

ARTICLES

FRAGMENTS FROM OUR FLEECE: VIGNETTES FROM 100 YEARS IN A GREAT LAW SCHOOL

WILLIAM F. HARVEY*

“The Chief glory of every people arises from its authors,” Dr. Samuel Johnson said. The chief glory of every law school arises from its graduates, its students, and its faculty. The history of the Indiana Law School, now the Indiana University School of Law at Indianapolis, is remarkable and glorious. For example, this Law School is the only law school in the Midwest which admitted women and ethnic minorities prior to 1900. This history, however, is almost unknown to the public, to historians, to Indiana University, and to Law School graduates of the past fifty years.

It is not that records do not exist or that all graduates are gone. It is, perhaps, that the Indiana Law School’s history was absorbed after 1944 when Indiana University acquired the school and placed it under the administrative jurisdiction of its Law School in Bloomington, Indiana (where it remained until 1969). From that point its identity, public image and reputation were not separate from the larger University and its public representations. The matriculating student or the graduate naturally and correctly identified with the degree which was pursued, or which was awarded at graduation. In their minds and in the minds of the faculty, who eventually replaced all of the Indiana Law School faculty who remained after the 1944 transition, the Law School was Indiana University and the University was the Law School. Its earlier history did not clearly appear in their recollection; the earlier faculty were not known; the earlier Law School and its administration disappeared.

As a result, an active memory of the Law School’s Great Dean in its first one hundred years was lost, too. He was Dean James A. Rohbach, the Dean for twenty-nine years and the person, by all accounts, who “saved and created” the Law School in its first fifty years. Dean Rohbach had an outstanding, practicing-attorney faculty under him.

Hopefully, in these pages, some of their major educational work will be restored. Extensive interviews were conducted with four alumni of the law school¹ along with other research in developing the vignettes that follow. The alumni and faculty, who are discussed in these vignettes, span the entire one hundred years of the Law School’s history. They provide the reader with “slices in time” and they will, I hope, create an interest about many other graduates of the Law School and their distinguished careers.

* Carl M. Gray Professor of Law, Indiana University School of Law—Indianapolis.

1. These interviews were with William Percy, Class of 1926; James V. Donadio, Class of 1928; Richard H. Oberreich, Class of 1933; and Dr. John Morton-Finney, Class of 1944. The transcripts of these interviews can be obtained from the Indiana University—Indianapolis Archives, the Law School Library, or from the author. The interviews of William Percy and Dr. John Morton-Finney are available on videotape. Showing is restricted to the Law School and its facilities.

The selection of persons in this introduction to one hundred years is limited by space available in this publication. There are so many, many more of remarkable interest and professional greatness. Some are: *U.S. Senator John W. Kern*, an early faculty member of a school which became the Indiana Law School, and the Democratic Majority Leader of the U.S. Senate as America entered World War I, and his son, *Judge John W. Kern, Jr.*, who was an outstanding faculty member and teacher; *Judge Frank Richmond*, a faculty member who served the United States at the Nuremberg Trials in 1946; *Mr. Floyd Mattice*, a distinguished counsel for the *defendants* at the War Crimes Trial in Tokyo, Japan in 1946; *Professor John S. Grimes*, a remarkable teacher, author, and faculty member between 1945 and 1977; *Judge Daniel A. Manion*, United States Court of Appeals for the Seventh Circuit; *Judge Stanley B. Miller*, U.S. Attorney for the Southern District of Indiana and Judge on the Indiana Court of Appeals, and his father before him, *Mr. William B. Miller*, and Judge Miller's son after him, *Judge Gary L. Miller*; *Chief Judge William E. Steckler*, of the United States District Court for the Southern District of Indiana; *Judge Cale J. Holder*, United States District Court for the Southern District of Indiana; *Mr. John J. Dillon*, Indiana Attorney General; *Ms. Virginia D. McCarty*, United States Attorney for the Southern District of Indiana; *Ms. Kathleen Kimberly Noland*, distinguished in national and international finance and the financial markets; *Ms. Deborah Jean Daniels*, United States Attorney for the Southern District of Indiana; *Dr. Edward B. McLean*, a distinguished professor at Wabash College, and *Edgar D. Whitcomb*, an American hero who confronted the Japanese Imperial Army at Bataan and Corregidor in 1942, Law School Class of 1950, Governor of Indiana, 1969-73. The list could continue, it seems, indefinitely.

The thoughts and experiences of the fourteen persons who appear below, along with the *First Annual Commencement in 1895*, provide either substantial information or brief revelations about the Indiana Law School in the time they were here. Their lives and the information they provide about the Indiana Law School allow us to look, if only for a moment, into parts of one hundred years of legal education. They tell us about their lives and times. They remind us that their past is the prologue to our present.

