

United States Circuit Court of Appeals  
for the Seventh Circuit

Presentation  
of  
Portrait and Resolutions  
in respect to the memory of the  
Honorable Francis E. Baker

June Tenth  
One Thousand, Nine Hundred and  
Twenty-four

Resolutions and Memorials  
presented in respect to the memory

of the

Honorable Francis E. Baker

by

The Chicago Bar Association  
The Indiana State Bar Association  
The Wisconsin State Bar Association  
The Illinois State Bar Association  
The Lawyers' Association of Illinois  
The Patent Law Association

and

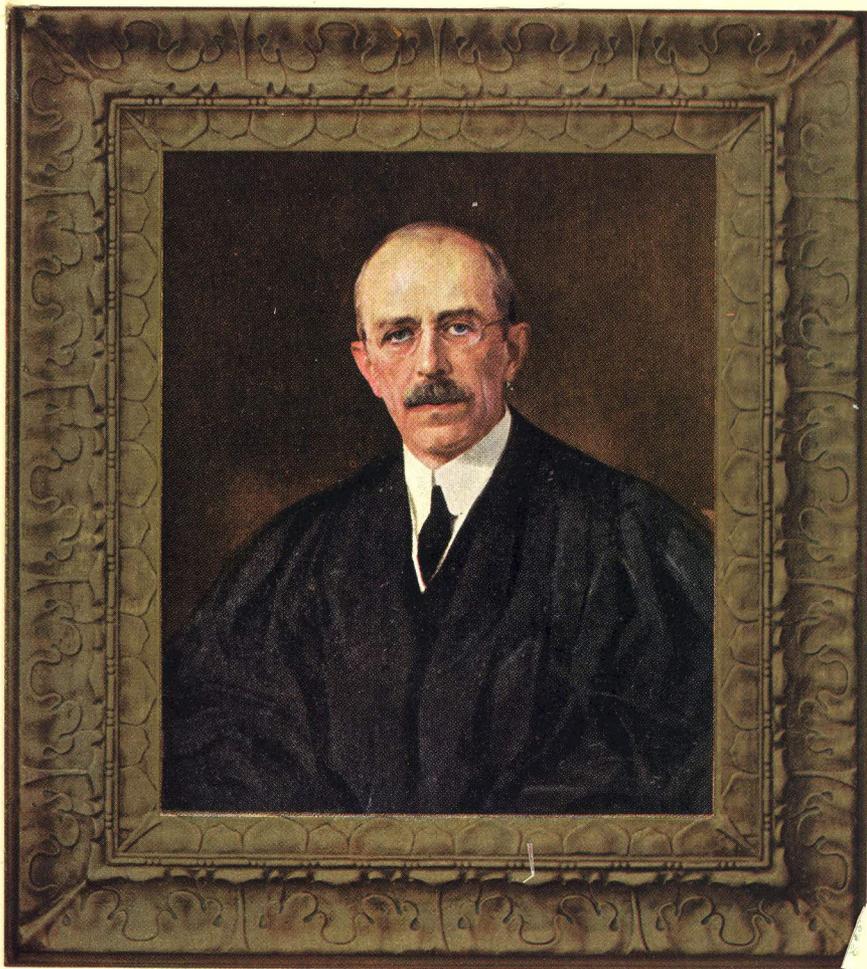
Presentation of Portrait

of the

Honorable Francis E. Baker

by the members of the bar of the United  
States Circuit Court of Appeals for the  
Seventh Circuit.

Proceedings had on the tenth  
day of June, one thousand,  
nine hundred and twenty-four.





AT a regular term of the United States Circuit Court of Appeals for the Seventh Circuit, begun and held in the United States Court Room, in the City of Chicago in said Seventh Circuit, on the second day of October, 1923, of the October Term, in the year of our Lord one thousand, nine hundred and twenty-three and of our Independence the one hundred and forty-eighth.

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On Tuesday, June 10, 1924, the court met pursuant to adjournment in the court room of the United States Circuit Court of Appeals for the Seventh Circuit in the City of Chicago, and was opened by proclamation of crier.

Tuesday,  
June 10th,  
1924

Present:

- Hon. Samuel Alschuler, Circuit Judge, presiding;
- Hon. Evan A. Evans, Circuit Judge;
- Hon. George T. Page, Circuit Judge;
- Edward M. Holloway, Clerk;
- Robert R. Levy, Marshal.

There were also present and sitting with the court:

- Hon. Louis FitzHenry, United States District Judge for the Southern District of Illinois;
- Hon. James H. Wilkerson, United States District Judge for the Northern District of Illinois;
- Hon. Walter C. Lindley, United States District Judge for the Eastern District of Illinois;
- Hon. Adam C. Cliffe, United States District Judge For the Northern District of Illinois.

**Resolution by  
Mr. Russell  
Whitman**

*Mr. Russell Whitman presented the following resolutions and moved their entry upon the record of the Court:*

At a meeting of the Board of Managers of The Chicago Bar Association held on Monday, March 17, 1924, the following resolution in regard to the death of Judge Francis E. Baker of the United States Circuit Court of Appeals was moved and adopted:

With deep sorrow we record the death of Francis E. Baker, one of the Justices of the United States Circuit Court of Appeals for the Seventh Circuit. He was appointed to that bench in January 1902, resigning from the Supreme Court of Indiana where he had served since 1899.

Added to unquestioned integrity and judicial ability of a high order, our bar discerned in Judge Baker a man of broad culture and scholarly attainment. His occasional addresses, delivered without notes but in finished form, as well as his written opinions, reflect a mind disciplined and informed by wide reading and clear thinking. And at times of relaxation, when we met him as a brother lawyer, his rare sense of humor, his zest in the recreation of the hour, his genial welcome to ideas and to friends new and old, made him our comrade while still our leader.

He has been taken from us at an hour when the full measure of ripe experience was united with a mind vigorous and alert. Yet we may solace ourselves with the thought that his vision of the law, which while just and sound, still takes note of progress and the requirements of our time, is to be found in the records of his work upon the bench. His was an instinct which unerringly seized upon and retained what is of value in the precedents of the past, but interpreted and moulded them to fit our present needs.

*Mr. John M. Zane addressed the court as follows:* **Address  
by Mr. John  
M. Zane**

May it please the court: The Chicago Bar Association, in addition to the Resolutions, desires to present for recording a memorial of the character and work of a great judge of this Court with the request that it be placed in the record as the last honor that the Bar can pay to departed worth.

FRANCIS ELISHA BAKER sat in high appellate courts for precisely a quarter of a century, three years in the Supreme Court of Indiana and twenty-two years in this Court of Appeals. The bare facts of his life are that he was born at Goshen, Indiana, on October 20, 1860, and died at Chicago on March 14, 1924. Twenty-four years of his life were absorbed by education, academic training and preparation for the Bar. Fifteen years were devoted to the practice of law. Twenty-five years were given to the highest type of judicial work. Such work does not appeal to the mass of citizens. It has been best described in a poet's words as a calling which, amid man's fitful uproar, teaches, by its sleepless ministers, the lesson

“Of toil unsevered from tranquility!  
Of labor, that in lasting fruit outgrows  
Far noisier schemes, accomplished in repose,  
Too great for haste, too high for rivalry.”

Judge Baker had the usual training in the Goshen City schools, and entered Indiana University at sixteen. After two years there, he matriculated at the University of Michigan for the full college course. In 1882 he finished his liberal

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by Mr. John  
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education with the Bachelor of Arts degree from the University of Michigan. During his attendance at the University he gave great promise. Those who knew him in college remember a young man, rather more mature than the generality of students. He was tall, slim and sinewy, dark complexioned, with a fine intelligent face, a splendid broad forehead and large brain. He retained until his death almost the same appearance. He was by far the wittiest man of his time, the readiest coiner of those *jeux d'esprit* that circulated through the college world. When a song or a lively skit of poetry to set off an occasion was needed, he was in demand and never failed. He devoted himself especially to the languages, history and English literature.

In after life he sometimes spoke of his enjoyment of his service on the college paper. His remarkable work as literary editor could easily be exhumed from those forgotten files. Some men have still in their memories scraps of his lively occasional verse which had some unique haunting quality. He had as a student a winning personality and a wonderful charm. Even then he had the ease, the air of cultivation and refinement that we knew. It was joined to something reserved and retiring in his manner that suited well the high judicial office he later enjoyed. He gave the impression of one of nature's own aristocrats. Sadly enough, even at that early age, he had warnings of a delicacy of health that he was to suffer from in after years.

He was unquestionably the head of his class. He wore the Phi Beta Kappa key that is the one college honor reserved for scholarship alone. It was supposed that he was to be our University's contribution to literature, but the fairy queen who ruled his birth had marked him for the law. He was destined for the law both by choice and by heredity. It could not have been otherwise. He had a natural taste and bent for law. The service of Themis is a most miserable servitude for those who worship her for business success, but to those who love her for herself alone and have the legal stamp of mind that she demands from her followers, she repays their devotion with a gladsome light that cheers all the darkness of professional toil.

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Legal problems interested Judge Baker, from the smallest to the greatest. Unlike some judges, taking interest only in very important cases, who make the rest of their work careless and slipshod, he was equally aroused by all questions for decision. The operations of his mind were like the fairy's tent in the Arabian Nights, so small that its perfect proportions could be held in the hollow of the hand and so large that when spread in the plain it would shelter a whole army.

His father was Judge John H. Baker of Indiana, and when Francis Baker was graduated in 1882 his father was in the practice, one of the leading lawyers of Northern Indiana. The son read law with his father and was admitted to the Bar in 1884. It will always be a question whether attendance at a law school is a better preparation for the Bar than private reading. Judge Baker

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considered the training that is gained by close reading in the practical atmosphere of an office a very fine training. Perhaps the answer is that for the great majority the law school is indispensable, but for the few, who are liberally educated, with trained minds, habits of application and special aptitude for the law, with the searching intellect that digests and assorts legal acquisitions, classifying acquired knowledge under proper heads, private reading will reach better results. The willing, trained mind that works with great celerity should not be hampered by the slower progress of companions. This sort of training and special aptitude Judge Baker had and he came to the Bar with an acquired fund of carefully arranged knowledge under appropriate general principles that grew with his growth. His wide reading in the law we have probably never seen surpassed. He had not only wide knowledge of the law but he had exactness and readiness in the ability to summon it instantly from a capacious memory.

