



MULTNOMAH BAR ASSOCIATION

100TH ANNIVERSARY

1906 - 2006

**A Century of Service
The 100th Anniversary
Celebration Begins
New Pullout Added**

By Judy A. C. Edwards,
MBA Executive
Director.



Over the course of the year, MBA's history, its contributions to the community and legal world, its celebrated members and the themes that persisted throughout the first century of the organization will be featured in this newsletter with a new four-page pullout. Watch also for articles on the changing practice of law, women and minorities in the bar, trends in law, how specific practice areas have changed and features on law-related organizations.

While we cannot begin to do justice to all who've contributed throughout the years, by describing their impact on the organization and the legal world, we will feature a snippet of these individuals and their legacies. We hope you will enjoy the history and celebrate with us by taking time to read the year-long centennial focus in each issue.

This first issue of the year highlights a few of the people who have had unusual experiences in or have made special contributions to the legal world. We have attempted to dedicate space to a few whose statures have been prominent and others just because we think their backgrounds were intriguing and hope you will think so too.

**MBA 100th Anniversary
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A general discussion was at this time had upon the possibility of an organization amongst the Multnomah Attorneys, and spirited speeches were heard, whose authors emphatically declared that such an association should be strictly non-partisan and non-political.

-Feb. 3, 1906

**Five Generations of
Oregon Lawyers All
Named Thomas Tongue**

By Thomas H. Tongue, Dunn Carney et al.

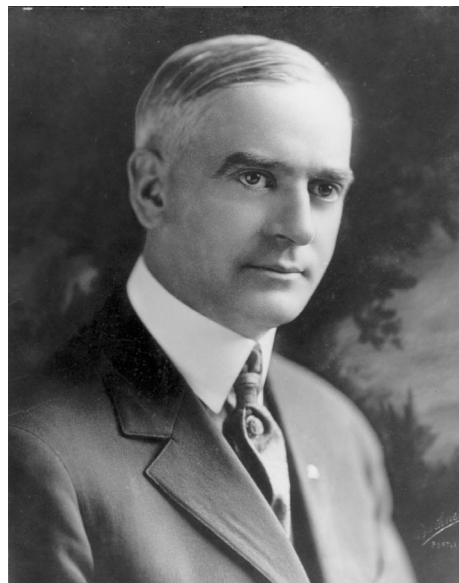
The first Thomas Tongue arrived in Washington County, Oregon in 1859. He was 15 years of age and the only child of immigrant English farmers. The family was preceded by Thomas's uncle, Thomas Otchin. He arrived in 1838 as a contract employee of the Hudson Bay Company. Thomas Otchin eventually settled near North Plains and obtained a donation land claim. He prospered both as a farmer and a participant in the California gold rush. When the Territorial Courts were newly organized, Mr. Otchin brought a breach of contract case against the factor for the Hudson Bay Company. A jury verdict in his favor in the amount of



Thomas H. Tongue, Sr., 1890
Courtesy Oregon Historical Society

\$4,000 was appealed and set aside on a legal technicality. The case is reported as *Tolmie v. Thomas Otchin*, 1 Or 95 (1854). Perhaps Uncle Otchin's legal experience caused him to encourage his nephew's undertaking of a legal career and explains the Tongue family's support for trial by jury.

Young Thomas Tongue attended Washington County public schools and then Pacific University, becoming its second graduate in 1868. He studied law in the Hillsboro office of W.D. Hare. Thomas was admitted to practice in 1870. A marriage in 1869 produced eight children. Thomas supported his family as a farmer as well as a lawyer. He was also a successful breeder of horses. His personal racetrack was used for the County fair. He wrote a daughter with advice before she married a lawyer that, "A wife must care for a lawyer husband as one would care for and groom a thoroughbred race horse." One of his more noted cases was the



Thomas H. Tongue, Jr., 1930
Courtesy Oregon Historical Society

defense of Mr. Oles, who was charged with murder in Portland. He had been tried three times and convicted all three times of first degree murder in Portland. Each time he got a new trial and finally a change of venue to Washington County where Thomas Tongue secured an acquittal.

Thomas Tongue enjoyed debate and went into Oregon politics as a Republican. He was elected to the Oregon State Senate for two terms and in 1896 was elected to Congress from the First Congressional District. It was a hard-fought election. His opponents backed a suit filed during the campaign in the Oregon Supreme Court to disbar Thomas. Thomas represented himself and was acquitted. He was re-elected three times to Congress and died in January, 1903, just before the commencement of his fourth term. His most remembered accomplishment was

**He was re-elected three
times to Congress.**

the promotion of Crater Lake as a National Park. He persuaded President Roosevelt to back his Bill and lived to see Crater Lake become a National Park in 1902.

Both Thomas' sons became lawyers. E.B. "Burke" Tongue was a formidable trial lawyer and the District Attorney for the five Northwest Oregon counties and later for Washington County over a period of 25 years. His younger brother, Thomas Tongue Jr. graduated from Pacific University and attended George Washington Law School while he worked in the Clerk's Office for the House of Representatives in Oregon. He finished law school in 1903 and was admitted to practice in Oregon that year. When his father became a Congressman, he was told that gentlemen have middle initials and, therefore, he started using the middle initial "H" because he thought

it looked good between two "T"s. His son, Thomas, then became known as Thomas H. Tongue Jr.

The two Tongue brothers were never law partners, but officed in the same building in Hillsboro. Thomas Tongue, Jr. was very active in Republican politics and was Chairman of the State Republican Central Committee for years. He was able to commute from Hillsboro to downtown Portland on the railroad in half an hour and frequently did so for gatherings at the Arlington Club, the Multnomah Athletic Club and the University Club. Tom, Jr. represented businesses and farmers in Washington County for over 50 years. His office furniture was passed on to his son and is now his grandson's office furniture.