“Vignettes”

1. Vice President Charles Warren Fairbanks, Law School Faculty Member, 1893-1896.
2. Mr. William Jennings Bryan Addresses the Law School, February 17, 1908.
3. U.S. Senator Frederick Van Nuys, Class of 1900.
4. U.S. Senator Arthur R. Robinson, Class of 1910.
5. Mr. William Percy, Class of 1926.
6. Mr. James V. Donadio, Class of 1928.
7. Mr. Richard H. Oberreich, Class of 1933.
8. Dr. John Morton-Finney, Class of 1944.
9. Chief Justice Richard M. Givan, Class of 1951.
10. Judge Robert H. Staton, Class of 1955.
11. Congressman Andrew Jacobs, Jr., Class of 1958.
12. U.S. Senator Daniel R. Coats, Class of 1971.
13. Marilyn Tucker Quayle, Class of 1974.
14. Vice President Dan Quayle, Class of 1974.

15. First Annual Commencement of The Indiana Law School, Wednesday Evening, May Twenty-ninth, Eighteen Hundred and Ninety-Five, (May 29, 1895), Plymouth Church, Indianapolis, Indiana.

CHARLES WARREN FAIRBANKS
Indiana Law School Faculty Member
1893-1896
Vice President of the United States
1905-1909
United States Senator
1897-1904

Charles Warren Fairbanks was born in 1852 in a small log house on an Ohio farm near Unionville, Ohio. He graduated from Ohio Wesleyan University in 1872 and was admitted to the Bar of Ohio in 1874. He was a founding faculty member of the Indiana Law School when the School opened for classes in 1894 and he remained on the faculty until 1896. Mr. Fairbanks then served as a U.S. Senator from 1897 until 1904.

In 1900, he declined the nomination of Vice President of the United States by the Republican party, principally because of his desire to be nominated President. Instead, Theodore Roosevelt accepted that nomination and became the President of the United States upon the assassination of President William McKinley.

In their years together in Indianapolis, Vice President and Mrs. Fairbanks hosted many distinguished guests. Among them were Theodore Roosevelt, William Howard Taft, Charles Evans Hughes, French General Joffre, the Premier of France, Rene Viviani, French General Foch, Booth Tarkington, James Whitcomb Riley, John Worth Kurn and Albert J. Beveridge.

Charles Warren Fairbanks again ran for Vice President of the United States as the running mate of Charles Evans Hughes in 1916. The Hughes-Fairbanks ticket lost to Woodrow Wilson after many newspapers had already printed headlines announcing a Hughes-Fairbanks victory. Mr. Fairbanks died in Indianapolis in 1918.

WILLIAM JENNINGS BRYAN SPEAKS AT THE INDIANA LAW SCHOOL

The publication "STARE DECISIS" was published by the Indiana Law School of the University of Indianapolis. The following article is reprinted verbatim from the 1908 edition of the publication.

A. Mr. Bryan's Visit to the Law School

February 17, 1908, was a day that will long be remembered by the students of the Indiana Law School. For two days Mr. Bryan had been an honored visitor of the city of Indianapolis and, without the knowledge of the majority of the students, arrangements had been made for him to address the school at noon of the final day of his visit. At the close of the eleven o'clock lecture the announcement that Mr. Bryan would address the school was made and immediately law and law books were forgotten in the rush to doors and windows to watch for the approach of the famed orator. At about ten minutes after twelve he arrived and was escorted to the lecture room by a committee of students. The dean introduced Mr. Bryan as "the world's greatest and most distinguished private citizen."

Mr. Bryan spoke for about ten minutes and the speech, like the speaker, was received with hearty applause. The address, which related to the moral duties of a lawyer, will, in after years, be remembered by the students of the Indiana Law School as one of the greatest of their many inspirations to uphold the honor and dignity of their chosen profession.

B. W.J. Bryan's Speech Before the Students Of the Indiana Law School

Mr. Bryan said: "Gentlemen—I have but a moment to talk to you, as this is a number that has been added to my program since it was made up. Although I can speak but very briefly I am very glad to do so, because the law was my profession. I am not calling myself a lawyer now, however, because the statute of limitations has run against me.

"The last case I tried was tried after I had been out of practice for several years. It was a case in the United States Court. I served as a volunteer, paying my own expenses and for my own brief, etc., in order that I might appear in a case that I thought involved principles of the utmost importance.

"It was in a maximum rate case on this proposition, namely, the value of property should be not measured by what it cost, but measured by the cost of reproduction, and I have had the pleasure of seeing that principle established since that time in another case.

