numerous cases of this kind were featured in the press and in general literature. When the Nottingham Galley sank in 1710, the crew ate the carpenter, "a heavy plethoric man, forty-seven years of age, and of dull disposition." When the Peggy ran out of provisions (1765), the cat was divided into nine pieces, and a dead sailor was eaten who, "used with the utmost economy," lasted for 10 days. Nineteenth-century cases include the Nautilus in 1807; the Medusa (1816), which gave rise to the famous picture by Géricault now in the Louvre (Le Radeau de la Méduse); and the whale ship Essex (1819–20), the source of Melville's story Moby Dick. A long list can be continued right through the nineteenth century, the latest case I have noted being that of a Norwegian vessel, the Drot, in 1899. Indeed, in the same year as the case of the Mignonette, survivors from an American pilot vessel, the Turley, operating from Philadelphia, admitted to eating a Norwegian apprentice named Swanson. In fact, they had probably killed him as well. For, in addition to incidents involving eating those who had died naturally, numerous cases are documented in which men killed their shipmates in order to eat them. The Drot involves such a case, and many examples are recorded, the earliest of which took place at some point between 1626 and 1641 off the island of St. Christopher (St. Kitts) in the Caribbean. This was the only previous incident referred to in the legal argument in the case of the Mignonette.

One notable example involved a vessel called the Francis Spaight. This ship was named after a merchant in Limerick, Ireland—the firm still exists there. She carried emigrants from Ireland and brought timber back. She left St. John’s, Newfoundland, on 24 November 1836, with a crew of 18. On 3 December she broached to, and after Captain Gorman had succeeded in cutting her rigging, she righted herself completely waterlogged. The sailors had virtually no food or water and no way of obtaining any. Fifteen men survived, clinging to the hulk. After enduring horrible conditions for 16 days, on 19 December the captain proposed that lots should be drawn among the four boys, who had no families, to see who should be killed. One of the four, O’Brien, was blindfolded, and, as a sailor drew the lots, O’Brien was made to call out a boy’s name. When he called out "on myself" the death lot was drawn. The cook, who was responsible for the provision of food, was ordered to kill him; he refused. It was pointed out that it was his duty, and if he refused he would be killed. His attempts failed, at which point O’Brien offered to kill himself; his attempt also failed. I shall spare you further details—he was killed, and so was one other adult sailor and another boy. The sailor was, in fact, dying. Eleven survivors were rescued by the American vessel Agonoria on 23 December (they indicated their plight by waving severed hands and feet) and landed at Falmouth on 6 January 1836. They eventually returned to Limerick, and the Francis Spaight was towed to safety and continued to operate for some years in the emigrant trade, whose horrors are well known. So, Dudley, Stephens, and Brooks were not the first cannibals to land at Falmouth.

I have notes of numerous other cases, from the Dolphin (1759) to the Drot (1899), and in virtually all of them where killing took place lots were said to have been drawn. It strains credulity to suppose that in all these cases lots were actually drawn, or were fairly drawn, just as it is quite possible that in other cases in which killing was not admitted, death was anticipated by sailors desperate for drink, who feared that they would not obtain blood from one who died naturally. That is why Richard Parker, who was dying anyway, was killed, as Brooks later explained to the press. Accounts of the drawing of lots reflect the idea that this was the proper or appropriate course of action—the right thing to do. This idea has even survived in oral tradition; I have had it explained to me by relatives of Richard Parker that the only reason why Dudley and Stephens were tried was that they cheated—they did not follow the approved practice, which was to draw lots.

An extensive literature illustrated and reinforced this belief. In addition to popular reports, there were stories aimed at the educated public, the most striking examples being Moby Dick and Edgar Allen Poe's The Narrative of Arthur Gordon Pym, first published in 1837—here, incredibly, the fatal lot is drawn by Richard Parker. Also aimed at such an audience was W. S. Gilbert's Yarn of the Nancy Bell, first published in 1866. More significant from a practical point of view, folk ballads on the subject were well known to sailors in all maritime countries. In variant forms, what is essentially the same ancient ballad turns up in England as "The Ship in Distress," in France as "Le petit navire" or "La courte paille," in Portugal as the "Ship Catherine," and in Catalonia as "The Cabin Boy," and there are Scandinavian variants, too. A pastiche of this ballad, based on the Breton version, was written by Thackeray—Little Billee; or, The Three Sailors of Bristol City, first published long before the case of Dudley and Stephens. There were other ballads, composed in more recent times on the same theme. One very common one tells the story of the whale ship Essex. Another deals with the loss of the brig George in 1822, when one Joyce Rae was eaten by her husband, a detail which added a certain piquancy to a routine procedure. He claimed prior rights in the corpse arising out of the marriage, a principle of family law now obsolete.
This popular literature (augmented by ballads written about the *Mignonette*), together with the tales of the sea that sailors told each other, ensured that there was general understanding of what had to be done on these occasions. Properly conducted, cannibalism was legitimised by a custom of the sea, and it was this custom of the sea that came before the court in 1884. W. Arens, in a recent book *The Man Eating Myth*, has argued that cannibalism, as a socially accepted practice, is a myth; he exempts from his scepticism "survival" cannibalism. I should argue that maritime survival cannibalism, preceded by lot drawing and killing, was, in fact, a socially accepted practice among seamen until the end of the days of sail. It is not an exception to his thesis, but a counter example.

Indeed, in the nineteenth-century imagination, cannibals abounded. Among "savages," particularly in Africa and Polynesia, the practice was thought to be endemic, and elaborate and slightly ludicrous taxonomies were constructed. Hastings's *Encyclopaedia of Religion and Ethics*, just outside our period, includes as categories: "cannibalism from morbid affection—eating the dead out of sheer love," and, my own favourite, "cannibalism through sheer gluttony, the worst of all," a vice attributed to the Fangs in West Africa. Nearer home, there were eccentric cannibals, like Liver-Eating Johnson, who ate the livers of Crow Indians on principle in revenge for the killing of his wife in 1846, and numerous cases of survival cannibalism—the best known being the case of the Donner Party in 1846–47, around which numerous myths have arisen. But references to the drawing of lots are rare in such cases, and those reduced to cannibalism—like the members of the modern Uruguay rugby football club, which survived an air crash in 1972—did not possess a common culture like that of the Atlantic seafarers in the great days of sail.

Cannibalism also occurred, or was said to have occurred, on a number of Arctic and Antarctic expeditions. The most notable scandal about such an expedition happened to coincide, more or less, with the Case of the *Mignonette* in 1884. In that year, the U.S. Navy, with some smugness, rescued a U.S. Army arctic expedition, or what was left of it, from Cape Sabine. This expedition, led by Lieutenant Adolphus Washington Greeley, had gone north in August 1881, and then vanished. On 22 June 1884, seven survivors of the original party of 25 were rescued at death's door (one subsequently died). The bodies of some of the others were brought home for burial; the survivors, including Greeley himself, for a hero's welcome. On 12 August, the *New York Times* published a sensational story of a cover-up. In fact, it was claimed, the bodies returned were largely dummies, and one was of a man who had been shot for stealing and then eaten. Grisly autopsies partially confirmed all this, and a major scandal ensued. It filled the American and foreign press just before the survivors of the *Mignonette* arrived in England. Precisely what did go on has never been satisfactorily established, though there is no reason to believe that Lieutenant Greeley, who died as recently as 1935, had any hand in it. The Navy story admitted the use of bodies as shrimp bait only, but the evidence plainly establishes cannibalism.

In view of what I have said, you may wonder at the paucity of trials of cannibal murderers before 1884. In fact, there were at least two such completed trials; but, in both, the claim that the killing was justified by necessity was never made. Instead, the cases were treated as involving questions of self-defence. The earliest concerns the only recidivist cannibal I know of—Alexander Pearce. An Irishman, transported to the hideous penal colony at Macquarie Harbour in what is now Tasmania, he twice escaped, first in 1822 and again in 1823. On the first occasion, he had seven companions. They survived by killing and eating each other in turn until Pearce and one Robert Greenhill alone survived, and a feeling of mutual suspicion not unnaturally prevailed between them. Pearce killed Greenhill, allegedly to prevent Greenhill from killing him. On this occasion, he was not charged with murder but simply returned to the penal colony. In 1823, he again escaped in company with one Thomas Cox, whom he killed and ate. For this he was tried and convicted of murder, and executed. The motive was apparently not starvation on this occasion—Cox was killed in a quarrel, so the question of necessity never arose at the trial. There were hints, however, of the myth that once you start eat-
ing people the habit is hard to break. Pearce's skull, curiously enough, ended up in the collections of the University of Pennsylvania. More recently the celebrated Colorado cannibal and mountain man, Alferd Packard, was said to have murdered and then eaten his companions (for whom he was guide) in 1874; he was tried and convicted of murder in 1883 and, when this trial was declared invalid, again tried for manslaughter arising out of the same incidents, in 1886. His defence was that he, like Pearce in 1822, was defending himself from being killed and eaten.