John H. Baker became Federal District Judge of Indiana in 1892 and the son at once succeeded to the onerous duties of a large practice. At that time he showed those habits of carefulness and thorough preparation which went with his nature. The ability, after reading the available decisions, to digest and express them in a few general observations, is a great advantage in a lawyer; it is of inestimable importance in a judge. Accuracy first, as to the facts and circumstances, next, as to the legal principles applicable, finally, as to the preservation of all in the record, was his dominant

characteristic as a practitioner. In his fifteen years of practice he had an unusually wide experience in the courts, for he was sought for by lawyers who brought him prepared cases for trial, all over Northern Indiana. A man with his accuracy and application, with a mind stored with an orderly classified arrangement of legal principles, with remarkable acuteness of mind and fleetness of thought, set off by pronounced gifts of speech, could not have been other than a leader at the Bar.

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It may occur to some to speculate upon his life if he had remained at the Bar. Perhaps his physical health would have given way under the strain. No doubt he preferred the bench to the practice. It is an unfortunate thing that there is so much, often bitterly selfish, emulation in the practice. Many things in the actual practice are distasteful to a soul of refinement. This perhaps had an unfelt effect on Judge Baker. Early in his life he had shown that he had the kind of ability that made him a popular and successful practitioner. He often said that he found pleasure in the practice and it is well known that he left the activities of the Bar with high rank as a lawyer. Doubtless he chose wisely, wisely for himself, certainly wisely for his country, when he decided upon a serener atmosphere where his talents had a peculiarly useful field and where he did not soon succumb, large and prolonged though his labors undoubtedly were.

On January 2, 1899, he took his seat in the Supreme Court of Indiana. On January 5, three days later, he delivered his first opinion. On January 25 he delivered his second opinion and he

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soon was in full career. But his service there was an episode except as it marked him for higher judicial office. In January, 1902, he was appointed United States Circuit Judge in succession to Judge Woods, who had died in the preceding June. The framed commission signed by President Roosevelt hangs in the private office of the Clerk of this Court. It is a singular coincidence that when Judge Woods was promoted in 1892 from District Judge to Circuit Judge, John H. Baker succeeded him and the successor of Judge Woods as Circuit Judge was the son, Francis E. Baker. He early made an impression in a Court where he first sat with Judge Jenkins, a most finished and courtly judge, with Judge Grosscup, a man of undoubted intellectual power, and, somewhat later, with Judge Seaman, who is still venerated as an almost ideal judge for courtesy, patience and impartiality.

This Court of Appeals is a great and powerful court. Its relation to the Supreme Court is practically like that of the Courts of Appeal in England to the House of Lords. The changes in industrial life have caused great changes in the methods of business, so that state lines are no longer barriers to commerce. The vast appellate jurisdiction of the Court over interstate commerce and patents adds to its business. The jurisdiction through diversity of citizenship makes this the chosen field for enforcing the injunction, often forgotten, of a law sometimes called Divine: "One law shall be to him that is homeborn and unto the stranger that sojourneth among you." Finality

of decision in most cases is given to this Court. Many considerations make it just as important that the Federal Courts of Appeal should be manned by judges of superior merit as that such men should fill the Supreme Court. Judge Baker's long service in this Court of Appeals showed his admirable fitness to meet all the requirements of even our highest court. It is one of the mysterious dispensations of politics that he was not called to that highest court in recognition of his great deserts.

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He had a vivid sense of the vast responsibility of his high office as an interpreter of the law. The law is often sought to be covered with reproach. Some of her degenerate sons are periodically engaged in hacking our aged mother to pieces, but always she continues and must continue her endless reign. She must always, contemptuous of puny men, pass on like the weary Titan "bearing on shoulders immense, Atlantean, the load well nigh not to be borne, of the too vast orb of her fate." For the "law is the protection of the consideration which each of us enjoys in the state. It is the foundation on which our liberties are built; it is the fountainhead of that justice which we all demand. The living spirit, the very soul, and the foresight and deliberate opinion of the state is in the law. Just as we cannot use our bodies without the mind, so the state cannot use its parts without law, which is its system of nerves and sinew. The executive magistrates are the ministers, the judges are the interpreters of the law. Therefore we are all servants of the law in order that we may be free."

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This eloquent saying, taken from one of Cicero's legal arguments, comes to us with some of the dewy freshness of that early morning of our modern law. The house of the law contains many mansions, which must constantly be accommodated to the development of the society that dwells there. Since the state exists only through its widely ramified edifice of law, those who labor to preserve and adorn that structure are entitled to be called the true workers in the elevation of humanity. Well have they been called, "docile echoes of the Eternal Voice, pliant doers of the Eternal Will."

What exists among us is what the ancient world never devised—an adequate tribunal. This adequacy gives power to the judges to say, as interpreters of the law, that the legislature and the executive are, not less than any of us, the servants of the law, in order that we all may be free, even the stranger within our gates. Thus it is that the judge must fill the poet's ideal of the man just and tenacious of purpose, who is not moved by the factious thinking of the ignoble, demanding unjust things. Thus it is, as a great jurist has said, that the judge must of all men be the one who shall pay no price for justice. Neither by popular referendum nor by necessity for reelection shall he meet any penalty for doing his duty. Though a wholly unfit and unworthy man be found, but that very rarely, intrenched for life, it is far better that such a misfortune come, than that the generality of judges who are fit and worthy, should be penalized for keeping their souls unstained.

Happily, tribunals filled by judges of secure tenure are not wanting in our land and they represent the last word in statesmanship in providing adequate tribunals. They keep burning from generation to generation the sacred flame upon the altar of justice in accordance with law. Justice, which is the necessary treating of men with equality, is "the great standing policy of civil society" and "the highest interest of man on earth," but it is justice as defined by the law, justice according to rules impartially applied. This justice, an old Greek philosopher tells us, "does not exist by nature." Justice is an artificial thing constructed by the infinite toil and wisdom of priests after the order of Papinian and Ulpian, who were jurisconsults and judges, typifying the labors both of the Bench and of the Bar.

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Every judgment, especially of a high appellate court, is not only a decision but a prophecy. It is a decision so far as settling the rights of parties is concerned; it is a prophecy so far as it states general principles applicable to future controversies. The difference in judges is mainly a difference in this prophetic power to lay down a rule which shall be so guarded that it shall stand the test of the future; for the laying down of principles is simply "the soul of the wide world," through its chosen workers, "dreaming on things to come." This is the secret of the expansibility of the law, adjusting itself to social demands from age to age. Therefore it is that a judge of a court of final appeal should be capable of far higher conceptions of the law than the judge at *nisi prius*. On this

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elevated plane Judge Baker, with his grasp of fundamental principles, and his caution and tact in handling principles, was calculated to shine, and did shine, as a brilliant light.

But not less are the ordinary daily duties of a judge. Complete integrity is his proper portion, but in the case of Judge Baker, as Tacitus said of Agricola, to mention his integrity is almost an insult. The ordinary duties of a judge were never better expressed than by that wisest of mankind who freely gave his life out of devotion to the law. He said: "Four things belong to a judge, to hear courteously, to answer wisely, to consider soberly and to decide impartially."

The hearing courteously comes by nature. A man with kindness of heart, natural or acquired good manners, and innate, instinctive courtesy, is bound to be a courteous hearer, and this Judge Baker was. How many are the times that he has sat in his court holding a school of legal instruction. It seemed to cause him positive pain to be compelled to decide the cause in a way that would reflect upon a lawyer's technical conduct of the case. To a lawyer who was ignorant but obviously sincere and in good faith, his kindness was proverbial. In one of the oldest Year Books, a counsel has made an argument to support his case but the Chief Justice says gruffly from the bench: *De-faute de bon serjeant fet B. perdre ses deniers.* "The want of a good lawyer makes B. lose his money." It is impossible to imagine such cruelty from one so uniformly humane as Francis Baker. Even when a pertinacious counsel was positively

abusing the indulgence of the Court, after the hopelessness of his position had been pointed out, Judge Baker would sink back with a look of resignation and allow the lawyer to exhaust his verbosity or to consume the allotted time. Then, too, although he never complained, there were times when Judge Baker was enduring great pain, but all that showed it was a look of intense suffering upon his countenance that was pathetic to those who knew him well. To a straightforward man, in command of his case, no word ever came from the bench to interrupt the steady unfolding of the cause. But a plausible, neat and unsound thing was instantly exposed. He followed the saying of a Chief Justice in the late twelve hundreds under Edward I who interrupted a serjeant to say: "That is a fallacy and this place was made for truth."

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To some points and phases of argument the judge must answer at once and that wisely. In this respect Judge Baker was supereminent. He had a marvelously quick apprehension. He caught the point almost before it was wholly stated. His acute intelligence and his readiness in summoning his knowledge, turned additional light upon a sound thing as soon as it was uttered. Unsound positions met instant challenge. The celerity of his thought was sometimes confusing to counsel. But he always made himself plain; he answered wisely. He never felt it necessary to assume the solemn reticence which sometimes conceals poverty of ideas or a desire to be taken seriously.

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It may be that now and then a lawyer imagined that the Judge interrupted him too soon. A judge should at least have the power of a referee to blow a whistle and tell the contestant that he is playing off-side. Judge Baker felt that time was poorly spent on useless things and if an answer could be made on the spot it should be made. In this way he often brought the argument to the smallest dimensions. To a judge of his sifting quality of mind and instant apprehension, the mere statement of the case indicated the true question that lay at its heart. This he went to at once. He withdrew the argument from irrelevant matters and focused the contentions of the parties upon the actual point for solution. This characteristic of the Judge was sometimes disconcerting to counsel, but it was always illuminating. Certain it is that he had no appreciation of the purely linear style of presentation, which has length without depth or breadth.