"I have not argued a case for more than ten years. I have left the law because I felt that I had been drawn into a larger work than the trying of cases between individuals.

"My life indicates that circumstances direct us. We plan, but circumstances will change our plan. I am still interested in the law, although circumstances have compelled me to employ myself in a different way. I am interested in the lawyer. I believe that he occupies a larger place in our civilization than even he realizes.

"I measure the life of a lawyer, not by the number of cases he has in court nor by his income, but rather by the influence which he exerts upon the community in which he is found and by his influence upon the country at large.

"The New York Tribune had an editorial some time ago ridiculing the 'cornfield' lawyer, as the composer of the Oklahoma constitution. I took occasion to defend him. The 'cornfield' (not cornfed) lawyer is the man who comes into contact with struggling humanity, the man who is moving and living among human lives. These cornfield lawyers in each community throughout the land are doing a very large work, and a work that you will not guess from the number of cases they have in court. These men are thrashing out in immediate contact every question that concerns social and communal life in the United States. No question is so small, no problem is so great that they do not grapple with it. These men held in contempt by the city lawyers, settle all the great problems in the country today before they even come to the hands of the city men.

"Your success at the bar will depend much more upon the purpose which actuates you than upon your knowledge of cases. You can acquire knowledge of cases as you need it, but you can not get a purpose out of the mere study of cases.

"For what will you practice law? To make money? If so, the law does not afford the best way of making money. But if your aim is to make money, are you going to have any scruples about how you make it? Remember that an unscrupulous man can make money in many ways, when the people do not know when or how he is making it. As I understand it a lawyer's work makes him an officer of the court, and when a lawyer has helped the client to secure all that he is entitled to he has done all that his duty requires. Show me a man who has spent a lifetime trying to obscure a line between right and wrong

and I will show you a man who has grown weaker in character year by year. On the other hand, show me a man who has done his duty as he has met it, and I will show you a man who has grown stronger year by year.

“What a lawyer needs to establish in any community is a moral character that will make men believe that when they consult him he will tell them what is the law to the best of his knowledge, and not try to give them advice that may please them.

“In Lincoln, Neb., a lawyer once told me he had found that the best way was to find what a client wanted and to advise him accordingly. Within five years he had left the city and I cannot say where he is now.

“The man who attempts to practice law in that way will practice it just long enough for the people to find him out. A man cannot afford to surrender his character for the pay that he expects to get in a particular case. You can tell what is right today, but no human being can tell what effect the doing of a right today will have upon the morrow.

“I have never had a chance to attend the annual banquet of the law school from which I was graduated twenty-five years ago until last year, when the day was set so that I might be present. I announced then that my subject would be the question that Christ asked, ‘What shall it profit a man if he gain the whole world and lose his own soul?’ This is a very practical question which arises in the lives of all of us as to whether we shall sell our souls for something that seems for the time being more valuable.

“Nothing will compare with a man’s soul, with his status and his purpose of life, and today we need to have more lawyers who will not sell their souls. We need more lawyers who will not agree for a compensation to get people out of difficulties before they are into them. There is no conspiracy formed against a public welfare that is not formed in a lawyer’s office. No such conspiracy could be carried out without the aid of lawyers who sell their brains for these purposes.

“May your purpose in life be such that your influence in the community will work for good and may we from this school have many of the better class of lawyers.”

FREDERICK VAN NUYS

Class of 1900

United States Senator 1932-1944

Mr. Frederick Van Nuys was born in Falmouth, Indiana in 1874. He graduated from Earlham College in 1898 and from the Indiana Law School in 1900. He was the prosecuting attorney of Madison County, Indiana, and a member of the Indiana State Senate from 1913 to 1916. Then he served as the United States Attorney for the district of Indiana from 1920 until 1922. In 1932 he was elected to the United States Senate, where he remained until his death in 1944. In the Senate, he was the Chairman of the Committee on Expenditures in Executive Departments and he was a member of the Committee on the Judiciary.

ARTHUR R. ROBINSON

Class of 1910

United States Senator 1926-1934

Mr. Arthur Raymond Robinson was born in Pickerington, Ohio, in 1881. He graduated from the Ohio Northern University in 1901 and from the Indiana Law School in 1910. Mr. Robinson served in the Indiana Senate from 1914 to 1918. During World

War I, he served in the U.S. Army in France in the Army of Occupation. After leaving the Army as a Major, he served as a Judge of the Marion County Superior Court from 1921 until 1922. Later he was appointed to the United States Senate to fill a vacancy caused by the death of Senator Samuel M. Ralston. He was elected to the same position in 1926 and continued to serve until 1934. Mr. Robinson then practiced law in Indianapolis until his death in 1961.