Incidents like the killing of O'Brian in the aftermath of the wrecking of the Francis Spaight, though no secret at the time, did not lead to any legal proceedings, nor was anything ever done about the supposed villain of the Donner Party story. At a time when more people lived on the frontier, such incidents were both more understandable and less likely to end in court. In some instances there were technical difficulties as to jurisdiction (this, for example, was one of the reasons given for the refusal to court-martial Lieutenant Greely, though he requested a court-martial), and, of course, there were immense practical difficulties in bringing frontiersmen before courts and collecting satisfactory evidence. The principal witnesses were often, by then, digested.

In addition to the two cases I have mentioned, I know of two other attempts before 1884 to bring to trial those who had killed, arguably at least, under necessity—cases, that is, involving the same point of law as the case of Dudley and Stephens.

The earliest concerned the loss of the ship William Brown in 1841, and led to the trial of Alexander William Holmes. She was an American ship from Philadelphia, engaged in the emigrant trade, and she left Liverpool on 12 March carrying 65 passengers and a crew of 17, bound for Philadelphia. Most of the emigrants were Irish, but there was one Scots family. On 19 April, she struck an iceberg and began to sink. Her two boats were incapable of holding all those on board, and 31 were left to drown as she went down. All the crew and remaining passengers were disposed in the boats. Captain Harris, together with the second mate, seven sailors, and one passenger, was in the jolly boat; the first mate, William Rhodes, eight sailors (including Holmes), and 33 passengers were left in the 22-foot longboat. The two boats remained together overnight, but the captain next morning set out under sail for Newfoundland. Having suffered severely from frostbite, he was rescued by a French lugger six days later. Before he left, Rhodes pointed out to his captain that his boat was unmanageable, and mentioned the possibility of drawing lots and throwing passengers overboard; the captain indicated this should be a last resort. The following evening, the sailors consulted together and decided to throw some of the passengers overboard; this began at the mate's order, but he took no active part. Those who actually jettisoned passengers—16 in all—were Charley Smith; Alexander Williams, alias Alexander William Holmes (a Finn); John or Joseph Stetson; and Henry Murray. There was no resistance—the passengers were half-naked and freezing—but some pleading, including an extraordinary exchange between one Charles Conlin and Holmes:

"Holmes, dear, you won't put me over.

"Charles, you must go."

Shortly after the last passenger had been thrown overboard, Captain Bell in an American vessel, the Crescent, sighted the boat and, at considerable risk, rescued the survivors. They were eventually landed at Le Havre in France.

There the American and British consuls—Messrs. Beasley and Gordon—investigated the matter and on 16 May issued a joint statement which concluded: "Throughout the affair we have not discovered any fact capable of drawing down blame upon any one whatever." Two of the passengers, James Patrick and James Black, also signed, with the sailors, an account entered in the Crescent's log. That appeared to be the end of the matter.

All this appeared in the English press. There was a protest by "Homo" in the Times at the "uncivilised nature of the act"; it was what might be expected "among the savage and heathen inhabitants of the South Seas." The story enraged the foreign secretary, Lord Palmerston, who read of it in the press. He was particularly angry that British subjects had been jettisoned by foreigners. So copies of the depositions of the survivors were sent for in London (where they still remain in the Foreign Office archives), and Mr. Gordon was instructed to have the sailors brought to trial in France, and severely rebuked. But by then it was all too late—sailors and survivors had left Le Havre. The emigrants, aided by a subscription, set off for Philadelphia, which they reached by July 13. So too did some of the sailors—certainly Francis Rhodes, Charley Smith, William Miller, and Alexander William Holmes, of whom Rhodes had ordered the action and Smith and Holmes had taken an active part. Captain Harris and the second mate, Walter Parker, also arrived there. For reasons I have been unable to discover, only one man—Holmes—was brought before a grand jury, on 18 October 1841, and charged with murder and, obscurely, larceny. The grand jury found two true bills for manslaughter only, and Holmes was eventually tried in April 1842 for killing one Francis Askins. No doubt the outraged feelings among the Irish community in Philadelphia led to the prosecution, and I suspect that Holmes was the only one who did not get away in time. At his trial, the survivors divided—Bridget McGee, Mary Carr, Sarah Carr, Ann Bradley, and Julia McCadden appearing for the prosecution; Jane Johnson, Eliza Lafferty, and the four members of the Scots family, the Edgars, appearing for the defence. Of the prosecution witnesses, Mary Carr, Julia McFadden, and Bridget McGee had in Le Havre signed depositions exonerating the sailors. In the event, Judge Baldwin's careful charge recognised the legality of killing after drawing lots in cases of true necessity, and of sacrificing passengers only if sailors were essential to survival. There was a conflict of evidence, however, as to how necessary Holmes' actions had been, and the jury found against him. He was sentenced to six months' imprisonment with hard labour, and President Tyler refused him a free pardon.

The second attempt—this time unsuccessful—to bring sailors to trial in a cannibal case occurred in 1874, and involved a number of British government departments. The Euxine, a collier, caught fire on a voyage carrying coal to Aden and was abandoned on 9 August in the South Atlantic. She was then 850 miles from St. Helena. Two boats reached the island, the captain navigating. The third boat parted
company and, under the command of the second mate, James Archer, failed to locate the island and turned left for South America. With the sailors already on short commons, their position was bad. On 27 August, the boat capsized three times, and the five survivors, who righted it next morning, were then in a desperate condition, having lost food, water, sails, and navigational instruments. On Monday, 31 August, it was proposed that lots be drawn; they were, three times, and on each occasion the fatal lot fell on an Italian boy who spoke little or no English. He was called Francis Shufus—a corruption of an Italian name. This story conforms to a pattern—the lots are repeated, the result is always the same, the odd man out is selected. After an interval for prayer, a German sailor, August Muller, killed him. Shortly afterwards, Shufus having been partly consumed, they were rescued by a Dutch ship, the Java Packet, which landed them in Batavia in the Dutch East Indies. There, like Dudley and Stephens, they gave a full and frank account to the British consul, Mr. Fraser, and signed depositions.

From Batavia they were taken to Singapore, arriving by the Namaa on 16 November. There it was at first decided to take no further action. This decision was communicated to the Board of Trade in London by a letter that arrived in January 1875. But on 20 November, the governor of Singapore had learned of the case and became uneasy. He put the men under police surveillance and ordered that they should at least come before a court, and not simply be set free. He informed the Colonial Office in London of this. He was somewhat suspicious about the lottery; he suggested that the men ought to be sent to England, where the legality of their actions could be properly considered, and a really significant legal precedent established. The Colonial Office thought this proposal to send them to England was illegal; they must be tried on the spot. They cabled appropriate instructions to the governor. So in January 1875 the men were brought before the police magistrate in Singapore, Captain Douglas, who eventually committed them for trial before a judge and jury there. But, even at the preliminary enquiry before the magistrate, it soon became clear that the prosecution case was in a mess. The men's depositions were not in Singapore—they had been posted home from Batavia to London. There were copies, but these were ruled inadmissible as evidence. There were no witnesses available from Batavia—the sailors of the Java Packet would not cooperate, and the acting consul obstinately refused to come over to give evidence. He was so unenthusiastic that it was difficult to get him even to answer letters. In Singapore one Mr. Ellis was a reluctant witness to a statement by Archer that Muller had killed the boy; there were no other available witnesses to any kind of confession. One sailor was persuaded to turn Queen's evidence, but eventually the conclusion was reached that the case was so weak that it was better abandoned. It was felt probable that the jury would acquit, and the idea would then spread among seamen that a court had actually approved the custom of the sea.

In London, where the deposition eventually arrived, this view was approved. The Board of Trade file is
The flavour of the yachting world is caught by a letter in 1885 from "Enquirer" in Hunt's Yachting Magazine. He was worried about his costs. He explained that he did not run a large yacht, merely a "snug little yawl" of 80 tons, on which, for a 20-week season, he employed a captain, a mate, a steward, a cook, and five sailors. This cost him £1,000, a very substantial sum in 1885, and he was, he was, assured, about right. The leading yacht crews came from a very few villages and, indeed, families. Dudley, Brooks, and Parker all belonged to this world. Tom Dudley had been mate of the Fiona, the leading racing yacht in the early 1870s; Ned Brooks had served for several seasons under the celebrated Captain O'Neill. Little Dick Parker was the son of old Chick Parker of Itchen Ferry, a yacht captain, and his family were to become particularly well known as sailors on the kaiser's yacht Meteor. One of them is today sailing master of Sir Edward Heath's yacht.