Sometimes, in answering wisely, a judge must make an oral decision upon a difficult case. There is a most remarkable oral opinion of Judge Baker's at 268 Federal Reporter 571 in an important case involving an injunction against a State Commission that is worthy of a Lyndhurst or a Stanley Matthews. The intense concentration, the close following of a difficult line of reasoning, the ease and ready command of a multitude of fundamental principles that go to the very basis of our government, elaborated with ready command and fluency of language, is an intellectual feat of the very highest order. At the end came the modest

flower of courteous phrase: "My Brethren graciously state that they concur in the views that I have endeavored to express."

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In the phase of considering soberly we must appeal to those who met with him in conference. But one fact stands out. In all his service he found it necessary to dissent in only four cases. This fact shows, since he was always associated with capable men, that he had much strength and capacity for demonstrating his own views, and also had no obstinate pride of opinion, but so open a mind and he was so ready to heed the views of others, that in hundreds of cases he found it unnecessary to dissent.

One of his dissenting opinions was in a case of transcendent importance. It was sought to enjoin the rates put forth by the Interstate Commerce Commission, constituting lines for basing rates, whereby the country from east to west would be as to rates divided into zones, with reference to centers of distribution. Judge Grosscup held the rates to be illegal in a strong opinion and with him Judge Kohlsaas concurred. Judge Baker dissented in an opinion which shows his keen analysis, weighing the facts and examining the statute with close reasoning. The case went to the Supreme Court (218 U. S. 88). There five of the Court agreed with Judge Baker. The opinion in the Supreme Court quotes at length from this remarkable dissenting opinion, which had evidently greatly impressed the higher Court by its wealth of suggestion and its compactness, coherence, and careful guarding of propositions.

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As to deciding impartially, it is but the simple truth to say that any other course was impossible to a man of Judge Baker's integrity of mind. His decisions were the result of pure intellect working with given facts and circumstances. He went to the greatest pains to show to a party's counsel a fundamental error in his contention. There is a unique explanation at 279 Federal Reporter 671 for the benefit of those of the patent bar who seemed to think that patent law was an occult science governed by principles of its own, not discernible by the eye of the general practitioner. Nothing could be more direct, plainly stated and better put than his reduction of the whole matter to the one plain general rule. There is a freshness as well as vigor in the thought which take the utterances out of the sphere of ordinary opinions. And here it should be said that among the patent bar Judge Baker was looked up to as one of the most satisfactory authorities in matters concerning patents in the country.

Judge Baker was eminently a judge satisfactory to lawyers because he had none of those popular tricks which are supposed to appeal to laymen. He did not seek for public applause, nor did he make the slightest effort for popularity or recognition even among politicians. He strove only for excellence in his opinions, which were designedly written for the competent lawyers. His own statement was: "Write only for those who are fully informed as to the law, cite few cases, and then only when necessary, appeal only to principle." Yet he took a profound interest in political hap-

penings. In his thought he was a liberal conservative. He had the rare combination of respect for the law as settled and a liberality of outlook that permitted him to feel that the United States in the various states had "a great political laboratory," as he said, in which experiments might be tried before national adoption. Perfect honesty of purpose, under the guidance of great knowledge of law and exceptional intellectual vigor, with liberality of thought, is happily with us something often seen upon the bench. In him there was added the tendency to stand *super vias antiquas*, a realization of the continuous necessity of the great constitutional limitations, a lack of the personal eccentricities of conduct and idiosyncrasies of thought, of those hasty conclusions and peculiar prejudices, which some judges display. He had openness and receptivity of mind, fineness of intellect and devotion to duty. This rich endowment made him a judge of mark among able men, while his direct simplicity and geniality, warmed by his cordial kindness to all, made him a man that we honored and loved.

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Enough has been said to indicate that Judge Baker had in full measure the self-support which an otherwise great judicial officer should never lack, and which only courage can give. He had courage himself, he admired its expression in others. He once spoke with positive enthusiasm of the admirable boldness backed by fine ability of a certain lawyer in maintaining the then novel point that an injunction would lie against a party proceeding in violation of the *res judicata* of a prior

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decree. He said that the vivid recollection of that argument had not faded from his mind after the lapse of many busy years. No greater display of courage can be found than his opinion in a case, where authority compelled him to hold a rule in this Court, to the direct contrary of the rule he had held in an opinion in the Supreme Court of Indiana. A weaker man would have dodged the issue; he faced it like the man he was.

But we have not exhausted his claim to judicial eminence. He is a fortunate judge who has a distinct literary style, who shows those niceties of literary cultivation, those personal touches in the use of words or development of ideas that mark the individual as unlike others—a literary style in the sense that the form of expression is a personal trait. This is the gift of fate, but it is much helped by intense literary cultivation, such as he had not spared. His opinions have this peculiar fragrance of mental personality. This characteristic was accompanied by an invariable good taste. Those who have heard him on occasions when he felt that wit was called for, know why it is that here and there, imbedded in an opinion, we may come upon the subtle aroma of engaging humor. Above all, his opinions have finish, and show the skill of one who knows that language is more than mere words and must flow with the grace and ease of culture. It was in recognition of that literary quality that his Alma Mater conferred upon him ten years ago her degree of Doctor of Laws. Alas, he shall never more return to those halls under the old elms which always seem to be drooping over

the Campus in sorrowful memory of the life and youth and hope that they have looked upon, which are now mouldering in the tomb.

**Address  
by Mr. John  
M. Zane**

The last time that most of us can recall his public appearance was at the Bar's dinner to Chief Justice Taft. It demanded a speech worthy of the occasion. Judge Baker's address was to that great assemblage of lawyers a marvel of clear, constructive skill. It was on an old theme, the essence and characteristic form of this government, composed of an indestructible union of the whole people and of a union of different parts of the people in indestructible states. But he gave us a flood of new light upon that old subject. His remarkable figure of this Union, analogous to the balance of centrifugal and centripetal forces in the universe, was exquisite, not only in its perfectness of expression, but in its aptness. Simplicity, preciseness and propriety of diction, without a note and without any memorized oration, is something rarely heard. Yet we had it all, and there was not a man whose heart did not swell with pride to feel that the head of our local Federal judiciary was capable of such a triumph. It seems but yesterday, and now that fine intellect has passed beyond the veil. It is a consolation, bitter as is his loss, but a consolation still, to realize that he died without having reached "the languor of pain, the chillness of age."

To those who cherished and loved him in the tender relations of husband or father we can only offer our heartfelt sympathy, with the thought that the pure in heart have a special beatitude and there

Address is rest beyond the grave. Even more consoling to  
by Mr. John them is the remembrance that,  
M. Zaue

him, on whom, in the prime  
Of life, with vigor undimm'd,  
With unspent mind, and a soul  
Unworn, undebased, undecayed,  
Mournfully grating, the gates  
Of the city of death have for ever closed,  
Him, I count him, well-starr'd.

Soon there will hang upon these walls a portrait traced by a cunning hand, and from among those who have in their time graced this high bench, his speaking countenance will look down upon us. But he will not be here and we shall keenly miss him from his accustomed seat. Yet that face looking down upon us will speak of one who liveth in those made better by his presence and it will be a constant exhortation to us all to remain faithful to justice and her eternal harmonies. Fortunate indeed will we be, if we can say, when we come to our last account, that we have done nothing unworthy of the lesson of his pure and faithful life, nothing unbecoming to men who once enjoyed the friendship of Francis Baker.



*Mr. James S. Drake presented the memorial of the Indiana State Bar Association, and addressed the court as follows:*

Address by  
Mr. Drake

May it please the court: The Indiana State Bar Association, by its committee appointed for that purpose, submits to the Court the following as a memorial of Judge Francis E. Baker:

#### MEMORIAL.

Judge Francis E. Baker was born in Goshen, Indiana, on the 20th day of October, 1860, and made his home in that city until his death on March 15th, 1924. In his boyhood he attended the Goshen schools until sixteen years of age, and then entered Indiana University, where he remained two years. He then went to the University of Michigan, where he was graduated in 1882.

His scholastic ability was recognized in the University. During his senior year he was literary editor of the University magazine, and was class poet at the commencement exercises of his class.

On his graduation he entered the law office of Baker & Mitchell, his father and his uncle, and studied law for two years before he was admitted to practice.

In 1884 Judge Mitchell was elected a judge of the Supreme Court of Indiana, at which time the firm became Baker & Baker. Seven years later his father, John H. Baker, was appointed United States District Judge for the district of Indiana, and Francis E. Baker became the head of the firm of Baker & Miller.

Address by  
Mr. Drake

In 1898, at the age of thirty-eight, Francis E. Baker was elected a judge of the Supreme Court of Indiana, which position he held for four years, when he was appointed a judge of the United States Circuit Court, which position he held until his death on March 15th, 1924.

The mere statement of the facts of his life would indicate that he was a scholar and a lawyer of unusual ability. As a practitioner for thirteen years he was careful, honorable and successful. He would not take a case unless he was satisfied it was meritorious.

As a judge of the Supreme Court of his state his opinions were expressed in faultless diction, and are regarded as authority.

As a judge of this Court for twenty-two years his superior ability as a lawyer became well known to all who are here.

He was honest and fearless and above reproach. In his decisions his analytical mind hewed to the line. They were given with no one to punish and no one to favor; his sole purpose was to be right.

His honor, integrity and his Christian character and his great storehouse of knowledge made him a forceful figure in the field of his activities. Believing that there is a higher reward for a faithful servant than dollars, he was willing to give his life and talents for the good of his fellow-men. If to secure wealth had been his ambition, he chose the wrong course. We esteem and honor him because he preferred to remain at his post of duty until he fell exhausted. He leaves to his family a better

legacy than a large fortune. An exemplary life devoted to duty and lofty ideals of right, constitute an inheritance to his children more valuable than much gold.

Address by  
Mr. Drake

Today we are placing on record our memorials; but no memorial of word or marble can equal that which he built in his life and character.