WILLIAM PEARCY

Class of 1926

Currently residing in Tucson, Arizona

(On May 16, 1994, Mr. William Percy and I conducted a video taped interview during which we reviewed his life and recollections as a student at the Indiana Law School. He enrolled in the Fall of 1923.)

Mr. William Percy matriculated from Shortridge High School in Indianapolis, graduated from Butler College in 1923, and received his degree from the Indiana Law School in 1926. Because his father died when he was thirteen years old, Mr. Percy worked his way through both Butler University for his undergraduate degree, and law school. He attended classes from 8:00 a.m. until 11:00 a.m., and then worked in the Trust Department of a bank in the afternoons.

Mr. Percy has memories of a law school that was very different from the school that exists today. The total enrollment of the Law School at that time was only about 130 to 150 students, with class sizes of about fifteen to twenty-five students, where the students recited from casebooks as students do today. His fellow classmates were "there for a purpose. They wanted their legal education, and that was the dominant attitude among the students. . . . [They were] very serious. . . . They had a strong purpose."

He recalls riding a bicycle to law school—or the College Avenue streetcar when he had funds—and studying in the Supreme Court library until late in the evening. "I had no social life in law school. It was constant work. At the end of the day I would get a sandwich and go from work to the State Law Library and study." Describing then Dean Rohbach as a "gracious person, but demanding also," Mr. Percy fondly remembers both the faculty and the Dean: "They and he were inspirational. Dean Rohbach was a very impressive person. He was a man who gave you confidence and leadership. As I look back on it, I feel then and feel now that my life was on track when I attended law school, and because I did attend law school." The education and training he received at the School of Law have been very valuable to Mr. Percy over the years. "Looking back at my law school training and what I learned, I feel that my law school education, and training, and experiences prepared me for almost all of my life's experiences since that time."

JAMES V. DONADIO

Class of 1928

Senior Partner

Ice, Miller, Donadio & Ryan

(James V. Donadio is one of the truly outstanding attorneys in Indiana in the twentieth century. He has practiced for over sixty years. In an interview conducted on

October 3, 1993, he shared some of his recollections about his experiences at the Indiana Law School in the 1920s, and his thoughts about legal education.)

The central thoughts which Mr. Donadio expressed about the Indiana Law School and legal education began this way:

"I got to know about the school about 1915. I was living in Connecticut at the time. I was working for a farmer who was frequently on the Grand Jury. I heard him speak about this law school in Indiana." Another influence was Mr. Donadio's older brother. He came to Indiana and graduated from the Indiana Law School in 1917. "Prior to his death, he was the General Solicitor for the Baltimore and Ohio Railroad."

Mr. Donadio recalled the academic program: "We had 45 minute classes, from 8:00 a.m. to 1:00 p.m. The School was located in the old Columbia Security Building on the southwest corner of Ohio and Delaware Streets. There was the Dean's office and three class rooms. The faculty was outstanding, because they brought their own experiences into the cases and the law we studied. Probably the most brilliant man I knew was Prof. Kurn, who taught Corporations and Partnerships. He was remarkable. So was Dean Rohbach. If it were not for Dean Rohbach, there would be no Indiana Law School. The faculty signed our diplomas, if a course were taken from a faculty member. My Indiana Law School diploma hangs in my home."

About Dean Rohbach, I said, "This was the opinion of Dean Joe Wood, which is reported by his son, Bill Wood."

Mr. Donadio said he knew Dean Joe Wood and was very close to him, and that Joe Wood's opinion about Dean Rohbach is correct.

Mr. Donadio expanded on the legal education he received. It added a kind of apprentice training to the formal casebook education; and in this respect it was similar to the British Inns of Court. It was outstanding legal education; and there were no full-time professors.

"You see, I watched some of the giants perform, in my class room and in the court rooms. For instance, I was privileged to be permitted to have a seat in the trial lawyer area in the D.C. Stephenson trial in Noblesville, Indiana. [The defendant, D.C. Stephenson, was the Indiana leader of the Ku Klux Klan.] Judge Miller, for whom I worked in the afternoon in the Superior Court in Indianapolis, permitted me to listen to it. The prosecution consisted of Bill Remy, Ralph Kane, a special prosecutor, and Asa Smith, who obtained the affidavit that convicted D.C. Stephenson." Defense counsel were outstanding, too. They "consisted of Eph Inman, Ira Holmes and Floyd Christian."

Mr. Donadio's law school class "began with thirty-two persons, from various parts of the country. A majority came from Indiana. There were no night classes. The night school was the Benjamin Harrison Law School; we were the Indiana Law School."