Edwin Stephens alone was not a yachtsman. He had enjoyed a prosperous career as an officer in the Union Line, which sent steamers to South Africa. Unhappily, his career had collapsed in 1877 when he was first officer on the European. This ship was approaching the English Channel in bad weather, and Stephens was responsible for gross navigational errors that led him and the captain to believe the ship had passed safely by the Ile d'Ouessant, the western extremity of France. Not long before he went off watch, Stephens remarked to the captain, "We must be a long way from land." A quarter of an hour later, while he was still on the bridge, he heard the lookout give the traditional cry of "breakers ahead," and a few minutes later the European hit the Basse Meure Rock and sank. The captain lost his certificate for gross and culpable negligence. Stephens, acting under the captain's orders, was not censured, but the Union Line never employed him again. Though holding a master's certificate (Tom Dudley only held a mate's), he found difficulty in getting work, and decided to try to emigrate. This was why he shipped on the Mignonette; like the other four men, he had a yachting job arranged in Sydney.

The risk that the jury would simply acquit Dudley and Stephens was a real one, and, in that case, the critical legal decision would never be taken before a really authoritative bench of judges. So, from the start, it was made clear that nothing was going to happen to them—hence the grant of bail, and broad hints of a free pardon. The lawyers were quite happy to be kind to Dudley and Stephens, as long as they got their leading case condemning the custom of the sea. The jury's special verdict was Baron Huddleston's idea. He drafted it himself, and the original draft, with various modifications suggested by counsel, still exists. He was what is known as a "strong judge," and he talked the jury into acquiescence by telling them that the only alternative was for them to find the men guilty of murder. It was far fairer to them to agree on the facts (which, he said, were not in dispute) and spare themselves the odium of finding these brave men guilty of murder. The text was cunningly devised to exclude any finding that they had acted under necessity. The relevant passage merely says, "If there was any necessity, there was no more necessity to kill the boy than anyone else." The defendants' counsel did not agree to this, but neither did he strenuously disagree. He merely said that he was powerless to agree; no formal consents were possible in a criminal case. He was in fact the leader of the Western Circuit, and a leading counsel was essential to lend real authority to the case. He argued the question of necessity, but failed to raise certain procedural objections, no doubt because it did not seem in the interests of his clients to do so—the price of a pardon was essentially acquiescence in the produc-
tion of the leading case. And so, after much procedural muddle, the lawyers got their leading case, and the moral grandeur of the occasion called for literary grandeur in the opinion, which is one long purple passage. The savage, barbarous practice of cannibalism was roundly condemned, and the custom of the sea denounced as a blasphemous appeal to God to sanction killing. The men, shaken by the ordeal, were sent off to Holloway Prison as the most comfortable prison available, and everyone waited for the free pardon to be announced. There then occurred a curious hitch.

The home secretary at the time was Sir William Harcourt, and he turned awkward. The judges, he said, had announced that the men were murderers, and he therefore proposed to take the judges seriously and commute the death sentence to indefinite imprisonment. This caused consternation behind the scenes, and it took some time to talk him into the token fixed sentence of six months' imprisonment. This solution came from his son, who acted as his private secretary; the son's diaries survive and recount the whole story. Petitions to reduce the sentence further were resisted, though prison rules were relaxed in the men's favour. Most press comment was reasonably favourable, though some papers pointed out what a farce the whole business had been.

Tom Dudley did emigrate, but fate reserved a curious end for him. I recently located in Southampton a lady who is a distant relative, and she lives not far from relatives of Richard Parker. She was told the story when she was, as she put it, regarded by her mother as old enough to hear these things. In 1900, bubonic plague hit Sydney, and Tom Dudley was its first victim. His corpse was then subjected to indignities as gross as any that befell poor Richard Parker. Bathed in diluted sulphuric acid, and wrapped in many layers of sailcloth, it was taken by water for burial in grave 48 in the Quarantine Station on the South Heads of Sydney Harbour. The family regarded it as divine retribution, and I fear his son also carried the curse—he ended in a lunatic asylum. Edwin Stephens died in 1914, and there are stories that he too went mad. Ned Brooks continued to work as a yachtsman until his death in 1919. In 1906, he found himself working on a yacht with a nephew of Richard, and they fell to talking about the affair. Ben Parker wrote an account of this meeting, and I persuaded the family to allow me access to a copy. Brooks then said that sham lots were in fact drawn to select Richard Parker—the custom of the sea had been followed in letter if not in spirit. I suspect this to be true. In Essex, Southampton, and Falmouth, where the story is still remembered, I learned why the yacht sank. Her timbers were rotten, and Dudley had been too economical in repairing her before the voyage; repairs were limited to the replacement of some planking. Under stress the screws holding the new planking pulled out, and she rapidly filled.

No later case involving the custom of the sea, or its much less well established counterpart on land, ever arose in the common law world. Norwegian sailors who drew lots after the loss of the Thetis in 1893 were extradited for trial in Oslo, but, after appearing before the juge d'instruction, they were pardoned by royal decree; their memorial is article 47 of the Norwegian Penal Code, the Penal Code Commission of 1885 having taken the view that no crime was committed by men in such circumstances. What happened to the Norwegian survivors of the Droit in 1899, I have yet to discover. Presumably, sailors continued to follow the custom of the sea until the end of the days of sail, but kept quiet about it. The lawyers got the leading case, but whether anyone took much notice of it, I personally doubt.

The cannibals who were fortunate enough to be tried achieved some immortality through the legal proceedings. Many others are now forgotten: thus nobody today has heard of cannibal James Archer of the Euxine, who ended his days quietly in Dundee as a ship's captain. A book has been written about Alexander Pearce, however, and his skull is, as I have said, preserved in a museum in Pennsylvania. Dudley, after a short stay in the workhouses in London, fell into relative oblivion except as the name of a leading case until Donald McCormick attempted to rescue him in a colourful book, Blood on the Sea, published in 1962. This includes the mythical tale of his romance with Otilia Ribeiro, an orphaned transvestite Portuguese flower girl, who took part in a bizarre attempt to reenact the crime, herself playing the part of "Ricardo Parker." In this account, Dudley cooks a morsel of his buttocks, musing to himself as he prepares to serve this to Otilia: "buttocks and beans, he laughed to himself. Yes, that would be the supreme sacrifice, the one act that would obliterate the crime." It is a work in which imagination has been employed to supplement the evidence.

But the only cannibal who has been a real folk hero is Alferd Packer, the mountain man. At his first trial in 1883, he was convicted and sentenced to death in solemn terms, but the version that circulated, invented by one Larry Nolan, a saloon keeper who attended the trial and gave evidence against him, was different: "Stand up Packer, you voracious man-eating son of a bitch. There were six Democrats in Hinsdale County, and you've been and gone and eaten five of them."

Retried in 1886 for manslaughter, he was sentenced to 40 years' imprisonment. He persistently appealed, without success; but eventually a press campaign by Mrs. O'Bryan—"Polly Pry" of the Denver Post—led to his being paroled on 7 January 1901. A kindly old man, who suffered severely from epilepsy, he died in 1907. But since then his memory has been kept alive—for example, by a ritual exorcism of his ghost, employing a goat borrowed from the local zoo, which took place in 1943 and was photographed for Life Magazine; by the opening of the Packer Memorial Grill in 1968 at the Law School of the University of Colorado; by the Packer Wilderness Cook Book; by an appealing film; by books; by Packer Day at the Mining School in Denver. There are two serious books about him, and the author of the most recent one, Judge Ervan F. Kushner, petitioned the Colorado Clemency Board for a posthumous pardon, a request denied, however, by Governor Richard Lamm. If you go to Denver to the Waxwords Museum, you can still see Packer chomping away in the firelight, though the figure is not a good likeness. If you follow the instructions and press the adjacent button firmly, you can hear the wind howling over Lake San Christobal as it did in the winter of 1874, and sense a little of the world of the frontier in which the nineteenth-century cannibals lived and provided us lawyers with such entertaining leading cases.
Russell Baker: Pioneer in International Law

Karen Gardner

“...We said that we would form a firm that was truly international, in fact, a firm without nationality if that were possible.’"

At the age of 18, Russell Baker rode into Chicago from New Mexico on a cattle train and kept warm by sitting on the backs of the steers. Before his death at the age of 78, Baker was the head of the largest law firm in the world—Baker & McKenzie. The world’s first truly international law firm, Baker & McKenzie now has 29 offices, 222 partners, and about 370 associates.