INDIANA STATE BAR ASSOCIATION,

By JAMES S. DRAKE,

SAMUEL PARKER,

JOSEPH G. IBACH,

HARRY R. TUTHILL,

*Committee.*

May it please the court: I have been commissioned by the Indiana State Bar Association to present its Memorial of Judge Francis E. Baker.

For nearly forty years he was like a younger brother to me, and for a longer time his learned father was like an elder brother. His father was for many years the recognized leader of the bar of his county, and one of the ablest of the bar of his state. He was also the recognized leader of his political party in northern Indiana. He was Representative in Congress for three successive terms when Judge Francis E. Baker was a small boy.

Fifty years ago, when I was just out of school, I accompanied his father to several of his political meetings, at his request, to speak to first voters. He was a man of force and power as a speaker. His three terms in Congress deprived the son of his companionship when it would have been most

Address by  
Mr. Drake

valuable to him. Judge Francis E. Baker was an only child, and in that, he lost the benefit of the early discipline which comes to one who has brothers and sisters.

I became intimately acquainted with Francis E. Baker when he was a student in his father's office. I watched his growth in his chosen profession with pleasure. He never entered upon the trial of a case without thorough preparation. He knew his side of the case, and anticipated all that could be said against it.

In the trial of a case he always treated his adversary with fine courtesy, and never forgot the respect due to the court.

He knew the value of each fact necessary to sustain his view. In his argument to the jury he avoided all the arts of oratory. He presented his facts and the inferences to be drawn from them in a clear and forceful manner. He was not an orator. He was a logician and debater.

He was very deliberate before reaching a conclusion. He lost few cases because he would determine for himself the rightness of his clients' claims before accepting employment.

His firm had a large and extensive practice. In his fourteen years at the bar he acquired a wide acquaintance among the lawyers and judges of the state. In 1898 his ability as a lawyer was known over a considerable portion of the state. His father was then United States Judge for the District of Indiana. In that year, without previous judicial experience, Francis E. Baker was nominated

and elected a justice of the highest court of his state. Before the end of his term a vacancy occurred in this court, and Judge Baker's friends presented his name to the President for appointment. I had the honor to take the recommendations secured by the Bar Association of our county to Washington and place them in the hands of the President. He succeeded Judge William A. Woods as judge of this high court. Judge Woods also practiced his profession in Goshen, and served as local circuit judge, judge of the supreme court of the state, and United States District Judge for the district of Indiana.

Address by  
Mr. Brake

In all the years Judge Baker held these high positions he retained his residence at Goshen and his intimate relations with its people. There was in him no suggestion of pride or superiority or of official position. He was the embodiment of true democracy.

He was happily married. His home life was idéal. Three children survive him. He was the playmate of his children when they were small, and their companion and guide when they were grown. He was the kind of man children love. His friends and neighbors called him Frank, and it pleased him. He had a genius for friendship. In his little home city he was respected and esteemed by all as Frank Baker, friend and neighbor, more than for the high office he held or for his superior intellectual attainments.

It has been said that great poets and musicians are born such. This cannot be said of any great

Address by  
Mr. Brake

lawyer. He may be born in an environment which may be helpful to him in fitting himself for his profession, but no man can be a great lawyer without long and patient study. Francis E. Baker was fortunate in that there was no obstruction either of poverty or riches on his road to success. His father was a noted lawyer and a fine classical scholar; his mother was a noble woman who devoted her life to her home, her family and her church. His gentleness and kindness of disposition he took from his mother, his superior intellectual power from his father; and his unyielding mental and moral integrity from both. With such conditions of helpfulness from birth to manhood, his way to success was made easier than for him who travels the road of poverty, or for one who resists and overcomes the temptations of wealth.

Scores of lawyers of Indiana who met Judge Baker in his days at the bar, and scores who argued cases before the Supreme Court of the state when he was an associate justice of that court, respect and admire the character of Judge Baker as a man and a citizen, as well as his character as an honest and able judge. Indeed, no man can be great as a judge unless he is possessed of the qualities which make a man of high character.

The Indiana State Bar Association, of which he was for many years a member, desires to place on the records of this high court, of which he was presiding judge, our testimonial of him as a man and a judge. We loved him for his goodness of heart, his cleanness of life, and his whiteness of soul; and

we esteem and honor him for his great ability and fine sense of justice. We mingle our grief with the grief of his family at his untimely death. Yet it is said:

Address by  
Mr. Brake

“The end of birth is death;  
The end of death is life.  
Wherefore should we mourn?”



Memorial of  
the Wisconsin  
State Bar  
Association

*Mr. Jackson B. Kemper presented the memorial of the Wisconsin State Bar Association as follows:*

On behalf of the Wisconsin State Bar Association, we beg to express the deep feeling of sorrow and regret that is felt by every member of the Association in the death of Judge Francis E. Baker, the late presiding Judge of this Court.

Judge Baker was appointed a member of this Court in the vigor of manhood. His character was stainless, his legal attainments high, his judgment of the best. In addition to these qualities, so necessary to a great judge, he took a deep interest in all of the questions which were presented to the Court. A lawyer arguing a case before Judge Baker was not only sure that the question involved would be given strict attention, but was also assured of the quick and accurate analysis of which Judge Baker's truly analytical mind was capable. Whether Judge Baker was favorable or unfavorable to one's contentions, you could be certain that before the argument was finished he would have drawn out everything that could be said for or against the proposition involved, and that when he came to decide the case the decision would be rendered with full knowledge and after having heard all that counsel could argue. The members of the Court and the members of the Bar practicing before the Court will long miss and regret his keen mind, strong intellect and high judicial qualities.

He was always dignified, befitting the high office, the duties of which he so faithfully and ably dis-

charged. He was a man of great refinement, of charming personality, and above all was kindly and considerate of others. The high standard of his legal attainments will be found recorded in the records of his many able decisions.

Memorial of  
the Wisconsin  
State Bar  
Association

We have not attempted in this brief tribute to review Judge Baker's life or achievements, believing that this is rather the province of the Bar of his own state, who knew him from boyhood, but we beg to join with them and with the members of the Court in an expression of sorrow for the loss of a great judge and a high-minded gentleman.

Jackson B. Kemper,  
Wm. C. Quarles,  
A. L. Morsell,

Committee, Wisconsin State Bar Assn.



**Address by** *Mr. Bruce A. Campbell of Illinois presented the*  
**Mr. Campbell** *following memorial on behalf of the Illinois State Bar Association:*

May it please the court: Mr. Roger Sherman, President of the Illinois State Bar Association, has designated Messrs. Edgar A. Bancroft, Horace Kent Tenney, Clarence W. Heyl, Albert Watson and myself as a committee to prepare and present to the Court resolutions suitable to this occasion.

In pursuance of such authority so delegated to it, the Committee on behalf of the Illinois State Bar Association and its members, begs leave to submit the following:

On the sixteenth day of March, in this great city of Chicago, where for more than twenty-two years he had labored as a great Judge of this great Court, Francis Elisha Baker landed

“On some silent shore,  
Where billows never break nor tempests roar.”

We leave to others from the State in which he was born, in which he lived for more than three score years, and where he now is buried, to tell in detail the story of his busy and useful life. We of Illinois first knew him as one who came to us in the vigor of his young manhood to serve as a Judge of this Court. We learned to love him as a friend, to admire him as a man, to respect him as a citizen, and to honor him as a Judge who faithfully, impartially, honestly and ably performed the duties of his great office without fear, favor, prejudice or passion, and to our satisfaction and to the satisfaction of the public whom he served.

Judge Baker had a high conception of what a Judge should be and also of what a Judge should not be. He had to a superlative degree the four things that Socrates four centuries before the Christian era said belonged to a judge, viz: "to hear courteously, to answer wisely, to consider soberly and to decide impartially."

Address by  
Mr. Campbell

He loved his country, he believed in its Constitution, he had faith in its perpetuity and confidence in its time honored principles and institutions, the continuance of which he believed to be necessary to the preservation and prosperity of our nation. Throughout the opinions which he wrote appear a constant reverence for the Constitution and the laws enacted under it, and he always insisted upon the preservation to the citizen of every constitutional right.

Judge Baker was learned in and a student of the law. He believed in the precedents of substantive law established for the guidance of our Courts and he adhered to them fearlessly and without apology. He never felt that he was a maker of the law but considered himself, as every good Judge should and does, as only an interpreter of the law. But he was not one who allowed narrow legal technicalities of procedural law to stand in the way of justice or of the enforcement of the substantive law.

He always wanted to get at the bottom of the controversy and by pointed question or suggestion, he destroyed a fallacious argument and got at the truth and justice of the case. He quickly formed an opinion but that opinion was not a hasty or

**Address by  
Mr. Campbell**

ill considered one, but was based upon his profound knowledge of the law. He would tenaciously hold to an opinion once formed, but would cheerfully and frankly confess his error and change his opinion if he became convinced that he was wrong.

Genial, companionable and friendly, those who knew him off the bench soon came to love him. Loyal, true and faithful to every trust he was an ideal husband, father, friend and public servant. He was true to himself, to his own ideals and to his own high conception of duty. Time and time again there came to him offers to engage in private business with monetary compensation many times greater than the insignificant and insufficient salary he received as a Judge. But he felt that duty called upon him to remain where he was, and to him the cause of duty spoke louder than the cause of material advancement to himself.

We of Illinois have long regretted that he was not called to sit as a member of the highest court of our country, where he would have so well maintained the high standard and dignity of the greatest court in the world and where his ability as a Judge in a large sphere of influence and activity would have caused him to become a worthy member of a court made great by a Marshall, a Story, a Fuller, a White, a Taft and the many others who have helped to make and continue its high standard, reputation and character. We might add that within the last two years, when we were advised that the President was considering Judge Baker for this great position, the Illinois State Bar Association, through its officers, notified the President

how pleasing such an appointment would be to the lawyers of Illinois and how capably and well Judge Baker would fill the position.

Address by  
Mr. Campbell

The nation has indeed lost an able and upright Judge, a real man and a gentleman. While he did not live out the allotted three score years and ten, while he was taken at a time when his great mind, his broad learning and experience and his many attributes of mind and heart which made him great, promised many years of further and greater usefulness; while he had not done all that he could have done had he been spared, yet we can truthfully say that the world is richer because he lived and that the world is poorer because he died.

