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EDMUND M. MORGAN

Eddie Morgan was graduated from the Harvard Law School a year before I went there as a student. Thereafter he was actively engaged for several years in the practice of the law in Minnesota. I did not yet know him. But in 1912 he began the teaching of law, first at the University of Minnesota and then at Yale. In the meantime I had become a law teacher myself, and at the meetings of the Association of American Law Schools and elsewhere I soon came to know him and gradually to know him well. Hence, I was very happy when, in 1925, he accepted an invitation to join the faculty of the Harvard Law School. He and I then worked together for many years in the teaching of Civil Procedure. And of course he became the great master of the law of Evidence.

During the twenty-five years of his work at the Harvard Law School he made a deep impression on his colleagues and on his students, and, indeed, on all who came in contact with him.

The first characteristic which impressed us all was his intellectual integrity. He set a high standard for himself and expected his students and his colleagues to reach that standard.

He is a thorough scholar. The wide scope of his knowledge of the law results from his intelligence and his industry.

He has always been ready to help his colleagues and his students and all who call upon him for guidance. He is a very present help in time of trouble.

He has always had a fine sense of humor. Not only can he express himself with great wit, but he appreciates wit and humor in others.

His ripe scholarship, his gifts as a teacher, and his appealing personality made him a leading figure on our faculty. Twice he ran the show as acting dean, and his wisdom and qualities of leadership were invaluable to the school.

It is fortunate for the legal world that he has continued for so long in the teaching of law.

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EDDIE MORGAN

Everyone who knows him well speaks of him as Eddie Morgan—or simply as Eddie. This includes his colleagues, whether they are at the same school or another one; his students, though this is privately, of course, when they are talking about him among themselves; and his former students. Especially his former students. No matter whether they have been out of school for many years or just a few years, they ask about him in the same way. The face and the voice disclose an admiration for him and a touch of awe, and yet at the same time a different feeling of possessory pride and an affectionate readiness to protect him against the calumnies or derogations of those who had known him but somehow had not learned to appreciate him. It takes a great teacher and a strong personality uniformly to create an impression of this nature on his students. I do not propose to present a biography of him here, but I should like to list some of the personal characteristics which are elements of his greatness.

Eddie Morgan sets his own standards and he adheres strictly to them. They are true standards of excellence; he has no tolerance for the pretty good, or the ordinary or the mediocre. At any school where he has ever taught it has quickly become apparent that he has his own standards of grading and that he is the toughest grader in the school. Grading time is always like Gethsemane to him. He dislikes to give low grades, but his standards will not let him give higher grades than he feels are warranted. After carefully grading the papers and then seeing the range of the grades he decides that he must be the poorest teacher in the Association. Any law teacher knows the experience, but it is greatly exaggerated in Eddie's case.

Eddie's standards of excellence apply not just to the grades he gives his students. A law teacher must be "top notch" before he is entitled to be elected a permanent member of the faculty. "Many a law school has been ruined by taking on teachers who were 'just good.'" And a law school must set for itself not just goals of excellence: it must put them into operation as presently existing rules and regulations.

One application of this characteristic of EMM is his complete intolerance for hypocrisy and his utter insistence on intellectual honesty. He doesn't hesitate to criticize vigorously—openly and even to his face—anyone who fails to meet this standard. How many people, high in law school, governmental or other legal affairs, have been subjected to the weight of this criticism. He also has a strong dislike for sloppy legal analysis or for illogical reasoning.

Eddie Morgan becomes an important part of every activity in

which he participates and he thoroughly identifies himself with any institution with which he is connected. To such institutions, and to his friends, he extends an intense and unfailing loyalty. This is not to suggest that he blinds his eyes to their faults or deficiencies. He sees the faults clearly and has no hesitancy in bringing them to the attention of the right persons if he thinks it will do any good. It has never been his philosophy that the way to eliminate a defect is to overlook it in the expectation that it will go away. His loyalty requires him to do his part in bringing about the elimination of the defect.

There was never a more conscientious man than Eddie Morgan, or one with a stronger sense of duty. He has always insisted on carrying a full class-load, and in doing his full part of committee work and extra-curricular activities. Each year he has completely and carefully revised his teaching plan for the coming semester. His exam questions and his grades are always in ahead of time. His legal writing has shown no sign of slacking in quantity or quality. He has found it necessary to reduce his speaking somewhat, but he can still be persuaded to accept an invitation by convincing him that the entire body really needs him and that he may accomplish something worth while.