Our interview concluded this way:

JD: *Bill, where the hell would I have been if it had not been for that law school? That law school gave a good many common boys the opportunity to become lawyers and, present persons excluded, to become prominent.*

WH: *It gave them a chance, didn't it?*

JD: *That's right. It sure did. And a lot of them, Bill, received it without the benefit of a college education.*

RICHARD H. OBERREICH
 Class of 1933
 Law School Faculty Member 1940
 Currently Residing in Indianapolis, Indiana

(Mr. Oberreich returned to serve as an Instructor on the Faculty in 1940, as World War II pressed upon him and his colleagues. On July 17, 1994, Mr. Oberreich shared some of his recollections about the Indiana Law School, part of which appears here.)

Mr. Richard H. Oberreich graduated from the Indiana Law School in 1933. He joined the faculty as an instructor in 1940. At that time the Law School was located in an office building on the Circle in downtown Indianapolis. According to Mr. Oberreich, most of the faculty members were only part-time instructors who maintained law practices while teaching at the Law School. When Mr. Oberreich was a student, most of the faculty did not even maintain offices at the law school. They usually came and went only for class time. Because the faculty had to fit teaching into a busy law practice, the faculty members "were not students of the law in the sense that professors are today."

Mr. Oberreich recalled former Dean Forney, Dean of the Benjamin Harrison Law School from 1932-36, as a man who "was totally relaxed." He would "just talk in an ordinary voice, and it just kind of flowed out and always with good will. . . . I can't imagine that he ever raised his voice in anger or disgust."

Recently, Mr. Oberreich sat in on Professor Karlson's Criminal Law class. He noted a distinct difference from the law school classroom today compared to when he was a student. The difference in the instruction at that time was that students in his day were questioned in order to obtain the "right answer" to a question. By contrast, in today's law school, students are expected to "think on their feet . . . [and answer questions] addressed for the purpose of developing ideas and thoughts, whereas we generally wanted to get the answer, as if anybody ever knew the right answer. Professor Karlson explored their thinking and required them to expand on their thoughts in response to his initiatives."

DR. JOHN MORTON-FINNEY
 Class of 1944

Pd.B., Lincoln University, Jefferson City, Missouri, 1916

A.B., Lincoln University, 1920

A.B., State University of Iowa, 1922

M.A., Indiana University, 1933

LL.B., Lincoln University, 1935

J.D., Indiana Law School, 1944

Litt.D., Lincoln University of Missouri, 1985

L.H.D., Butler University, 1989

LL.D., Martin University, 1991

Awarded, *Educational Service*, by President George Bush, presented
 at the National Teacher of the Year Ceremony, The White House, 1990

Awarded, *Sagamore of the Wabash* by Indiana Governor Evan Bayh, 1990

Commissioned as a Kentucky Colonel by Kentucky Governor Brereton C. Jones, 1994

Buffalo Soldier, 24th Infantry Regiment, U.S. Army 1911-1914
 (Philippine Islands)

Soldier, U.S. Expeditionary Force, 1918
(France)

Honorary Member, 9th and 10th (Horse) Cavalry Regiments
(Buffalo Soldier Regiments, U.S. Army, 1994)
Life Member, American Legion

(On May 19, 1994, Dr. John Morton-Finney and I conducted a video taped interview during which we reviewed his remarkable life, and his recollections of the Indiana Law School. The following summary and comments are taken from that interview.)

Almost immediately we began to discuss his educational experiences in Missouri, where he had moved from Kentucky, to live, at first, with his grandfather. While living with his grandfather, he arose early, tended to the horses and other farm animals, and then walked six miles to school and arrived at 8:00 a.m. for class. In the evening he walked home. Very soon we began to speak about his college life and the great teachers he had at Lincoln University in Jefferson City, Missouri.

Dr. Morton-Finney said that after he graduated from Lincoln University in Jefferson City, Missouri, he taught school grades one through eight in a one-room school house in Nelson, Missouri. Before this experience, he said, there was a teacher at Lincoln University who was simply outstanding. "She was the finest I ever knew," he observed. She taught Latin. After his initial year she said he could also take Greek. He loved languages and wanted to teach them. Years later, he became the Chairman of the Department of Languages at Crispus Attucks High School in Indianapolis, a position he held for over thirty years. His department offered Latin, Greek, German, French and Spanish, each of which he spoke, wrote, and taught.

"Each person," we agreed, "must have a great teacher." He recalled his language teacher at Lincoln University in Missouri, who taught him before he entered the army in World War I.

