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Elliott E. Cheatham—Gentleman

It was suggested to the writer that he write about Elliott E. Cheatham as a colleague in the field of legal education. This is but one aspect of his special pre-eminence, but any aspect of this man finds its ultimate foundation in his underlying and pervasive qualities as a gentleman. Kindly in the face of student stupidity, gentle in persuading his obstinate colleagues, loving in his more personal relations, the man embodies the best that can be connoted by the phrase "Southern gentleman."

My contacts with Elliott were during the long years when we both were on the faculty of Columbia University in the city of New York. Kent Hall was then our School Home. Common hallways, offices close together, tedious faculty meetings at which we sometimes were seated side by side, sometimes only the mystic bond of common interest in developing and teaching Trusts and Estates, enabled us to grow to know each other below the surfaces. Frequent lunches at the same table in the Faculty Club gave us a chance to see the reaches of each other's minds. A quiet query interjected by Elliott often revealed the serious attention paid by him to the more casual ideas of his companions.

Early in our joint time at Columbia we agreed that instead of three separate courses on Trusts, Future Interests, and Testate and Intestate Succession, one course should be offered embracing these bodies of law, so unified by history and by the experience of practicing lawyers. Elliott brought to the task a strong background in Trusts. My experience had been more extensive in the law of Future Interests. So we worked out a combination of the things most familiar to each, and the result was a course offered for eight points of credit, four in each semester of the second year. During part of the seven years of experimental work, each of us taught part of the course each year. In the course of time each of us taught all parts of the subject matter. The eventual casebook was published in my name. The preface written in 1932 makes this wholly inadequate recognition of Elliott's share in this enterprise:

Professor Elliott E. Cheatham of Columbia University School of Law has taught from these materials in their tentative form during parts of the past two years, and has been constantly generous and helpful with constructive suggestions both as to content and organization.

This provides a good illustration of the way in which Elliott worked in the field of legal education. Not anxious at any time for personal glory, he constantly helped his colleagues in any task where his thinking and experience could contribute. There are many books and many articles listed under the names of others, where the "One Who Knows All" would have noted Elliott's share in the accomplishment.

For many years Elliott Cheatham and the writer shared in teaching Trusts and Estates to our total second year class, numbering upwards of 200 students. Each of us was anxious to stimulate our students to do the best work of which they were capable. Our methods were completely different. Following a pattern of behavior found effective (for me) in prior years, I was somewhat aggressive, sometimes sarcastic, seeking to make the students work hard in self-defense. Elliott was never sarcastic, never personally unpleasant. He seemed so grieved, however, when a student did poorly that the student then and there vowed never to cause this gentleman such grief in the future! Both methods worked, but I suspect Elliott's method earned more affection than did mine.

When our paths parted as a result of our separate retirements, Elliott brought his talents to Vanderbilt. I have no uncertainty that his qualities remained constant and that both the curriculum and his colleagues at Vanderbilt have found him a tower of strength, a source of wise counsel, and a vital contributor to the progress of legal education. This assurance finds very real support in my own experiences of the past ten years. During that time I have taught in several law schools and met many law teachers and lawyers around the country. As to no other one man has there been such unanimity of affection and respect expressed by those who have been fortunate enough to know him.

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