By sweeping floors at the former Del Prado Hotel in Hyde Park, Russell Baker was able to pay for both his undergraduate and law degrees at the University of Chicago. After graduating from the Law School in 1925, Baker began practicing law in Chicago because, as he once stated in a Chicago Tribune interview:

I was so damn poor I couldn’t leave this town. And my wife, whom I met at the university, was even poorer. She was a missionary’s daughter. So we were impoverished and in no position to travel. Besides we liked Chicago very much. All of these things came together and convinced me that practicing international law here would be an interesting way to make a living. It seemed evident then that this somewhat specialized type of law would expand greatly.

Most of Russell Baker’s first clients were impoverished Mexicans who were victims of prejudice resulting from border troubles between the United States and Mexico. Baker was once imprisoned by a Chicago judge for “too spirited” a defense of a Mexican. He stated that, during this early period of his career, he “learned to try a lawsuit pretty well. You had to be good to get a verdict for a Mexican. And you had to be lucky.”

Eventually Baker began representing investors with interests in Latin America, and in 1934, a large pharmaceutical company asked him to travel around the world conducting the company’s international legal business. His international law practice was thus launched.

In remarks at a luncheon recently given by Baker & McKenzie in memory of Russell Baker, Wulf H. Döser, a partner from Frankfurt, Germany, stated, “When Russell set out with three friends to form and foster the first and only truly international law firm on July 1, 1949, at the age of 48, he had the courage, strength, and vision to embark on an adventure with an unknown future at an age when most people have become satisfied with—or resigned to—what they have achieved in life.”

Explaining the motivation behind Baker & McKenzie’s formation, Russell Baker had said:

In 1949, we had firmly committed ourselves to several ideas which, if we could carry them out, would, we believed, result in affording us not only a livelihood, but above everything else, an interesting and stimulating one....

We said, first, that we would not exploit each other, that we would find a means of dividing the rewards of our collective efforts that was objective and...
not subject to the control of any partner or any group of partners, nor subject to any override of a proprietary nature.

We said we would build a law firm with the object of serving independent lawyers and corporate counsel in areas of specialization such as international work, taxation, patents, trademarks and copyrights, and litigation which . . . was beyond the effective reach of ordinary law firms.

We said that we would form a firm that was truly international; in fact, a firm without nationality if that were possible; that we would recruit linguists and men who had been trained in two systems of law. We said that we would form a single firm; that it would be one firm or no firm. Above everything else, we said that we would form a firm which would permit its members to produce their very best and enjoy doing it.

With such goals ahead of him, Baker's career was obviously an ambitious one, but he realized his ambitions. Baker & McKenzie flourished, and Russell Baker became a leading figure in international law. In 1974, he was named "Man of the Year in International Trade" by the World Trade Conference in Chicago.

Baker's wife, Elizabeth, whom he met while both were students at the University of Chicago, shared his love of adventure. As Baker once wrote in a letter to his three sons, all partners in the firm: "Dibsie [his nickname for Elizabeth] married me out of innocent recklessness. What a chance she took! Careful, calculating girls look for a guy 'from a good family,' backed up with as much money as possible." Elizabeth's warmth and good nature were also evident to the many young lawyers from foreign countries whom she graciously entertained in her home.

Always an innovator and one who had great faith in education, Russell Baker would be proud of Baker & McKenzie's new role as a leader in continuing legal education. The firm recently appointed a law professor on a full-time basis to direct the country's first in-house legal education program. Its purpose is to refine and expand the firm's ongoing training programs, seminars, and programs for exposure to new areas of practice, and thus encourage the continued professional development of the firm's attorneys.

Russell Baker

Baker himself never ceased to develop professionally. When Baker & McKenzie opened a new office in San Francisco, Russell Baker commuted to California for six months to take a review course in California law and, at the age of 70, passed the California bar.

Such strength and energy were and continue to be the guiding forces behind Baker & McKenzie's great success as an international law firm.

In March 1981, Baker & McKenzie honored the memory of Russell Baker with a gift of $1 million to the Law School to endow a faculty research fund for the support of Russell Baker Scholars and a fund for student scholarships. The firm wrote to Dean Casper: "For over fifty years, Russell had a deep and abiding interest in his Law School. Moreover, he was keenly interested in law students, in their intellectual progress and in their financial needs. All of this arose from his devotion to the development of the law and his sharp sense of justice. We believe that for these reasons Russell would have concurred in our decision to provide to the Law School funds for the support of scholarly research and for scholarships for deserving students."
**A Message from the Dean**

The Fund for the Law School supports crucial elements of our program of instruction and research without which the Law School would not be able to perform its educational tasks at the high level which has become expected of us. The Fund also supports aid for students, the law library, the law review, the placement office, and other services. Its importance in the life of the School cannot be overstated. I am deeply grateful to the graduates of the School and to its friends for the extraordinary way in which they have responded to the financial pressures, competitive and other, to which we are subjected at the present time. It is most encouraging to have this evidence of continuing concern for the School and legal education. My warmest thanks go to all who have helped.

Dean Gerhard Casper

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**A Message from the 1980 Fund for the Law School Chairman**

The results of the 1980 Fund for the Law School are a magnificent illustration of your loyalty and confidence in the future of the University of Chicago Law School.

Your generosity last year provided $651,000 in unrestricted gifts. This amount represents a 17% increase over 1979 contributions, 2% more than the Fund's 1980 goal. The first year of the Bigelow Associates program was even more successful than anticipated. The contributions of the eighty-two alumni who gave 1% or more of their 1979 professional income totaled $102,539. The sole disappointing note is that the level of alumni participation declined 4%.

This year our goal is to raise $750,000 to benefit the Law School. In light of the recent changes in the tax law, which will become effective next year, this year may be a most advantageous year to make a gift to the Law School. To those of you who have not yet contributed to the Law School, I hope you will reflect a moment on the impact your law degree has had on your career and your life. To the core of loyal supporters who have done so much to support the Law School, the credit for maintaining the preeminence of the Law School belongs to you.

To those 62 graduates who found an extra moment in their busy lives to volunteer their time for the Fund for the Law School campaign, a special measure of the success of the campaign belongs to you. I feel privileged to have worked with you.

Roger A. Weiler '52

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**THE LAW SCHOOL RECORD**
Comparative Unrestricted Contributions

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<th>1979</th>
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Five Classes with Highest Percentage of Graduates Contributing

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<tr>
<th>Year</th>
<th>% of Class Contributing</th>
<th>Class Chairman</th>
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<tr>
<td>1949</td>
<td>46.6%</td>
<td>John Morris</td>
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<td>1941</td>
<td>45.9%</td>
<td>William Brandt</td>
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<td>1940</td>
<td>44.4%</td>
<td>Karl Janitzky</td>
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<td>1925</td>
<td>42.8%</td>
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<tr>
<td>1955</td>
<td>41.7%</td>
<td>Daniel Feldman</td>
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</tr>
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</tr>
<tr>
<td>1909</td>
<td>Norman H. Pritchard</td>
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<td>1913</td>
<td>Moses Levitan, Edward A. Seegers</td>
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<tr>
<td>1915</td>
<td>Samuel B. Epstein, Morris E. Feiwel</td>
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<td>1916</td>
<td>Irwin Clawson</td>
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<tr>
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<td>Walter T. Fisher</td>
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<tr>
<td>1918</td>
<td>Robert R. Humphrey, John M. Williams</td>
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<td>1919</td>
<td>Leo J. Carlin, Carl W. H. Sass, Grover C. Wilson</td>
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<td>1920</td>
<td>William C. Christianson, Earl B. Dickerson, Carl S. Lloyd, Harold W. Norman</td>
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<tr>
<td>1921</td>
<td>John Ladner, Victor L. McQuistion, Bernard Nath, Maurice Walk, Sidney J. Wolf</td>
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<tr>
<td>1922</td>
<td>George W. Adams, Donald R. Bear, Frank Madden, James P. Markham, Archie Schimberg, Arthur Wolf</td>
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<td>Paul G. Arnes, Fred H. Bartlit, Sr., James S. Blaine, Edward D. McDougal, Jr., Daniel H. McNeal, Claude A. Roth, Hugh J. Snyder</td>
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Matching gift programs have been instituted in over 500 businesses and corporations and are an integral part of corporate philanthropy. The following corporations and businesses made matching contributions designated for the Law School in 1980:

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A Baseball Buff’s Brief Memoir

Bernard Meltzer

I was a boy in Philadelphia in the late 1920s—the glory days of the Philadelphia Athletics. They sparkled with stars—Lefty Grove, Rube Walborg, Al Simmons, Mickey Cochrane. In 1929 they went all the way to win the American League pennant and the World Series. In second place were their big rivals, the New York Yankees, with their awesome Murderers’ Row—Babe Ruth, Lou Gehrig, Bob Meusel, and Tony Lazzeri.