As we spoke, I thought, *"was that great teacher more influential on him than his father, who insisted that he enroll in school at the age of six? Or was it his mother, for whom he still shows his love in the 104th year of his life as he speaks about her? His mother was, he said, a free black. But his father's family was made free by the Civil War. It was his father who insisted on education, and it was, perhaps, his father's influence which caused him to 'follow the train whistle from Kentucky to Missouri' where he found, he remembered, better schools than in Kentucky."* I thought, *"This wonderful man is a great teacher. He has been teaching each day of his adult life, wherever he might be. He is a great teacher because he has something to teach; he has acquired a tremendous amount of information and he can explain it. A master teacher. Yes, that's it."* When speaking to Dr. John Morton-Finney, the sensation occurs that you are in the presence of a master teacher.

I asked, "where did you learn French?" "In the trenches," he said, "in France in the War." He remembered a book which translated English to French. It was given to American troops in the Expeditionary Force which went to France. He was drafted into the Army from the State of Missouri. To this day he proudly wears a medal awarded by Missouri to its sons who well served their Country and their State in World War I. The medal says that it is presented by Missouri to those who fought in the "WAR WITH GERMANY."

He remembered the moment he obtained the book: "I bent over, put my hand in the water in the trench, and picked up that book. But you had to be very careful because the Germans used gas. It mixed with that water and it could burn you badly even in the water."

WH: *Did you study during the rest of your time in France?*

M-F: *Yes. I put my book in my haversack and I kept it with me wherever I marched. I took it out and read it and studied it. By the time I left France I could read French newspapers, and I read a history of France in French. So I got along rather well in French.*

He returned to Lincoln University and to formal instruction in French, a language he mastered. As we spoke about the French language, he paused and spoke about his wife. She became his French teacher after World War I, at Lincoln University. Her name was Pauline Ray. She had been a teacher at Tuskegee with Booker T. Washington. They were devoted to each other during the many decades of their marriage before her death. His beautiful words about her moved from English to French then to English. He said that he always referred to her in the French words for "My Angel." I thought, "*Then, now, and always, because she is still with him; she inspires him still.*"

Our conversation turned to the Indiana Law School. In 1922, he moved to Indiana, "with a contract to teach in my pocket," he said. He sought enrollment in the Benjamin Harrison Law School because he worked during the day. At that time, he held two degrees from Lincoln University, a degree from the State University in Iowa, and an M.A. from Indiana University. He spoke to Dean William Forney, for whom he has the fondest memory. He explained that he had been reading Blackstone's *Commentaries on the Law*, and he wanted to enroll. Dean Forney made every effort on his behalf, but his initial attempt to enroll at Benjamin Harrison was denied. Later the Benjamin Harrison Law School was acquired by the Indiana Law School, and Dean Forney was then the dean of the night school division at the Indiana Law School. He returned, sought admission, and was immediately admitted to the Indiana Law School by Dean Forney.

"Dean Forney spoke so well," he said. "He had such a fine presence and command of his subjects, and had taught his course in Evidence for over thirty-two years." He remembered: "He was a large man and very affable. He had an impressive voice. He said he developed that voice after his problems with his lungs when he was younger."

As he spoke about Dean Forney, this thought about Dr. Morton-Finney returned to me: "*He is a wonderful scholar and student not only of the subjects in which he enrolled, but of the persons and personalities who taught those subjects. He remembers the teachers as well as the subject of the course.*" The classroom strength and guidance in their personalities, it seemed, are as important as the content of their courses. "*Or is it that this remarkable mind has not forgotten a thing he has heard or seen, and Dean Forney is as alive to him as I or the man behind the camera?*" He continued to speak: "He asked me to give a recitation on the *Dred Scott* Case. I did this, even though that case is nearly a book to itself," he said. After this recitation both Dean Forney and members of the class congratulated him on the excellence of it. "Do you know that case?" he asked. "Yes," I said, "I know that case well." "Well, then I want to tell you a story," he said.

He explained that a few years after that recitation he went to St. Louis, Missouri and visited the courtroom where the *Dred Scott* trial occurred. The court house was very old, he noted, and good for this purpose and no other. "All the floors squeaked," he

remembered. He said that a trial was being conducted, and the sitting judge was a black man. He wanted to be in the room where that case began; a case about which, almost eighty years later, he would recite.

I wanted more time with him. Much longer than the hour or so we had. An amazing and great life, but we could not cover all of his experiences.

“You were a Buffalo Soldier, weren’t you?” I asked.

“Yes,” he answered. “I was in the Twenty-fourth Infantry, U.S. Army, 1911-1914” and this was a Buffalo regiment. “I have received an award by the Buffalo Soldier Committee, Ft. Leavenworth, Kansas, as the oldest surviving Buffalo Soldier.”