The Committee, therefore, for itself as well as for those for whom it speaks, now expresses by this memorial its appreciation of Judge Baker as a man, as a citizen, as a lawyer and as a Judge. We further express our regret at the untimely death of our friend and brother. We extend to his family and to his associates upon this bench our sincere and deepest sympathy. We mourn with them and we express the hope that his services here and the record which he has made may be an inspiration to us all to strive to do the best we can in every way to do well the things which we are called upon to do.

*Mr. Campbell then added the following personal tribute:*

May it please the court: I cannot let this occasion pass without adding a few words of personal

**Address by** tribute to the formal memorial just presented to  
**Mr. Campbell** the Court.

It will soon be twenty years since I was admitted to practice in this court and first argued a case here before a Court composed of Judges Grossecup, Seaman and Baker, all of whom have now ceased their mortal labors. At various times since I have had the privilege and pleasure of appearing here, and with the exception, I think, of three occasions, two of which have been during the present year, Judge Baker was upon this Bench.

The last time I saw him was in this Court room during the argument of a case in which I participated during the fall of last year. It has been my pleasure and privilege to talk with him in his Chambers and to meet him upon social occasions when I learned to know him as the genial, companionable, friendly, big hearted, kindly man he really was. I, therefore, feel a personal loss in his going as well as the professional loss which a lawyer always feels when a good and upright Judge has passed away.

When members of the bar of this court presented the portrait of Judge Seaman which hangs on yonder wall, Judge Baker responded for this Court, and with the conciseness and succinctness of speech of which he was a master, he spoke what it appears was really his own conception and ideal of what a Judge should be. He then imagined Judge Seaman looking down from these walls and saying to Bench and Bar as they met here from day to day:

“It is not important that any of you should long remain, but it is everlastingly important that, while you do remain, you should do your work to the utmost of your powers, fearlessly, faithfully, with clean hands, and with hearts devoted to justice and humanity.”

Address by  
Mr. Campbell

And again when he spoke for the Court upon the occasion of the memorial exercises for Judge Seaman, he spoke of Judge Seaman's preeminent quality of dispassionate review as a Judge and his preeminent quality as a man of unselfish loyalty in every relation of life and he said of the latter quality:

“It was this quality that led him to do the greatest thing that a man can do, and that is to devote unselfishly the best that is in him to the service of his time and fellowman.”

In those few sentences he emphasized his own creed as to what a Judge and a man should be. And what a creed it was and is! To fearlessly, faithfully, justly and with heart devoted to justice and humanity, unselfishly do your best in a real spirit of loyal service to your fellow man. And what is more, Judge Baker not only preached that doctrine but he practiced it in every activity of his busy life. Thus in speaking of another he gave us perhaps unconsciously his own ideals and said of his friend what we can say of him now that he is gone.

All of us who have practiced at this bar have experienced the force of his intellect and his ability quickly to see the points of our cases which led him unerringly to separate the chaff from the grain, and see what were the material points involved.

Address by  
Mr. Campbell

Sad was the fate of the lawyer who indulged in legal sophistry or who advanced fallacious arguments. A pointed question, a quick minded suggestion, a concise statement of a legal proposition, and the advocate was either vanquished or the real argument on the material point or points was on. And if the lawyer was not entirely vanquished, what an argument it sometimes was! I remember one case where for more than an hour he argued with a lawyer upon what, to the lawyer, was the vital point in the case, viz: whether or not a verdict should have been directed. The lawyer thought so, Judge Baker thought not. The lawyer was finally subdued, if not convinced, and said that he could advance nothing further but that if Judge Baker was right as to that point, then the Trial Judge had charged the jury improperly and had not presented the real issue to the jury. Judge Baker promptly agreed with him and wrote the opinion holding that a verdict should not have been directed, but that the case had been tried below upon a wrong theory and that the jury had been improperly instructed and that, therefore, the judgment should be reversed.

But in all this, Judge Baker had but one purpose and that was to get at the real facts, to apply the true rule of law and to decide the case as it should be decided.

Judge Baker could change his mind as rapidly as he could make it up when he was convinced that he was wrong. He had no pride of opinion that small minded men sometimes have. His mind was not small—it was great. He sought only justice

and right. He had the tenacity of thought and opinion that all great men have but he also had the spirit of honesty and justice that sought only to do right as he saw the right. I have known of at least two cases where, after lengthy argument, counsel went home thinking that Judge Baker was unalterably on one side of the case, only later to receive an opinion written by him exactly contrary to views he had expressed upon the oral argument. A further examination of the briefs and authorities had convinced him that his first impression was wrong and he was man and Judge enough to thus acknowledge his error and prevent a wrong. It might be added that seldom was it necessary for him to do this, but if it was he never faltered or delayed.

Address by  
Mr. Campbell

This Court has always been a great court from the day when it was first established. Great judges have sat upon this bench, great controversies have been here determined. Every real lawyer who has appeared here has gone away, whether he was the victor or the vanquished, with a feeling that he has had a fair hearing, a real and impartial consideration of his case and a decision, whether favorable or unfavorable, that represented the real and honest judgment of the Court which heard his case. No real lawyer ought to or does expect more.

Judge Baker played no small part in the making and continuance of this reputation. Yes—no small part but an important part was his in building up the reputation of this Court to the high plane upon which it now rests, so that a prominent Eastern

Address by  
Mr. Campbell

lawyer who recently was present at an argument here when Judge Baker sat, said after hearing the argument, that this Court was the greatest Court of Appeals in the Country and that Judge Baker, who had done nearly all of the talking for the Court, had the keenest mind of any Judge he had ever seen.

He wrote many great opinions. Many of them had to do with public matters, many of them were merely for the enforcement of private rights or the prevention of private wrongs. In all of these he was concise and clear, and in his opinions no surplusage and no redundant words appear. Justice under the law, adherence to the Constitution, a belief in our country and its form of government, abhorrence of all who would destroy our institutions and an undying devotion to conviction and to duty are some of the ideals of the man as shown by these opinions.

He believed in maintaining the precedents and landmarks of our substantive law. But he had no patience with a technical rule of procedure involving no substantial right. In a criminal case in which he wrote the opinion of the Court in June of last year, after reciting that the evidence was circumstantial and that competent witnesses were present to testify to the good reputation of the defendant for truth and veracity and honesty, and where it appeared that the Court refused to receive the testimony because the questions were not put in proper form, he said:

“The substance was too vital to be sacrificed to form. If the Court was of the opinion that

the jury would not understand the bearing of character evidence upon the case, unless the questions were put in proper form, he should have supplied the form.”

Address by  
Mr. Campbell

Kindly, genial and companionable he was a great personality whom it was a pleasure to meet. He has left us. He has crossed the bar and solved the mystery of all the mysteries. Taken at the height of his intellectual vigor, when his intellect, ripened by experience and by study, was keener than ever before, when he apparently had so many more years of usefulness before him, he has left a void in our hearts and in our lives which it will indeed be hard to fill. We can console ourselves with the thought that while he was with us he played a big part and played it well. He performed every duty conscientiously, honestly and well. He has run his earthly course, and while with us he fought a good fight and kept the faith that was his to keep. That good fight will make better Judges and better lawyers, and that great faith of his in his country, in its constitution and in its laws will bear fruit in a greater nation which will ever be better because he lived and labored in it and for it.

Someone has said that death is but a leap in the dark but most of us like to think of it as more than that. We like to and do think that all does not end when death does come, but that there is a golden chain that unites life to death, and that that chain is the hope and promise of immortality that is given to us. We like to believe that as we must eat, and drink, and sleep, and breathe the God given air, that death, as universal as are they, is

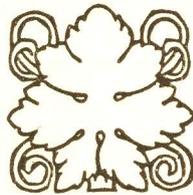
Address by  
Mr. Campbell

necessary for the greater and better life that comes after the death of which we know.

And if we are right, and we hope and believe that we are, then it must be that "all trumpets sounded for him on the other side."

Thus we pay our tribute to a real man. Not in flattery and not for material gain, for no longer can he help us, but with a sincere desire to honor him to whom honor is due, to pay a tribute to one who richly deserved all the good things that can be said about him.

Judge Baker's life work is ended, but his influence has not ceased. Long after we who knew him have joined him on the other shore, his life and deeds will be remembered, and he will be an example of and inspiration to good citizenship, honest effort and high achievement in the profession which he loved and which he honored.



*Mr. Justus Chancellor presented the resolution of the Lawyers' Association of Illinois as follows:*

**Resolution by  
Lawyers'  
Association  
of Illinois**

**JUDGE FRANCIS E. BAKER.**

No higher honor can come to a man than to be chosen to sit in judgment upon the affairs of his fellowmen. A greater trust cannot be conceived. Where a man measures up to the full responsibilities of that confidence, as did Judge Baker, he has earned and is entitled to the approbation of all people.

Looking back along the years that have been graced by the arduous labors of this worker in our courts, we perceive a truly good man, grown great in the administration of justice, and one who, as the years pass on, will more clearly appear to us as an ideal jurist, a sincere man and a just judge.

Therefore, the Lawyers' Association of Illinois, in recognition of these attributes and the true and faithful services of Judge Baker upon the Bench, his sterling qualities of manhood, his unimpeachable and unassailable career as a judge, tenders this, its tribute of respect to his memory, and nominates the following of its members:

Oscar M. Torrison,	Joshua R. H. Potts,
John M. O'Connor,	Stewart Reed Brown,
Wells M. Cook,	Andrew R. Sheriff,
John P. McGoorty,	James F. Bishop,
Harry Olson,	Charles H. Havard,
Henry R. Rathbone,	Roy D. Keehn,
Isaiah T. Greenacre,	Robert E. Crowe,

Resolution by  
Lawyers'  
Association  
of Illinois

A. A. Worsley,  
Robert C. Fergus,  
Edward Maher,  
D. J. Normoyle,

Mark J. McNamara,  
Peter R. Boylan, and  
Louis J. Behan,

to meet with other members of the Bench and Bar Tuesday, June 10th, 1924, at ten o'clock a. m., to bear witness to the love and esteem in which he was held by its members and assist in the presentation of his portrait to the Circuit Court of Appeals.