For a time—a very brief time—I had my personal dreams of baseball glory, but a weak arm and bat brought me down to earth. That was also the time when the members of my gang were walking encyclopedias of baseball statistics.

It was a dangerous time; one could lose face by missing on Rogers Hornsby’s batting averages. With that kind of information and a newspaper reporter’s ability to second guess managers, I mused about becoming a manager. But reality again intervened, and so I went to law school and, after a while, became a law teacher, with a special interest in labor law and labor arbitration.

In 1981—a little more than 50 years after those youthful baseball dreams—I played a role that involved me with the real thing. To end the suspense, let me say that I served as a salary arbitrator for the 1981 season.

You may already know how that arbitration works. The player gives the arbitrator one salary figure, and the team gives him another. The arbitrator picks one figure or the other—no splitting the difference. In addition, the arbitrator is not to give any reason for his award and is supposed to keep the proceedings secret.

“For a time—a very brief time—I had my personal dreams of baseball glory, but a weak arm and bat brought me down to earth.”

The one-or-the-other idea—which in a different context I helped popularize—is, of course, to put pressure on both parties to be reasonable so as to narrow and then eliminate the gap between them and to avoid the need for arbitration.

When negotiations don’t work out that way, the arbitrator is on the hot seat. One side typically thinks that he has hit a home run, the other that he has struck out (and broken his bat while doing so).

I shouldn’t and won’t tell you what happened during the hearings. But I will tell you what happened after I gave my award. Some reporters said I was ignorant; others said I was dumb. I preferred the first batch.

I thought about all this flak and the fact that, for the first time in my professional life, I had been told to state only my conclusion and to skip any reasons. I smiled as I realized the position that I had somehow achieved. I had—for one golden moment—become an umpire.

Mr. Meltzer is Distinguished Service Professor of Law and a 1937 alumnus of the Law School. These reflections first appeared in the Chicago Tribune’s column “The Observer,” April 19, 1981, when baseball buffs thought they had a whole season before them.
Rex et Lex: A Look at Rex E. Lee

Dallin H. Oaks and J. Frederic Voros, Jr.

"... if variety is the spice of life, Rex Lee's life has been anything but bland."

Dallin Oaks (J.D. '57; Law School faculty, 1961-71) was President of Brigham Young University, 1971-80, and is now Associate Justice, Utah Supreme Court. Mr. Voros (J.D., Brigham Young University, 1978) is his Senior Research Attorney.

Rex E. Lee (J.D. '63)
Rex E. Lee (J.D. ’63) once described himself as “a pretty fair student at a pretty good law school.” With comparable understatement, one might call a tornado a pretty fair breeze and .410 a pretty good batting average. In contrast, it is difficult to overstate the diverse achievements of Rex Lee.

Born in St. Johns, an Arizona town of about 1,000, Rex was raised as a devout Mormon, gained fluency in Spanish during his 2½-year missionary service in Mexico, and served as student body president of his undergraduate alma mater, Brigham Young University.

An engaging speaker with friendly manner, ready smile, and booming voice (a standing joke insists that he needs no telephone for calls within a mile), Rex cannot go unnoticed. When Rex’s number 1 class standing at Chicago qualified him for a Supreme Court clerkship, Dallin Oaks accompanied him to Washington to convey the faculty’s strong endorsement to Oaks’s former boss, Earl Warren. A few weeks later, the chief justice phoned with the news that Rex had not gone unnoticed by a fellow westerner: “Would you feel bad if I didn’t hire your friend, Rex Lee? Whizzer White wants him.”

After his year with Justice White, Rex practiced for eight years with the firm of Jennings, Stroup & Salmon in Phoenix, where he became a partner after only three years. A powerful advocate, Rex specialized in appellate practice, making the first of his now-numerous arguments before the United States Supreme Court. His community work in Phoenix included service on the boards of the Theodore Roosevelt Council of the Boy Scouts of America, the Salvation Army (Arizona region), the Arizona chapter of the National Conference of Christians and Jews, and the Maricopa County Legal Aid Society.

Rex was lured back to Brigham Young to be the first dean of the university’s new J. Reuben Clark Law School, which opened in 1973. Although his only previous law teaching experience was some part-time teaching at the University of Arizona, BYU leaders were unanimous in their selection of this brilliant young Phoenix attorney to chart the course and assemble the faculty and students for BYU’s important new addition to legal education.

Predictably, Rex has been a popular and effective dean. With charismatic optimism and infectious energy, he stepped boldly into the classroom, established himself in the Index to Legal Periodicals, and led his law school into the front ranks of legal education. The same competitive spirit that made him successful in the courtroom made him stimulating and on occasion controversial in the classroom. His courses in constitutional law, antitrust, and appellate advocacy were among the most popular at the J. Reuben Clark Law School. “The most significant difference between work at the law school and private practice is the relationship with students,” Rex said recently. “There is simply nothing like it anywhere else.” In addition to his administrative and pedagogical duties, Rex has also published a variety of articles and a recent book, A Lawyer Looks at the Equal Rights Amendment, which has drawn hearty acclaim and outraged criticism from the legal and political community.

While BYU’s sedentary and somnolent souls (including these writers) lingered over lunch, Rex Lee was out in the weather setting the pace for campus runners. A lunchtime 12-mile round-trip trot from his law school office at the foot of the Wasatch range to nearby Utah Lake was only part of the training that brought his marathon time below three hours. He has competed in the Boston Marathon in two recent years. In the strange and hyperbolic world of the jogger, Rex’s finest accomplishment as a law school dean was his initiation of the annual J. Reuben Clark Law School “Ambulance Chase,” a three-mile team competition, complete with horse-drawn ambulance, pitting the hordes of local and budding lawyers against their medical counterparts. When the first professional across the finish line was not a physician whose practice was promoted by these goings-on, it was likely to be the lean dean. However, we express no opinion on whether, in a race between law students and their dean, the final kick is truly competitive. Dean Lee also sponsored another running event exclusively for law faculty and students, the “Race Judicata.”

In May 1975, Rex’s tenure as dean was interrupted as be began his 1½-year service in the Ford administration as assistant attorney general (civil division) under Attorney General Edward H. Levi. In 1981 President Reagan appointed him solicitor general of the United States, a position Rex has called “the best job in the world for a lawyer.”

Finally, and undoubtedly he would say most important, Rex Lee is deeply committed to his family and his church. In the Church of Jesus Christ of Latter-Day Saints (Mormon), he has recently served as a stake president, a lay leadership position with ecclesiastical responsibility for approximately 3,000 church members (in this instance, BYU students). He and his wife Janet (Griffin), married while both were students at BYU, are the parents of seven children, ages two to 18. Speaking of his children, he has said, “I want them to know the value of eternal things.”

In sum, if variety is the spice of life, Rex Lee’s life has been anything but bland. In family life, sports, academia, and legal practice, and in government, community, and religious affairs, he has given outstanding service. Some of the old-timers in St. Johns may be amazed, but five will get you ten that those who knew him best are not.
In a recent *Peanuts* cartoon Charlie Brown went to a booth where Lucy offered “psychiatric help.” Lucy asked Charlie Brown:

> Have you ever been on a cruise ship? Passengers open up these canvas deck chairs so they can sit in the sun. . . . Some people place their chairs facing the rear of the ship so they can see where they’ve been. . . . Other people face their chairs forward. . . . They want to see where they’re going!

> On the cruise ship of life, Charlie Brown, which way is your deck chair facing?

Answered Charlie Brown:

> I’ve never been able to get one unfolded. . . .

At the Law School you have no choice—whether you are student, faculty member, or dean you have to struggle until your deck chair unfolds. Also, contrary rumors notwithstanding, we have always placed our deck chairs facing forward.

What does facing forward entail at the present time? Our foremost task has been and remains to build the faculty of the future as well as the present.

At the Alumni Dinner this year we honored Sheldon Tefft on the occasion of the fiftieth anniversary of his appointment as a regular member of the faculty. Sheldon served with great distinction on a faculty that had few equals. His tenure included the deanships of Harry Bigelow, Wilber Katz, Edward Levi, and Phil Neal, and, of course, his own years as acting dean. When we look back at the great teachers of the Law School, we tend to forget that a great proportion of them were quite young when they were initially appointed to this faculty. Sheldon was still in his twenties when he arrived at Chicago as a Visiting Professor.

Comment is devoted to occasional observations by Gerhard Casper, Dean of the Law School and William B. Graham Professor of Law.