“There were four Buffalo Soldier Regiments, the Twenty-fourth and Twenty-fifth Infantry, and the Ninth and Tenth Cavalry Regiments. These came from the Civil War, and they fought in the Plains Wars.”

He continued saying, “I was sent to the Philippines with the Twenty-fourth Infantry. . . . We saw duty at Manila, on Corregidor, and in other parts of the Philippines.”

“Have you been there, professor?” “Yes,” I said, “but it was a different time and a different war.” Then he spoke about a memorial in Manila, and the dedicatory words placed on it. He recited those words, and asked me if I had seen the same memorial. I said that I doubted it because of the terrible damage done to Manila by the Japanese; probably it did not survive.

“My second tour of duty was in the American Expeditionary Force, and I was drafted into that army,” he said. In World War II, he was in charge of a Rationing District in Indianapolis.

I wished we might have continued for hours, but soon our hour ended and we stopped. It was an honor to be in his presence: a great scholar, a great student, and a great teacher. His commitments to study and the acquisition of knowledge are matched only by his enormous pride in America. He loves his country, which he has served so long and so well. He loves the schools he has attended, and his law school—the Indiana Law School, now with Indiana University in Indianapolis.

JUSTICE RICHARD M. GIVAN

Class of 1951

Justice, Supreme Court of Indiana

1968-1994

Chief Justice, Supreme Court of Indiana

1974-1987

Richard M. Givan was born in 1921. During World War II, he served as a pilot in the United States Army Air Corps. After graduating from the Law School in 1951, he served as an Assistant Attorney General of Indiana and argued cases in both the Indiana Supreme Court and the Supreme Court of the United States. He was also a deputy prosecutor in Marion County, Indiana. In 1968, Justice Givan was elected to the Indiana Supreme Court where he served as the Chief Justice from 1974 until 1987. Justice Givan retired from the Indiana Supreme Court, effective December 31, 1994.

Justice Givan is a fourth generation lawyer in Indiana. His great-grandfather, Noah S. Givan, was a Circuit Judge in Dearborn County before 1900. His grandfather, Martin

J. Givan, was a noted Dearborn County trial lawyer. His father, Clinton H. Givan, was the Judge of the Marion Superior Court, Room Four.

JUDGE ROBERT H. STATON
Class of 1955
Indiana Court of Appeals
1971-

Robert H. Staton was born in 1926. In World War II he was in the United States Army Special Combat Forces in Europe, Fifth Army. He is a graduate of Indiana University and of the School of Law in 1955. He was the Chief Trial Deputy Prosecuting Attorney for the Nineteenth Judicial District, a former Administrative Judge before the Indiana Public Service Commission, and the senior partner of a law firm. He was also the first editor of the Indiana State Bar Association Journal, *Res Gestae*.

Judge Staton has served on the Indiana Court of Appeals since 1971. During his tenure he has written over two thousand opinions. He has a very distinguished record of service to the Bench and Bar in Indiana, with a special concentration on continuing legal education that resulted in the Indiana Supreme Court's adoption of rules on mandatory continuing legal education.

He is very committed to legal education, to his Law School and to Indiana University, and he was awarded the Maynard K. Hines Medal from Indiana University for his outstanding contributions to the Law School and the University. Judge Staton has also been named a *Sagamore of the Wabash* by Governor Otis Bowen. He and his late wife have two daughters who are also graduates of the Indiana University Schools of Law.

ANDREW JACOBS, JR.
Class of 1958
United States House of Representatives
1965-1973 & 1975-

Andrew Jacobs, Jr., was born in Indianapolis in 1932. After high school he served in the United States Marine Corps in the Korean War. After the War, he returned to Indiana University, from which he graduated in 1955. He then received his degree from the Law School in 1958. He practiced law in Indianapolis and served in the State Assembly in 1959 and 1960. In 1965 he was first elected to the United States House of Representatives in 1965 and served until 1973. He was then reelected in 1975 and has continued to hold that office.

DANIEL RAY COATS
Class of 1976
United States House of Representatives
1981-1989
United States Senator
1989-

Daniel Ray Coats was born in Jackson, Michigan in 1943. He graduated from Wheaton College in 1965 and served in the U.S. Army from 1966 to 1968. He received his J.D. from Indiana University School of Law—Indianapolis in 1971. During law

school he served as an Associate Editor of the *Indiana Legal Forum*, which was the predecessor of the *Indiana Law Review*.

After being admitted to the Bar in 1972, Senator Coats practiced law in Fort Wayne, Indiana. He was elected to the United States Congress in 1981 and served until 1989, when he was appointed to the Senate to complete the term of Vice President Quayle. Senator Coats was reelected to the Senate in 1992.