LAWYERS' ASSOCIATION OF ILLINOIS,  
By JUSTUS CHANCELLOR,  
*Its President.*

FRANK N. MOORE,  
*Secretary.*

Mr. Chancellor: As we hang this picture upon the walls of this Court Room, Judge Baker takes his place, with the Jurists of the world, in the galaxy of immortality!



*Mr. Robert H. Parkinson, of Chicago, presented the following tribute on behalf of the Patent Law Association of Chicago:* **Address by Mr. Parkinson**

We who have, in a peculiar degree, been the witnesses and beneficiaries of the splendid talents, the refined erudition, the high order of legal equipment, the comprehensive vision, the keenness of perception, intensity of zeal, facility in discerning and expressing legal or scientific distinctions, the scintillations of genius which distinguished the career of the late presiding Judge of this Court; who have frequently experienced the charm of his genial and winsome personality, his ardor in advocacy of whatever he regarded as essential to the maintenance of law and order and the welfare of nation, state and community, are impelled by every impulse of admiration and affection to join in the tribute of the Chicago Bar and other associations to him as a judge, a man, a citizen and a friend.

Born in Goshen, Indiana, October 20, 1860, son of the Honorable John H. Baker, who after repeatedly representing his district in Congress became Judge of the United States District Court for Indiana, and Harriet Defrees Baker, he graduated from the University of Michigan in 1882, was admitted to the bar of his native state in 1885 and began practice in his native town. He was elected Judge of the Supreme Court of Indiana in 1898; there served with distinction until appointed and confirmed United States Circuit Judge for the Seventh Circuit in January, 1902; became the presiding Judge of this Court of Appeals upon the retirement of Judge Grosseup in October,

Address by  
Mr. Parkinson

1911, and continued in active and masterful service as such until interrupted by the prostration which terminated his mortal life March 15, 1924.

He early exhibited such ability and industry as promised high honors at the bar and induced his election to the supreme bench of his state. He made such a record on that bench that President Roosevelt appointed him United States Circuit Judge, where he continued to exhibit to the end the multiple endowments, acquisitions and culture indispensable to a great jurist on the federal bench. He brought to this Court, and here continued to develop, the comprehensive grasp of legal principles, the learning, the definite acquaintance with the history and administration of jurisprudence, the acumen, the facility of analysis, the interest in, and capacity for, comprehending science in its varied application to modern industries and to the often occult problems coming with increasing frequency and accumulating complexity before the federal courts, the quick insight and power of concise and graphic expression, which were effectively marshaled and applied in the performance of his judicial duties.

He expressed in his life the finest qualities of citizenship, was devoted to his country, his state, his family, and the community in which he had his home, interested in, and alert to advance, whatever he considered conducive to the general welfare, an earnest student of political and constitutional problems. Addresses by him on public or quasi-public occasions exhibited oratorical ability of a high order—the power of compressing profound

thought on subjects of vital public interest into the minimum of words selected with precision to convey the exact shade of meaning intended, uttered with the conviction and ardor of emotion inseparable from his nature.

Address by  
Mr. Parkinson

It requires a great judge, thoroughly grounded in, and sensitive to, the broad principles on which our law rests, to fitly administer justice throughout the wide range of subjects within the jurisdiction of this court. Nowhere is this more needed than when determining the validity and scope of rights asserted as springing from invention or discovery of such magnitude and mystery, whose nature and boundaries are so difficult of ascertainment and definition, as many now invoking adjudication—controversies involving subtle and obscure forces operating in realms not hitherto subjected to human control, compelling the application of law to new conditions and affecting, in diverse aspects, stupendous interests. The eminence Judge Baker achieved in this branch of law was primarily due to his having, in unusual degree, these indispensable qualifications. Here, perhaps more than elsewhere, his many rare endowments were stipulated to intense activity and flashed their brightest rays.

We shall continue to cherish and honor his memory, keenly mindful of his fine intellectual and moral qualities, his long and brilliant services, and the charm of his companionship.

Robert H. Parkinson,  
Thomas A. Banning,  
Edward Rector,

Committee.

Address by *Mr. Parkinson added the following personal*  
*Mr. Parkinson* *tribute:*

May it please the court: When the Honorable John H. Baker, after serving in Congress, had taken his seat as United States District Judge for Indiana, I often argued cases before him. I distinctly remember that once a tall, slender, comely young man entered, whom Judge Baker, with evident paternal and professional pride, introduced to me as his son Francis, then practicing law in Goshen. I thought then the father's pride was justified. I have since known how amply it was justified as I have watched his rapidly ascending path by way of the Supreme Court of his state to the presiding Judge of this Court and seen him gather a harvest of honors sufficient to satisfy to overflowing the ambition of a distinguished father.

I next met that young man when, after having distinguished himself at the bar and gathered further honors as Judge of the Supreme Court of his native state and been promoted to this bench by President Roosevelt, he was inducted into this high office—still a young man. I was present when he took his oath of office—a ceremony impressively presided over by the accomplished and beloved Judge Jenkins. From that day to the close of his brilliant career I have frequently witnessed the manifestation of the various powers and accomplishments of which mention has been made in the memorial I have just presented.

There is another personal incident pleasantly linked in my memory with the first of which I have

spoken. After our Judge Baker had become the presiding judge here, and after we entered the great war, when we knew how thoroughly his loyalty and patriotism were aroused, he, with both paternal and patriotic pride, introduced to me another comely young man, wearing the uniform of an officer of the United States Army and looking every inch a soldier, as his son, about to enter upon active service where the war was then raging. How amply his pride was justified was evident on the spot, and I knew him sufficiently to understand how deeply he was stirred by the mingled emotions of elation that his son had consecrated himself to the service of his country and of apprehension of the perils which awaited him.

Address by  
Mr. Parkinson

When Judge Baker came to this bench, the challenge to maintain or surpass the standard his predecessors and associates had established was an exacting one only to be successfully met by unusual talents, attainments and persistent devotion to the duties of his office. How splendidly he responded to this challenge all of us know who have seen as much of his work as I have.

It has been my privilege—a privilege I shall greatly treasure as long as I live—to know personally and appear professionally before every circuit judge of this Circuit before and since the Court of Appeals was created, beginning with the venerable Judge Drummond, the first to hold that office, who was still holding Circuit Court when I began coming here to argue cases, before I became a resident of this Circuit. I include in this every Justice of the Supreme Court who has sat in this

Address by  
Mr. Parkinson

Circuit, beginning with Justice David Davis. I know what manner of men, what accomplished jurists, what patriotic citizens have been, and are, among them. This bar and the citizens of the states comprising this Circuit have reason to remember them with pride and gratitude—the more so since Judge Baker became one of them and added to this already illustrious succession of able lawyers and devoted public servants the luster of his distinctive genius. Among this brilliant constellation, we shall remember him as a bright particular star.

I have no words of my own so fitting to close my personal tribute as those I shall borrow from him and apply to him. They occur in his beautiful tribute to his predecessor as presiding judge, who had then resigned. They illustrate the clarity, precision and felicity with which Judge Baker was wont to utter his innermost thoughts. More than this, they seem to me to disclose what their author conceived to be the ideal attributes of a great judge—an ideal upon which he had much meditated and into conformity with which he aspired to fashion his own life and character—an aspiration which he so realized as to justify me in thus adopting them. After ascribing to his predecessor great capacity for “clear, orderly, compact expression,” he said—I shall read his words lest I mar their exquisiteness by interpolating a word of my own:

“And at times a point, already developed in the words of the art in a forceful and unmistakable way, was illuminated and burnt

into the mind by the use of a figure or an allusion that might well grace a poet's page. Instances abound throughout his opinions wherein sidelights from his reading or flowers of speech from his creative imagination, illustrate, perhaps more than they do his judicial qualifications, the equipment of the orator and the statesman. \* \* \* No keener rapier than his was ever flashed in the conflicts of informal debate. What alertness of mind! What logical precision! What scholarly equipment, not only within the law, but throughout the realms of fact and thought! And yet, with all, what kindly consideration and loyal friendship for his associates! But above all else, stood out his trust in an Inner Voice. It was not enough that he should be able to check up his intellectual processes step by step and find no flaw in the result; he needed also, and perhaps, first, to feel intuitively that judgment accorded with conscience. For in his soul there dwelt a serene faith in the immortal destiny of man and man's communion with and accountability to a Divine Father"

These words, spoken by this master of expression, intended for his predecessor here, who has since preceded him in the great hereafter to which the faith of both looked serenely forward, may well abide in our memory as interpreting and revealing Judge Baker as we shall fondly think of him.



## The Portrait

**Committee  
and  
Contributors**

On behalf of the following members of the Bar of the United States Circuit Court of Appeals for the Seventh Circuit, the committee consisting of

Silas H. Strawn, Chairman,  
George T. Buckingham  
Edgar A. Bancroft  
W. Clyde Jones  
Charles H. Hamill  
Horace Kent Tenney  
Charles S. Cutting  
Amos C. Miller  
Wallace R. Lane  
Carl Meyer  
George I. Haight  
Benjamin V. Becker  
Percy B. Eckhart  
W. Tracy Alden  
Elwood G. Godman

presented to the court a portrait of the Honorable Francis E. Baker, lately presiding judge of that court.

Adams, Albert H.	Bangs, Hal C.
Adams, Cyrus H., Jr.	Bangs, William D.
Adams, Samuel	Barbour, James J.
Adeock, Edmund D.	Beacom, Harold
Aldrich, Charles H.	Becker, Benjamin V.
Ames, Robert L.	Bell, Laird
Ashcraft, E. M.	Bell, Marcus L.
Austin, Edwin C.	Belt, William O.
Austrian, Alfred S.	Best, Ernest O.
Baar, Arnold R.	Black, John D.
Bachrach, Benjamin C.	Blum, Henry S.
Ballard, Ernest S.	Bobb, Dwight S.
Bancroft, Edgar A.	Boettcher, Arthur H.
Bangs, Frederick A.	Booth, Thomas B.