Eddie is the favorite advisor to many people. He is rough and gruff in class, but students soon learn that he is kind and willing in conferring with a student in his office. Students frequently bring personal problems to him, and he listens patiently and advises wisely. He is genuinely interested in their problems, and happy to assist them so far as he can. The advice may sometimes be hard to take, but the students always recognize it as being sincere. There is no way of knowing how much financial assistance he has personally given to students. Alumni frequently come to see him to seek his advice on a legal or personal problem, and I am sure they write him too for advice. Other faculty members seek his advice freely. And with his experience and wisdom he has been a godsend to me as a dean.

At 83 he is young in spirit and forward-looking and energetic of mind. Physically, too, he is still young. His small, wiry body has remained vigorous and active. He still runs up and down steps and usually walks between his home and the law building, no matter what the weather. Only his hearing has given him any trouble in recent years.

There are few men who can stand off and look at themselves and objectively evaluate their own qualities. Eddie Morgan is one of these, at least in the sense that he fully recognizes his attributes that

might be subject to criticism. Many is the time, for example, when he has openly called attention to his "Welsh stubbornness," and he often explains that his "prejudices" are affecting his decision. Perhaps he is not as completely objective about his admirable characteristics. Most of us who know him well think that he consistently deprecates them. Earlier, I said that he can give out criticism and talk like a Dutch uncle. He can and will take criticism, too, no matter who offers it.

The stories about Eddie Morgan are legion. Students and alumni delight in telling them, and he himself obtains real pleasure in narrating them, especially if they present him in a derogatory fashion. This is not the place to collect them, but three may be justified.

The first is apocryphal (I think). During the last months of World War II, two alumni of the Harvard Law School met in Okinawa during a lull and began to reminisce about their law school experiences. Inevitably, the talk turned to Eddie Morgan, "that tough little bastard in the Civil Procedure class." Quoth one, "When we get back Stateside, wouldn't you like to look around and find his grave and spit on it?" "Not me," promptly replied the other. "I swore to myself long ago that once I get out of the Services, I never would get caught where I had to stand in line for anything."

The second is true (I know). About five or six years ago four students at the Vanderbilt Law School decided to go out to the University of Colorado for summer school, and when they had looked over the offerings they determined to take Evidence because they were sure that it would involve much less work and they could make better grades, even though the teacher was somebody who was brought in from Yale. Came the day of the first class. The students walked in, and there was a familiar little figure at the teacher's desk. It couldn't be—but it was—Eddie Morgan. The explanation? The scheduled teacher was George Demion, who had a fatal heart attack after he had arrived at Boulder. Dean King put in an emergency call for assistance to Eddie, and even though he had planned to take the summer off at his son's summer home in New Hampshire, Eddie promptly changed his plans in view of the obvious need and flew out in time to meet the first class. The rest of the story? Well, two of the boys continued with the Evidence class at Colorado and two changed their schedule and took Evidence the next spring back at Nashville. All four passed the course, but they worked harder on it than on any other in law school and their grades were probably lower than if they had taken the course under any other Evidence teacher in the country.

The last story is one of my own. I like to tell it to the new students in the law school when introducing Eddie to them, and he enjoys it too. It runs like this: Mr. Morgan graduated from Harvard Law School and engaged in the practice of law in Duluth. He did so well that after seven years he was invited to join the faculty of the University of Minnesota. After five years there he became a good enough teacher to be invited to Yale. He kept improving and after eight years at Yale he was good enough to be invited to Harvard. But at Harvard it took him 25 years to become good enough to be invited to Vanderbilt.

On April 26th of this year Eddie and Elsie Morgan celebrated their Golden Wedding Anniversary. For this occasion, as on every anniversary since 1950, when they first came to Vanderbilt, they invited all the law faculty and their wives to a dinner celebrating the occasion. We have always greatly appreciated this fine gesture as a means of sharing their happiness with us. This year the law faculty prepared a "tribute" which was properly engraved and framed and presented to the happy couple. It reads as follows:

"Eddie and Elsie Morgan

"We, their Vanderbilt colleagues in the law, do pay tribute first to Elsie, the gracious lady who transmuted a husband's baser metal into gold.

"We pay tribute no less to Eddie, the stalwart man, who, having learned well his wife's alchemy, has multiplied its use a thousand fold in shaping and touching the metal of young lawyers. Through scholarship and courage he has shaped and improved the law itself. We join with the greatest of living judges in saying that Eddie stands as an ideal of what a scholar and teacher should be, and has an authority on his subject not equaled anywhere.

"We gladly acknowledge and proclaim that our metal, too, has been refined and shaped by the presence of these two, our friends. Through becoming full partners while preserving their individuality they have made a great and distinctive contribution to the Institution to which we all belong. . . ."

"There were giants in those days." This cliché will be the verdict of legal scholars of the future as they look back on Eddie Morgan's record. Edmund Morris Morgan will leave many memories for the years to come. By no means the least of these is the very important part he has played in the progress of the Vanderbilt Law School since World War II.

JOHN W. WADE*

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