MARILYN TUCKER QUAYLE

Class of 1974

Partner, Krieg, DeVault, Alexander & Capehart

Marilyn Tucker Quayle was born in Indianapolis, Indiana. She received a Bachelor degree in Political Science from Purdue University. She then graduated from the School of Law in 1974. After graduation she practiced law in Huntington, Indiana, before moving to the Washington, D.C., area while her husband, Dan Quayle, was a member of Congress, a U.S. Senator, and the Vice President of the United States.

While in Washington, Mrs. Quayle served on the Board of the Federal Emergency Management Agency and as Chairperson of the International Disasters Advisory Committee for the Agency for International Development. She also works with the National Cancer Institute as a principal spokeswoman for the Institute's Breast Cancer Summits. She serves on the United Nation's Special High Level Council for the International Decade of Natural Disaster Reduction.

J. DANFORTH QUAYLE

Class of 1974

Vice President of the United States

1989-1993

United States Senate

1981-1989

United States House of Representatives

1977-81

"THE BARRISTER" was a monthly student publication during the regular school year. In October 1970, when the new law school building of that year was first occupied, a commemorative issue of this publication was devoted to the new building. One of the student editors of "THE BARRISTER" was J. Danforth Quayle. This is a reproduction of his article about the law school and the new building.

UPWARD BOUND²

Today is a proud day for the administration, the faculty, and the student body of the Indiana University Indianapolis Law School. Dignitaries from local, state, and national affairs are gathered to dedicate our law school. During the two day ceremony, acknowledgments of our past achievements and the prognostication of our future will be voiced by various speakers.

2. J. Danforth Quayle, *THE BARRISTER*, October 1970 at p.2.

Though we are indeed on the upward road of progressiveness, our law school will only remain strong through the determination of the school's personnel. The responsibility of having a viable atmosphere is greatly dependent on the student body itself. Though Indianapolis Law School has a distinguished reputation, a malaise of student apathy can quickly lessen our achieved status.

Our school has initiated a clinical urban program where the student has an opportunity to apply his classroom acquired skills to the urgent need of urban development. To our knowledge this program is the most extensive on-the-job-training approach to urban problems in the country. The Student Bar Association is generating enthusiasm among the student body to become more involved in law school activities. Presently SBA is assigning committee members to organize and produce constructive programs for student involvement. These committees will be a student-faculty committees and are open to any interested law student. This is the first issue of the BARRISTER which, hopefully, will become a monthly publication. The responsibility of a newspaper is to report news to law students to insure a well informed student body. Phi Alpha Delta and Phi Delta Phi are two good legal fraternities which afford the student a social atmosphere to acquaint oneself with fellow students. In December, the *Legal Forum* will publish its fourth volume. The Law School Republicans and Democrats are both organized and plan to assist each senior party on election day.

The choice is ours. The movement of Indianapolis Law School is upward bound—let's keep it that way!

FIRST ANNUAL COMMENCEMENT OF THE LAW SCHOOL

The first commencement of the new Law School took place on May 29, 1895. The following is a representation of the program from that historic event.



First Annual 

Commencement of

The Indiana Law

School, Wednes-

day evening, May

 **Twenty-ninth**

Eighteen hundred

and Ninety-five,

Plymouth Church

Indianapolis, Ind.



Graduates



James Benton Belknap
Roswell H. Carter
Frank Claypool Cutter
Isidore Feibleman
Edward Everett Gates
Charles Hamblen
George Edgar Hume
Francis Crump Lucas
Harry S. McMichael
James William Noel
Herbert Brown Painter
Frank Sylvester Rawley
Willis Rhoads
John C. Ruckelshaus
Hugh D. Wickens
Marshal Williams

Horace Lyncurgus Burr
William Robert Clark
William C. Daly
Frank N. Fitzgerald
Thomas M. Genolin
Clarence L. Holcomb
Sylvan W. Kahn
John William McCormick
Omer U. Newman
John W. Oliver
Edward Benjamin Raub
William P. Reagan
Fred O. Ritter
Ruple Dix Smith
Samuel R. Waters
William Albert Yarling

Order of Exercises



Organ Solo,	William H. Donely
Invocation,	Frederick E. Dewhurst
Address, The Lawyer of the Future,	Addison C. Harris
Harp Solo,	Myrtle Hart
Delivery of Diplomas,	Byron K. Elliott
Harp Solo,	Myrtle Hart
Announcement of Prizes,	William D. Fishback

Faculty

Byron K. Elliott, President

William P. Fishback, Dean

Addison C. Harris

John R. Wilson

Charles W. Fairbanks