Borrelli, Francis	Dailey, Frank C.
Boyd, Darrell S.	Defrees, Donald
Boyden, William C.	Defrees, Joseph H.
Boyden, William C., Jr.	Dennis, A. B.
Bradley, Ralph R.	Dent, Louis L.
Branand, Robert, Jr.	Dick, Homer T.
Brand, A. Arnold	Dickerson, Dwight
Brown, Charles A.	Dobyns, Fletcher
Brown, Charles LeRoy	Dowd, William J.
Brown, Milton A.	Dowell, Osgood H.
Brown, Taylor E.	Dunbaugh, Harry J.
Brown, Wellington G.	Dupuy, George A.
Buckingham, George T.	Dyrenforth, W. H.
Butler, Comfort S.	Eastman, Albert N.
Butler, Rush C.	Eastman, Sidney
Burry, William	Corning
Byron, Charles L.	Eaton, Marquis
Caldwell, Louis G.	Eckhart, Percy B.
Campbell, Bruce A.	Ellis, Howard
Carey, James P., Jr.	Elting, Victor
Case, William W.	Emery, Everett S.
Cassels, Edwin H.	Emery, Frederick L.
Chancellor, Justus	Enoch, A. B.
Cheever, Dwight B.	Erwin, Louis B.
Chicago Title & Trust	Everett, Edward W.
Co.	Falk, Lester L.
Chindahl, George L.	Files, Norton M.
Chritton, George A.	Fink, Albert
Clapp, Harry L.	Fisher, George P.
Clarke, David R.	Fisher, Walter L.
Condit, J. Sidney	Fisher, Walter T.
Cox, Arthur M.	Fleming, Joseph B.
Cox, Howard M.	Follansbee, Mitchell D.
Cromwell, Wm. Nevarre	Forstall, James J.
Curtis, Edward G.	Foster, Stephen A.
Curtis, Everett N.	Frank, Jerome N.
Cutting, Charles S.	Freeman, Charles Y.
Davis, Abel	Freeman, Henry W.
Davis, Frank Parker	Fyffe, Colin C. H.
Davies, William B.	Gallagher, Michael F.

- Contributors**
- |                          |                        |
|--------------------------|------------------------|
| Gavin, Frank E.          | Hopkins, John L.       |
| Gerlach, Fred            | Holcombe, Amasa M.     |
| Glass, James R.          | Houlihan, Francis J.   |
| Godman, Elwood G.        | Hoyne, Thomas M.       |
| Good, James W.           | Hurley, Stephen E.     |
| Goodwin, Clarence N.     | Huxley, Henry M.       |
| Gorham, Sidney S.        | Igoe, Michael L.       |
| Green, Dwight P.         | Isaacs, Martin J.      |
| Gregory, Tappan          | Jackson, John L.       |
| Greist, Lewis T.         | Jacobs, Walter H.      |
| Grossberg, Jacob G.      | Janney, Laurence A.    |
| Gunn, Walter T.          | Johnston, Morris L.    |
| Hack, Frederick C.       | Johnstone, Frederick   |
| Haft, Charles M.         | Bruce                  |
| Haight, George I.        | Jones, Don Kenneth     |
| Haight, W. H.            | Jones, Louis A.        |
| Hall, Arthur R.          | Jones, W. Clyde        |
| Hamer, Otto M.           | Judah, Noble B.        |
| Hamill, Charles H.       | Keehn, Roy D.          |
| Handy, James S.          | Kelley, Alfred P.      |
| Hansen, George W.        | Kirkland, I. B.        |
| Harding, Charles F.      | Kirkland, Weymouth     |
| Harding, Charles F., Jr. | Knapp, Kemper K.       |
| Harris, Joseph           | Knight, Hervey S.      |
| Hart, Louis E.           | Kohlsaatt, Edward C.   |
| Hawley, Melvin M.        | Kramer, Edward C.      |
| Hawxhurst, Ralph R.      | Kramer, Rudolph J.     |
| Haynie, Wm. Duff         | Kremer, Charles E.     |
| Healy, John J.           | Lamb, William E.       |
| Helmer, Frank A.         | Lane, Wallace R.       |
| Hibben, Samuel E.        | Latham, Carl R.        |
| Hill, John W.            | Lathrop, Gardiner      |
| Hills, Charles W.        | Lawless, Thomas J.     |
| Hills, Charles W., Jr.   | Lee, John H.           |
| Hillyer, Clair R.        | Levinson, S. O.        |
| Hirschl, Marcus A.       | Lewis, Fletcher        |
| Hoffman, Richard         | Lincoln, Robert T.     |
| Yates                    | Lindley, Harold F.     |
| Hopkins, Albert L.       | Lindsey, Harry W., Jr. |
|                          | Lipson, Isaac B.       |

Loesch, Charles F.  
Loesch, Frank J.  
Loos, Karl D.  
Lyford, Will H.  
Macauley, John B.  
Mack, Edwin S.  
MacLeish, John E.  
Maher, Edwin  
Mankle, George  
Mann, Donald H.  
Marshall, Thomas L.  
Martin, Horace H.  
Martin, Mellen C.  
Mason, Frederick F.  
Mason, Frederick O.  
Matson, Frederick E.  
Matthews, Francis E.  
May, George T., Jr.  
Mayer, Isaac H.  
McCormick, Robert R.  
McFadden, Charles J.  
McIlvaine, William B.  
McKeever, Buell  
McPherson, Donald F.  
McShane, James C.  
Mecklenburger, A. F.  
Meyer, Abraham  
Meyer, Carl  
Milchrist, Frank T.  
Miller, Amos C.  
Miller, Lawrence G.  
Miller, Samuel D.  
Mills, Matthew  
Montgomery, John R.  
Moore, Nathan G.  
Morrison, Charles B.  
Morse, Charles F.  
Morsell, Arthur L.  
Mueller, Arthur A.  
Murray, Sidney C.

Neeves, Leland K.  
Nelson, Peter B.  
Newman, Jacob  
Niedner, Frank  
Noble, Glenn S.  
Noxon, Gilbert  
Olson, Arthur A.  
Olson, Edwin A.  
Packard, George  
Paden, Joseph E.  
Palmer, Edward H.  
Parker, Alfred J.  
Parkinson, Robert H.  
Patterson, Perry S.  
Peden, Thomas J.  
Penwell, Fred B.  
Platt, Henry Russell  
Pollard, Willard L.  
Pope, Herbert  
Poppenhusen, Conrad H  
Porter, Gilbert E.  
Prettyman, E. Barrett  
Quindry, Sylvester E.  
Rathbun, Charles F.  
Rector, Edward  
Reed, Allen M.  
Reed, Frank F.  
Reichmann, A. F.  
Rhodes, Carey W.  
Rinaker, Samuel M.  
Robbins, Henry S.  
Rogers, George T.  
Rogers, Edward S.  
Rosenthal, Lessing  
Rummler, William R.  
Schneider, Benjamin B.  
Schupp, Robert W.  
Schwartz, A. L.  
Scofield, Timothy J.  
Scott, Frank H.

## Contributors

**Contributors**

Seibold, A. B.  
Shaw, Ralph M.  
Sheean, James M.  
Sheridan, Thomas F.  
Sheridan, Thomas H.  
Sherman, Roger  
Shorey, Clyde E.  
Sidley, William P.  
Silber, Clarence J.  
Silber, Frederick D.  
Sims, Edwin W.  
Slade, John C.  
Smith, Glen E.  
Soans, Cyril A.  
Stansbury, David D.  
Stern, H. L.  
Stransky, Franklin J.  
Strawn, Silas H.  
Streeter, Wallace  
Swain, George W.  
Taylor, Orville J., Jr.  
Tenney, Henry F.  
Tenney, Horace Kent  
Thiess, J. Bernhard  
Thompson, William H.  
Tobey, Waldo F.  
Tolman, Edgar B.  
Tourje, E. C.  
Towner, Frank H.  
Trumbull, Donald S.  
Tuthill, Richard S.  
Varney, Lucius E.  
Vedder, Beverly B.  
Veeder, Henry  
Wagner, Gilbert F.  
Wales, Henry W.  
Walker, Bertrand  
Ward, Daniel J.  
Warden, Franklin M.  
Wean, Frank L.  
Welch, Albert G.  
West, Roy O.  
White, Harold F.  
Whitnel, L. O.  
Wiles, Russell  
Wilkinson, Earl B.  
Wilkinson, George L.  
Willard, Monroe L.  
Williams, Harris F.  
Williams, Lynn A.  
Wilson, John P.  
Wing, John E.  
Winston, James H.  
Wolf, Henry M.  
Wolf, Walter B.  
Wormser, Leo F.  
Zabel, Max W.  
Zane, John M.



*Mr. Silas H. Strawn, chairman of the committee of the Bar of the United States Circuit Court of Appeals for the Seventh Circuit, addressed the court as follows:*

**Mr. Silas H.  
Strawn,  
Chairman**

If the court please: Col. Buckingham has been designated by the committee to present to the court the portrait of your late associate.

*Colonel George T. Buckingham addressed the court as follows:*

The founders of this nation ordained that the three departments of Government shall be coordinate, equal and independent. Upon that cornerstone, modeled in foresight, and cemented in wisdom, the perpetuity of the Republic rests.

**Presentation  
by Col.  
George T.  
Buckingham**

Executives may falter and prove recreant, legislators may compromise, and bow to the dictates of political expediency—but when the courts of the United States shall cease to be untrammelled, uninfluenced, and independent, then is the end of the Republic at hand.

The courts of the United States, with each succeeding decade, grow more important and more influential in our governmental fabric.

The phenomenal industrial development of the recent decades has more and more cast upon this tribunal, the duty of determining those great new questions—semi-legal and semi-social—which this economic development has brought in its train, and which are destined to shape the history of the Twentieth Century.