Facing forward with respect to faculty appointments means primarily recruiting the most promising young faculty we can find and persuade to join us. The priority must be the long run. As to this priority—with the active support of the University President and the Provost—we have made great progress, though the task is far from completed. In a very few years we have added the following new faculty: Frank Easterbrook, Lea Brilmayer, Dennis Carlton, Joseph Isenbergh, Douglas Baird, Diane Wood, Cass Sunstein, and Thomas Campbell. For a small faculty such as ours, the addition of eight regular faculty members over a short period of time is a good sign indeed, even if the net increase is more modest.

More important, these new faculty members—all of them “young”—represent a diversity of backgrounds as well as teaching and research interests. One is a graduate of our school, while the other seven came to us from Berkeley, Harvard, MIT (Ph.D. in economics), Stanford, Texas, and Yale. Three held teaching positions elsewhere before joining the Law School faculty, while five came from private law practice and government service. Their interests include welfare law, labor law, tax law, land use, international trade, constitutional law, patents and copyright, civil and criminal procedure, conflict of laws, antitrust law, economic analysis of law, and contracts.

Our achievements in recruiting faculty are all the more remarkable because the prevailing market conditions continue to be very unfavorable to the best law schools; the competition we experience, especially from the law firms, is intense. We must attract to our faculty and keep on our faculty not only people who are academically inclined but lawyers who have an interest in and commitment to the profession. The full-time law faculty is one of the great accomplishments of American legal education. In order to maintain that faculty—a goal that is also in the interest of the legal profession—more than patchwork is needed. As we face the future of the University of Chicago Law School, we have to think about its financial support in a nonroutine fashion. It cannot be business as usual.

One of the pleasures of being dean of this law school is to be able to listen to a great number of lawyers from around the country affirming their belief that our graduates are the best trained of any. While some of these expressions may, alas, be attributable to flattery, they are too frequent and too uniform not to contain a kernel of truth. I am confident that, jointly with our alumni, we shall be able to maintain the special strength and vitality of our school.
Appointments to Faculty

The following appointments are in addition to those already noted in the Spring 1981 issue of the Record.

Thomas J. Campbell has been appointed Assistant Professor of Law, effective July 1, 1982. A 1976 magna cum laude graduate of Harvard Law School, where he was an editor of the Law Review, he clerked for Judge George E. MacKinnon of the U.S. Court of Appeals for the District of Columbia Circuit and for Justice Byron White of the U.S. Supreme Court. In 1980 he received a doctorate in labor economics from the University of Chicago, where he had previously earned a M.A. degree. He has been a White House Fellow, working as an aide to the Chief of Staff, and he has recently been appointed an Associate Deputy Attorney General. He will teach courses in labor law and employment discrimination.

R. H. Helmholz has been appointed Visiting Professor of Law for 1981–82. A graduate of Princeton University and Harvard Law School, he also received a Ph.D. degree in history from the University of California at Berkeley in 1970. Since then he has taught at Washington University in St. Louis, where he is Professor of Law and History. He is the author of Marriage Litigation in Medieval England (Cambridge University Press, 1974) and has written numerous articles on the history of the common law and the history of canon law in England. He is a member of the Council of the Selden Society and a Fellow of the Royal Historical Society. He will teach primarily in the field of property law.

Mark J. Heyman, Staff Attorney and Clinical Fellow, has been promoted to Clinical Fellow and Lecturer in Law. Mr. Heyman graduated from the University of Illinois and received his J.D. degree from the University of Chicago (1977). He has been with the Edwin F. Mandel Legal Aid Clinic since 1978.

Cass R. Sunstein has been appointed Assistant Professor of Law. Mr. Sunstein is a magna cum laude graduate of both Harvard College, where he majored in English and was elected to Phi Beta Kappa, and Harvard Law School (J.D., 1978). In college he served on the board of editors of the Harvard Lampoon, and in law school he was executive editor of the Harvard Civil Rights–Civil Liberties Law Review. He clerked for Justice Benjamin Kaplan of the Supreme Judicial Court of Massachusetts and Justice Thurgood Marshall of the U.S. Supreme Court. Before coming to the Law School, he worked in the Office of Legal Counsel of the U.S. Department of Justice. Mr. Sunstein will teach courses in conflicts of law, welfare law, and civil procedure.

Eugene H. Wachtel has been appointed Lecturer in Law. A graduate of the University of Chicago College and Law School (J.D., 1962), Mr. Wachtel is a partner in the Chicago firm of Lord, Bissell & Brook. During the winter quarter he will offer a seminar on the law of private pension systems.

Bigelow Teaching Fellows

As in previous years, six Bigelow Teaching Fellows and Lecturers have been appointed to design and conduct the legal research and writing program for first-year students. The Fellows for 1981–82 are as follows:

Kenneth F. Berg graduated magna cum laude from Washington University in St. Louis and received his J.D. degree cum laude from Boston College Law School in 1979. He also studied for a year at Hebrew University in Jerusalem. Since 1979 he has been an Assistant State's Attorney for Cook County, and since 1980 he has taught a seminar in legal process, writing, and research at Loyola Law School.

Monte Dube graduated magna cum laude from Boston University and received his J.D. degree in June from the Benjamin N. Cardozo School of Law, Yeshiva University. While in law school, he was active in moot court. He has a long-standing interest in health law and bioethics research; in 1977–78 he wrote and edited a monthly newsletter of information about legislation concerning clinical research on human subjects. From 1976 to 1978 he worked as a complaint mediator and later as Assistant Supervisor in the Consumer Protection Division of the Office of the Massachusetts Attorney General, and in 1980 he worked in the New York office of the general counsel for the Department of Health, Education, and Welfare.

Kenneth W. Ellison is on leave of absence from the U.S. Department of Housing and Urban Development, where he is Chief Development Counsel for the Urban Development Action Grants Program. An honors graduate of Northwestern at Memphis, Mr. Ellison received his J.D. degree from Harvard Law School in 1976. He was a member of the board of editors of the Harvard Journal on Legislation. Since his graduation from law school, he has served in various capacities at HUD. He is a member of Phi Beta Kappa.

Stanton D. Krauss graduated magna cum laude from Yale College and the University of Michigan Law School (J.D., 1978), where he was note editor of the Michigan Law Review. Since his graduation from law school, he has clerked for the Honorable Joel M. Flaum, U.S. District Court for the Northern District of Illinois. Mr. Krauss is a member of Phi Beta Kappa and Order of the Coif. He is a graduate of the Players' Workshop of Second City and is a jazz and blues guitarist and pianist.

Kathleen A. Kunde is an honors graduate of the University of Wisconsin and in June received her J.D. degree from the University of Wisconsin Law School, where she was articles editor of the Wisconsin Law Review. Ms. Kunde has a strong interest in ballet and jazz dance. She was a dance instructor in both Madison and Chicago for several years and is the founder and administrator of the Madison Jazz Dance Theatre, Inc.

Ellen M. Lieberman attended Vander-
bilt University, and is a graduate of Colorado College and of the University of Kentucky College of Law (J.D., 1979), where she was a member of the Kentucky Law Journal staff. After graduation, she served as an Assistant Attorney General for the Commonwealth of Kentucky and then clerked for Justice Robert F. Stephens of the Supreme Court of Kentucky. In 1980, she returned to the Attorney General's Office, where she has worked as a special prosecutor in the Medicaid Fraud Unit. For the past two years, she has also served as an adjunct instructor in the legal writing program at the University of Kentucky Law School.

Staff Appointments
Roberta G. Evans has been appointed Assistant to the Dean. She was previously associated with the firm of Fohrman, Lurie, Sklar & Cottle. A graduate of the University of Connecticut and the University of Chicago Law School (J.D., 1961), Mrs. Evans is a native of Chicago and resident of Hyde Park.

Gibson Retires
James T. Gibson, '52, has retired from the Law School, to which he returned in the spring of 1979. When administrative changes created a sudden shortage, Mr. Gibson agreed to assist his alma mater for a limited period. During the past two years he has served as Associate Dean for Administration and Development, with responsibilities ranging from administrative matters to special fund-raising projects. The refurbishing of the Harold J. Green Law Lounge took place under his direction. The new furniture—much less "architectural" than the original furniture, which so many of our graduates tried to live with when they were students—has substantially increased the use of the Green Lounge by students, faculty, and staff. Gibson plans to pursue a variety of professional interests. In his words, "It's time to do what I've always wanted, and that's to go into the antique business."

Faculty Notes
Assistant Professor Thomas J. Campbell addressed a June meeting of the University of Chicago Club of Boston on "The Carter-Reagan Transition."