The courts of the United States are also charged with the solemn duty to protect the Constitution

Presentation  
by Col.  
George T.  
Buckingham

against executive usurpation, and against legislative impairment. This duty we lawyers believe is the highest and most sacred responsibility ever vested in the power of man.

Wherefore, when this greatest of all Republics built its official home in Chicago, when it endeavored to express in architecture, and to symbolize in steel and stone, its might, and its majesty, it created for the use of its court, ranking highest in this part of the world, this beautiful and artistic setting, expressive of its dignity, and appropriate to its influence, and its power.

Here, within these walls, Judicial history has been written. Here, has come the bar of three great states, to debate and to elucidate vexed and controverted questions of law, and of the structure of government, before the Bench of this Circuit.

Here, in this forum, great causes have been presented. Here, important decisions have been rendered. Here, far-reaching precedents have been established. Here, the rights of the highest and of the lowest, to their private property, to their personal safety, and to their governmental integrity, have been weighed and measured, and crystallized into the law of the land.

Here, within these walls, aloof and detached from the wide domain over which its jurisdiction extends, far above and far removed from the roar of its great metropolis, and the activity and strife which that roar reflects, sits the court of the Seventh Circuit. Here, to this veritable lookout tower of justice, come the frictions and the contentions, and the con-

troversies, of the twelve million humans who live in this circuit, that this high court may render the last judgment, and the final decision, in those vital questions which arise from the active inter-relations of these twelve million souls.

Presentation  
by Col.  
George T.  
Buckingham

Here, on these walls, are the pictures of great jurists who have lived, and toiled, and wrought, in this exalted tribunal, and who have then moved on to the greater judgment.

For all these years it has been the custom of the lawyers of this Bar that when one of the Judges of this Court passed on, his likeness should be installed in this place as a reminder to us and to our successors of his life and his work among us.

Honoring this custom, we lawyers of the Bar have come today to present to these, our brother lawyers of the Bench, this likeness of our departed Chief—who was officially and in fact the first lawyer of this Circuit.

This portrait is the work of a great artist—a great American artist,—Leopold Syffert; One with the genius to mix with his paints the glowing colors of his native California, and to show on inanimate parchment, the animated countenance of one who lives and breathes. With great fidelity he has reproduced these lineaments, which are so firmly imprinted upon the memory and the affections of those here. With the touch of the real artist he has also fixed upon this canvas, for the information of posterity, that fleeting, that imponderable, that impalpable thing, which we,—for want of a better word,—call expression.

Presentation  
by Col.  
George T.  
Buckingham

Here, within these walls was accomplished the crowning work of this great jurist, the likeness of whose features are shown. Here, upon this Bench was the apex and the summit of his life's work—the work of a memorable life.

To the arduous duties of this court he came many years ago,—even then a lawyer of renown, and a jurist of distinction. To the work of this court, for all these years, he has given to the full of his talents, his strength, his life.

Here, in this setting, in these familiar surroundings, we can best visualize him. Here, we knew him in life, and here on the retina of memory he will always remain—the ideal of a truly great Judge.

Here, upon these walls, therefore, is the place of all places which is most appropriate for this likeness of our beloved and departed friend,—this marvel among lawyers, this giant among judges, this Bayard among men.

Here, side by side with those associates of his who have passed before him—Jenkins and Grosscup, Kohlsaet and Seaman—here looking out upon these other associates of his who are still spared to us, it is our hope that this likeness may remain with us, a memory, and an inspiration.

A memory of an intelligence that was rapier keen, an education which in its breadth and scope was almost unbelievable, a knowledge of the law that was wide and comprehensive, a grasp of its philosophy that was sure and definite, and a power of analysis and expression such as is given to few mortals.

A memory of a faithful friend, an unusual personality, a towering intellect, and an integrity beyond all praise.

Presentation  
by Col.  
George T.  
Buckingham

To us his living presence was an inspiration; to other generations of jurists and of lawyers, who shall assemble here to carry on, within these walls, the work which we shall leave unfinished, we hope that his likeness may always remain an inspiration which will tempt men to strive for the high ideals for which FRANCIS E. BAKER stood, and to emulate the monumental work which FRANCIS E. BAKER performed within our sight.



**Response** *On behalf of the court Samuel Alschuler, presiding*  
**by Judge** *judge, responded as follows:*  
**Alschuler**

Members of the Bar: Your presence here, and the resolutions and portrait you bring, with the highly laudatory, though not extravagant, memorial addresses of this morning, abundantly attest the appreciation and esteem of a Bar, which, for a quarter century, was accustomed to practice before Judge Baker.

He was a member of this court, as well as its presiding judge, far longer than any man in its history, and his opinions illuminate an infinite variety of subjects, in every branch of the law.

It is most sad to contemplate that this hall where he sat in judgment since first it was consecrated to the hallowed function of justice, "shall know him no more forever." But the cloud of our gloom must lift with the fuller appreciation of what he here wrought, and of the beneficent, enduring light his work will cast along the highway of judicial administration so long as this remains a government of law.

His mind was broad, alert, and, above all, logical. Doctor Holmes must have had one such in mind in his pleasant allusion to "a man \* \* \* with a three-decker brain, who could harness a team with a logical chain."

Whether on the bench, listening, questioning, and probing, to test the merit of propositions advanced, or in the conference room with his colleagues, intently considering and weighing and sifting the arguments presented, or in chambers studying yet

more deeply the record and briefs, and crystallizing into the living, enduring form of his opinions the conclusions reached, he was always straightforward, earnest and fervid, with an eye singly to the facts and the law of the case. The personality of parties or of counsel or any surrounding influences were to him as nothing.

**Response  
by Judge  
Alschuler**

While tenacious in his adherence to the right as he saw it, no man was more ready to suspend or reconsider his own conclusions, or to recognize the merit of a differing view, and adopt it.

He loved justice and her handmaiden, the law; and the zest and deftness with which he proceeded to unravel the tangled skeins of a controversy was inspiring and helpful to all who heard him, particularly his colleagues.

Without pride of office or lust for the power it confers, its incumbency appealed to him only as an opportunity for human service. His widely recognized mental equipment, coupled in high degree with qualities of courage, industry and honor—indispensable attributes of the truly great lawyer—would have commanded vastly larger material remuneration in the market-places of his profession. But his deep sense of public duty bound him to the far more arduous and responsible tasks of the office he held so long, and filled so completely.

As these resolutions and addresses, when spread upon the records of the court, will be a lasting memorial of the departed Judge, so this strikingly truthful likeness of him, which members of the

Response  
by Judge  
Alschuler

Bar this morning present to the court, will help all who come here to visualize him as once he was.

We who remain to bear the burdens made far more heavy through his absence from his accustomed place, will be heartened by the kindly light of his eyes, the intelligence, firmness and soulfulness of his wonderful countenance as reflected by this picture; and who can say that we may not find inspiration, hope and substantial aid in this substituted presence of our much loved colleague who has gone from us.

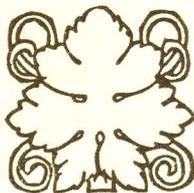
Long after we who have gathered here shall be but faded memories, the truthful words of these resolutions and addresses, and the fine lineaments of this picture will help to a better understanding of the man who, through his wide learning and intimate knowledge of the law, with his extraordinary felicity of exact expression, evolved those opinions which will be cited to this and other courts so long as a system for orderly administration of justice shall prevail in our land.

Of my near nine years of close personal relation with him I must forbear to speak. Occupying together the same suite as our chambers, our contacts were frequent and our discussions many, but serving only to strengthen friendship's bond, and make the pain of its final severance the more keen and lasting.

On behalf of this court I extend you its thanks for your signal and historical contributions of this morning.

It is the order of the court that the resolutions and addresses be received and spread at large upon the records of this court, and that the portrait of Judge Baker be accepted and hung upon the walls of the courtroom wherein this court is principally and customarily held; and that as a further mark of respect to the memory of the deceased, this court stand adjourned until 9:30 tomorrow morning.

**Response  
by Judge  
Alachuler**



*The portrait which is reproduced as a frontispiece to these proceedings is the work of*

LEOPOLD SEYFFERT—Born in California, Missouri—in 1887.  
Attended Stevenson Art School in Pittsburg,  
Attended Academy of Fine Arts in Philadelphia;  
Studied in Spain under Zuloaga.

*Examples of his portraits are in the following museums.:*

Art Institute of Chicago,  
Pennsylvania Academy of Fine Arts,  
Corcoran Gallery in Washington, D. C.,  
Art Museum of Los Angeles.

*Honors and Awards:*

Proctor gold medal for portraiture—National Academy of Design,  
New York.  
Altman prize—National Academy of Design—New York.  
Hallgarten prize—National Academy of Design—New York.  
Beck gold medal for portraiture—Philadelphia Academy of Fine  
Arts.  
Temple gold medal—Philadelphia Academy of Fine Arts.  
Gold medal of the Art Club, Philadelphia.  
Potter Palmer gold medal—Art Institute of Chicago.  
Frank G. Logan gold medal—Art Institute of Chicago.  
Wm. R. Hearst prize—Art Institute of Chicago.  
Honorable mention—Carnegie Institute—Pittsburg.

*The following are some of the portraits that he has painted of persons of prominence:*

United States Circuit Judge Buffington of Pittsburg.  
Judge Andrew Grey of Wilmington, Delaware.  
Judge Harry McDebitt of Philadelphia.  
Judge Gummey of Philadelphia.  
Chief Justice Brown of Pennsylvania.  
Attorney-General Palmer.  
General Bliss.  
Samuel Gompers.  
John Wanamaker.  
E. T. Stotesbury of Philadelphia.  
Irving T. Bush of New York.  
Walter Jennings of New York.  
Leopold Stokowski.  
Fritz Kreisler.

*And the following Chicagoans:*

Frank G. Logan.  
Frederick H. Rawson.  
E. D. Hulbert.  
John Hardin.  
Dean Hall of University of Chicago Law School.  
Prof. Floyd Meachem, University of Chicago Law School.  
Mrs. James Simpson.  
Mrs. Frederick H. Rawson.  
Mr. and Mrs. Percy B. Eckhart.