Kenneth W. Dam, Harold J. and Marion F. Green Professor of Law and Provost of the University, was elected a fellow of the American Academy of Arts and Sciences, May 16, 1981. Dam joins the following faculty members who were previously elected to the law section of the Academy: Walter Blum, Gerhard Casper, Philip Kurland, Edward Levi, Bernard Meltzer, and Phil Neal.

Professor Frank H. Easterbrook was recently chosen by the Chicago Jaycees as one of Ten Outstanding Young Citizens for 1981. Professor Easterbrook was cited for his "precocious rise in the legal profession"; becoming Deputy Solicitor General of the United States at the age of 29, he was the youngest person ever to hold that position. Professor Easterbrook's numerous recent publications include "When Shareholders Become the Victims" (with Daniel R. Fischel '77), which appeared in the New York Times on July 12 (Sec. F, p.2).

Professor Richard A. Epstein will give a paper on regulation and taxation at a symposium, October 28-30, sponsored jointly by the University of Toronto Faculty of Law and the Liberty Fund. In December, he will speak on Superfund legislation at a symposium on pollution. Sponsored by the Cato Institute, the symposium will be held at Stanford University.

Dennis Hutchinson, Lecturer in Law, recently published "Felix Frankfurter and the Business of the Supreme Court, O.T. 1946-O.T. 1961" (1980 Supreme Court Review 143). Professor Hutchinson is an editor of the Supreme Court Review, with Philip Kurland and Dean Casper.

Professor Philip B. Kurland's Watergate and the Constitution was nominated for the 1980 Gordon J. Laing Prize, given annually by the Board of University Publications to the faculty author, editor, or translator of the book published during the preceding two
years which adds the greatest distinction to the list of the University of Chicago Press.


Associate Professor Gary Palm, Director of the Edwin F. Mandel Legal Aid Clinic, was a member of the AALS Clinical Teachers Training Conference, June 21-25, 1981, at Rockland, Maine. Over 40 clinical teachers were enrolled in the conference. Professor Palm taught a workshop on "Planning the Theory of the Case," for which the clinical teachers prepared an actual case that had just been accepted by the Clinic. They discussed the relationship of early case planning to discovery, settlement, and trial planning, as well as how to teach students to prepare.

While on leave from the Law School last spring, Professor Antonin Scalia testified before three congressional committees—the House Judiciary Committee on the proposed regulatory procedure act of 1981, the House Permanent Select Committee on Intelligence regarding the proposed intelligence identities protection act, and the Senate Finance Committee on tuition tax credit legislation. On June 19 he was a panelist (with the Hon. Abner J. Mikva '51) at a Washington, D.C., conference on The Role of the Judge in the Eighties, sponsored by the ABA Judicial Administration Division.

With the departure of his co-editor, Murray Weidenbaum, to become chairman of the Council of Economic Advisors, Mr. Scalia has become sole editor of Regulation, published bimonthly by the American Enterprise Institute.

Adolph Spruzd, Foreign Law Librarian and Lecturer in Legal Bibliography, gave a talk last spring to the editors of the Vanderbilt Journal of Transnational Law. Mr. Spruzd spoke about methods and approaches to research in international legal materials. In August he gave an invited paper before the Section of Social Science Libraries at the council meeting of the International Federation of Library Associations and Institutions, in Leipzig, Federal Republic of Germany. At the meeting he also represented the International Association of Law Libraries as its secretary.

Franklin E. Zimring, Professor of Law and Director of the Center for Studies in Criminal Justice, recently delivered the second James R. Thompson Lecture at the Northern Illinois University School of Law. His lecture was entitled "Sentencing Reform in the States: What Can the 1970s Teach the 1980s?" His book The Changing Legal World of Adolescence will be published by the Free Press in February.

Seminar Honors Director and Coase

At a seminar in Los Angeles last spring, on the intellectual history of law and economics, Aaron Director, Professor Emeritus of Economics, and Ronald H. Coase, Clifton R. Musser Professor Emeritus of Economics, were honored for their central role in the development of the law and economics movement. Much of the seminar focused on their early work at the Law School, which was the first to give economics a significant role in legal education. At a ceremony in their honor, former students and colleagues paid tribute to both men.
Professor Director founded the *Journal of Law and Economics* in 1958 and was its first editor. He was succeeded in 1964 by Professor Coase, who is presently co-editor with *William M. Landes* and *Dennis Carlton.*

**Wilber G. Katz Lecture**

*Phil C. Neal,* Harry A. Bigelow Professor of Law, delivered the first Wilber G. Katz Lecture on April 30, 1981. Mr. Neal's address was titled "Of Strait Jackets and Irrationality: Civil Juries, The Seventh Amendment, and Due Process." The lecture was established in 1976 in honor of *Wilber G. Katz,* Dean of the Law School from 1940 to 1950. The lecture is to be given annually by a member of the Law School faculty on a legal topic of significance.

**Harry N. Wyatt, 1896–1981**

*Harry N. Wyatt,* retired senior partner in the Chicago firm of D'Ancona, Pflaum, Wyatt & Riskind, died on May 29, 1981, at his home in California at the age of 85. Mr. Wyatt graduated from the University of Chicago in 1918, having been elected to Phi Beta Kappa in his junior year, and in 1921 received his J.D. degree from the Law School, where he was named to the Order of the Coif.

Harry Wyatt enjoyed a long and extraordinarily distinguished career as a lawyer in Chicago. He also devoted much of his energy and financial resources to the support of the University of Chicago Law School, as well as other philanthropic institutions. He served the Law School in many capacities: he was president of the Alumni Association, a member of the Law School Development Council, and a member of the Visiting Committee. In 1977 his wife, Ruth, established the Harry N. Wyatt Professorship of Law, which serves as a permanent memorial to an exceptional alumnus. The entire Law School community will miss his kindness and his wise counsel.

**Grant to Law Library**

The Volkswagen Foundation of West Germany has awarded approximately $200,000 to the University of Chicago for its Foreign Law Collection. This generous grant will be used to strengthen the Law School's holdings in European law, especially German and French.

Since its founding in 1902, the Law School has maintained ties with European legal institutions, and the Law Library's collection has become widely known for its extensive holdings in foreign and comparative law. Generations of students, scholars, and practitioners from both sides of the Atlantic have depended on this collection as a basic resource.

The Foreign Law Collection currently contains about 80,000 volumes. The grant from the Volkswagen Foundation will be used to fill gaps caused by devaluation of the dollar and inflation, and to improve this special collection.

**Clinic Nets CLEPR Challenge**

The Edwin F. Mandel Legal Aid Clinic has been awarded $64,359 in matching funds under the terms of a challenge grant from the Council on Legal Education for Professional Responsibility (CLEPR).

*Virginia Harding, '72,* and *Michael Payette, '72,* co-chaired the initial fund-raising campaign, which was the first in the country to call on alumni to support a clinical education program. *John Kimpel, '74,* and *Claire Pensyl, '78,* 1979–80 co-chairmen, brought the campaign to its successful conclusion. The funds raised under the CLEPR challenge have been set aside to maintain the current program in the face of cutbacks in government support of clinical legal education.

**Students Chosen for Clinic and Law Review Board**

The Mandel Legal Aid Clinic has selected five student officers for the 1981–82 school year. The new officers are: *Amy Abrams,* *Patrick Dinardo,* *Vicki Sleeper,* *Nick Theodorou,* and *Chuck Weisselberg.*

Third-year student *Charles G. Curtis, Jr.,* was selected as editor-in-chief of the *Law Review* for 1981–82. The nine other members of the board of the Review are: *Lynda Guild Simpson,* executive editor; *Rodrigo J. Howard* and *Thomas J. Scorza,* articles editors; *Richard B. Kapnick,* managing and book review editor; and *Albert F. Cacozza, Jr.,* *Catherine Masters Epstein,* *Michael Herz,* *Steven Koch,* and *Gail Rubin,* comment editors.

**Phoenix Honored**

The Law School's student newspaper, the *Phoenix,* has been chosen by the Law Bulletin Publishing Company as the Illinois law school newspaper with the best overall reporting during the 1980–81 school year. The paper was cited for its "well-written" articles about "timely and important subjects."

As noted in the Spring issue of the *Record,* the biweekly newspaper has prospered since its first issue appeared two years ago. Any alumnus(a) who wishes to subscribe to the paper should send $5.00 to the Circulation Director of the *Phoenix,* in care of the Law School.
Luce Scholar and DAAD Fellows

In a nationwide competition, Edward P. Gilbert, ’81, was selected as a Luce Scholar by the Henry Luce Foundation. The award will enable Mr. Gilbert to spend one year in a professional training program in the Far East, where he hopes to gain an “understanding of the different patterns of economic development and innovation.”

Mr. Gilbert was an associate editor of the Law Review and has worked for the firms of Cravath, Swaine & Moore in New York City and Levy & Erens in Chicago. He holds master’s degrees in English and economics from Ohio State University and in public policy studies from the University of Chicago.

John Blazej, ’82, and Karen Canon, ’83, have been awarded fellowships by the Deutscher Akademischer Auslandsdienst (German Academic Exchange Service) for a year of study in Germany. They will receive full scholarships, including transportation costs. In addition, three students received Summer Language and Culture Program grants: Christopher Baker, ’83, Timothy Diggins, ’83, and Ann Platzer, ’81, spent this past summer in Germany under the program.

Clerkships

Thirty-six Law School graduates, a record number, have clerkships in 1981-82. Of the class of 1981, almost 20 percent have clerkships. The names of the graduates and the judges for whom they are clerking are as follows:

United States Supreme Court:
- Mary Becker (Justice Lewis F. Powell)
- Fred Lowinger (Justice William J. Brennan, Jr.)
- Charles Rothfeld (Justice Harry A. Blackmun)

United States Court of Claims:
- Roger Anderson (Chief Judge Daniel M. Friedman)
- Rick Rule (Chief Judge Daniel M. Friedman)

United States Courts of Appeals:
- David Bayless (Judge Luther Swygert, 7th Cir.)
- Joel Bodansky (Judge Dolores Sloviter, 3rd Cir.)
- Michael Buckley (Judge Abner Mikva, D.C. Cir.)
- Gregory Fleming (Judge Alvin Rubin, 5th Cir.)
- Peter Golemme (Judge Harry Phillips, 6th Cir.)
- James Goodman (Judge James Hunter III, 3rd Cir.)
- Mark Hall (Chief Judge John Goldberg, 5th Cir.)
- Thomas Haynes (Judge William Timbers, 2nd Cir.)
- David Jaffe (Chief Judge James R. Browning, 9th Cir.)
- Mark Lutz (Judge Nathaniel R. Jones, 6th Cir.)
- Marcy Mandel (Judge Francis D. Murnaghan, Jr., 4th Cir.)
- Roger Patterson (Judge Dorothy W. Nelson, 9th Cir.)
- Ann Platzer (Judge Bailey Brown, 6th Cir.)
- Vincent Prada (Judge Richard D. Cudahy, 7th Cir.)
- Joan Read (Judge Wilbur F. Pell, Jr., 7th Cir.)
- Mark Smith (Judge Mary M. Schroeder, 9th Cir.)
- Mark Wasserman (Judge Robert S. Vance, 5th Cir.)
- Joel Weiss (Judge R. Lanier Anderson III, 11th Cir.)
- Diana White (Judge Walter J. Cumnings, 7th Cir.)
- Zachary Weiss (Justice Charles Levin, Mich.)

United States District Court:
- Alan Crittenden (Judge Maurice B. Cohill, Jr., W.D. Pa.)
- James Goldberg (Judge James F. Doyle, W.D. Wis.)
- James Kaplan (Judge Milton I. Shadur, N.D. Ill.)
- John Menke (Judge Bernard M. Decker, N.D. Ill.)
- Kathy Piraino (Judge Robert D. Martin, W.D. Wis.)
- Daniel Westman (Chief Judge Barbara Crabbe, W.D. Wis.)
- Marjorie White (Judge Robert J. Ward, S.D. N.Y.)

State Supreme Courts:
- Thomas Carroll (Chief Justice Robert Wilentz, N.J.)
- Karen Gross (Justice Sidney Schreiber, N.J.)
- Gail Heriot (Justice Seymour Simon, Ill.)
- Charles Sawyer (Justice Charles Levin, Mich.)

Alumni Events

Law School alumni have met recently in several cities around the country.

In the series of Loop Luncheons sponsored by the Alumni Association, Chicago-area alumni in April heard Professor Richard Epstein speak on “Environmental Strategies for the Eighties: Superfund.” Lewis Manilow, co-chairman of the Civic Coalition North Loop Task Force, addressed another April luncheon on “The North Loop Project: Culture, Politics, and Development”; and in June alumni heard Professor Phil Neil talk about “The Future of Antitrust Legislation.”

The Chicago Chapter of the Law School Alumni Association also presented an evening at the “Search for Alexander” exhibit at the Art Institute of Chicago, June 23. The 150 alumni who attended heard a lecture about the antiquities and were given a special tour of the exhibit.

At a luncheon on May 21 at the Bellevue Stratford in Philadelphia, local alumni and those attending the American Law Institute meeting were able to meet with Dean Gerhard Casper and hear his remarks about “Law on the Midway.”

A reception was held in August for alumni attending the annual meeting of the American Bar Association in New Orleans. About 50 alumni attended the reception at the Royal Orleans, where they visited with Dean Casper, Professor Antonin Scalia, and Assistant Dean Holly Davis.

The Southern California Chapter of the Alumni Association gave a cocktail party in August at the New Otani Hotel and Garden in Los Angeles. The purpose of the party was to welcome members of the Law School classes of 1982 and 1983 who worked in Los Angeles this past summer, as well as to welcome the new graduates of the class of 1981. J. Scott Schmidt, President of the Tribune Company California Newspaper Group, fielded questions from alumni on the topic, “The Chicago Cubs and the Chicago Tribune—a Marriage Made in Heaven or Hell?” In a more serious vein, he discussed “The Inevitability of the One-Newspaper City.”
Annual Alumni Dinner
The national Alumni Association’s annual dinner on May 7 was attended by over 500 graduates and friends. During a cocktail hour preceding the dinner at the Hyatt Regency Chicago, alumni talked with faculty and old friends.

At the dinner the Law School honored Sheldon Tefft on the fiftieth anniversary of his appointment to the faculty. On behalf of the alumni, Bernard J. Nussbaum, president of the Alumni Association, presented Mr. Tefft with the “Chicago Blackstone,” a four-volume facsimile, published by the University of Chicago Press, of the first edition of William Blackstone’s Commentaries on the Laws of England. The audience was moved by Mr. Tefft’s brief reminiscence about his years on the faculty.

Professor Antonin Scalia gave the formal address, on “Federal Regulatory Reform—Realities and Illusions.” Dean Casper spoke briefly about the state of the Law School.

Plans are under way to hold the 1982 dinner at facilities that will enable an even greater number of graduates to attend.

Alumni Reunions
The classes of 1931, 1941, 1961, 1971, and 1975 celebrated their Law School graduation anniversaries at reunions held during the weekend of May 8–10. The class of ‘41 held its reunion dinner in the old Law School on Friday evening. The classes of ‘61, ‘71, and ‘76 began their festivities with cocktail parties that evening.

Saturday’s activities began with a walking tour of the University campus. Dean Casper then welcomed the graduates at a luncheon at the Law School. In the afternoon alumni were invited to attend a panel discussion at the Law School on “The Supreme Court.” The panel included faculty members Gary Palm, ‘67, also Director of the Mandel Legal Aid Clinic; Geoffrey Stone, ‘71; and Franklin Zimring, ‘67.

For the classes of 1931, 1961, 1971, and 1976, the weekend culminated in reunion dinners, held at various locations in Chicago.

Celebrating Law School reunions in November will be the classes of 1951 and 1966.

Plans are already being made for reunions for those classes celebrating their fiftieth, fortieth, thirtieth, twenty-fifth, twentieth, tenth, and fifth reunions next spring. If you wish to help organize your reunion, please call Sueanne Sluis, (312) 753-2412.

Fortieth Reunion
University of Chicago Law School
Our return to these memory-filled rooms
Causes our emotions to be consumed
By reliving those wonderful, learning years
That had their share of apprehensions and fears.
Hutchins and Adler instructed us at the school
To live by Aristotle’s Golden Rule.
Sometimes it does not work out that way,
As we humans tend to engage in overplay.
Bigelow, Katz, Levi, and Rheinstein,
Sharp, Bogert, et al., made the law shine.
Even though it was based upon confusion
In the end it unraveled in an illuminating fusion

Of the rules and the meaning of the law.
The light at the end of the tunnel we finally saw.
The most terrifying of all, I would say,
Was hearing the voice of Sheldon Tefft bray:
“Mr. Simon, tell us about the matter of
The 1830 real estate transaction in Love v. Love.”
But we came to realize that Sheldon Tefft
Was warm, compassionate, and truly the best.
At our age all these feelings of nostalgia
Could really be manifestations of neuralgia.
We have gone many different ways,
Some of us even may have gone astray.
During our 40 years, we have continued to express and see
Gratitude and affection for our Law School at the U. of C.

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Class Notes Section – REDACTED

for issues of privacy