The two Tongue brothers each received one farm from their father. Thomas Jr.'s farm was located on Tongue Lane, south of Hillsboro. Those who have played Forest Hills Golf Course have driven Tongue Lane to get to the golf course. Thomas Jr. was a religious golfer, i.e. he played golf at Forest Hills every Sunday morning. After dinner he would go back to his office and in front of a warm stove, talk politics with his friends, which included later Governor Paul Patterson. Neither Tongue brother was a very successful farmer and when the depression came along, Thomas, Jr. mortgaged his farm to send his three children to college. The farm was turned over to the lender when he could not pay the mortgage.

E.B. Burke Tongue died in 1939 and Thomas Tongue Jr. died in 1955. Their only decedent to become a lawyer was Thomas H. Tongue, III. Again, the H "didn't stand for anything. A lawyer cousin, Benjamin Tongue Lombard practiced in Ashland as did his son, Ben "Kip" Lombard Jr.



Thomas H. Tongue, III, 1956
Courtesy Oregon Historical Society

Thomas H. Tongue, III graduated from Hillsboro High School in 1930. He entered the University of Oregon that year and was an outstanding student, as well as

(continues on next page)

C.E.S. Wood and Three Generations of Portland Lawyers

By Michael Dwyer, Dwyer & Miller and MBA Board Director.

In the long and robust life of Charles Erskine Scott Wood (1852-1944), his career as a Portland lawyer only begins to hint at the man's many passions, interests and pursuits. He was also a soldier, poet, satirist, reformer, pacifist, painter and *bon vivant*.



C.E.S. Wood as a cadet at West Point, Courtesy Oregon Historical Society

Wood's father dissuaded him from pursuing his youthful literary ambitions, so Wood attended West Point, where he was a mediocre student and chafed under the rigor of military discipline. After graduation he was assigned to the Vancouver Territories, where he served as an infantry officer. In 1877, he fought in the Nez Perce War. Though the precise historical accuracy has been debated, it was Lt. C.E.S. Wood who "recorded" Chief Joseph's eloquent sentiments ("We will fight no more forever") at the time of his surrender.

Wood's journey westward enabled him to see, for the first time, the southeastern Oregon desert, which had a profound impact upon him. Years later, in verse, he would call it "a lean and stricken land."

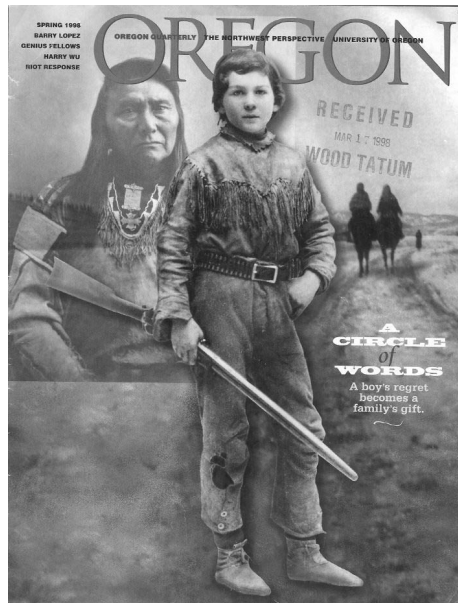
... 'recorded' Chief Joseph's eloquent sentiments...

While still in the military, he obtained his law degree and Ph.D. from Columbia. Upon his discharge, he moved to Portland and began practice in 1884. He practiced law in Portland for 35 years and became a prominent attorney, primarily representing corporations and one of eastern Oregon's biggest land monopolies. A case involving old military wagon roads across Oregon earned him a million dollar fee.

He and his wife moved easily among Portland's upper crust, which enabled him to obtain support for many of his cultural goals, including the library and the art museum. Wood believed that beauty had a liberating influence on the soul and he used his money and personal influence to promote the work of many artists.

He also began to pursue his literary passion. He became a frequent

contributor to, and financial backer of, the *Pacific Monthly*, the region's leading literary magazine. His writing matured, and in 1915 he produced *The Poet in the Desert*, a book-length poem that drew critical acclaim.



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But Wood was always uneasy about wealth, rank and privilege. In a 1921 poem he wrote that the law was a "prostitute" whose "favors are for rich and strong." He became an outspoken social critic, avowed atheist and believer in social anarchy. As a

...outspoken social critic, avowed atheist and believer in social anarchy.

lawyer he defended the free speech rights of Emma Goldman, Margaret Sanger, Portland doctor Marie Equi and many members of the Industrial Workers of the World. He also stopped membership in the state bar for a time when a black man was prohibited from membership.

His personal life was equally colorful. Unhappily married to a leading figure of Portland's social scene, Wood was introduced by Clarence Darrow to a young poet and activist, Sara Bard Field. Their affair scandalized Portland. Sara divorced her husband and became the first American to cross the country in an automobile for a political cause - women's suffrage.

Wood's wife opposed a divorce, but he joined Sara in a bohemian district of San Francisco and they later moved to a rural estate (The Cats) above the village of Los Gatos, California, where they lived a life devoted to writing books, publishing poetry and supporting the cause of social justice. Here, Wood wrote satire and poetry that brought him national recognition, including Wood's best-known book, *Heavenly Discourse*, a 1927 satirical bestseller. Eventually, after the death of Wood's wife, they ended their "free union" and married. She was 58; he was 88.

Wood died in 1941 at the age of 91. During his lifetime he could count among his friends Chief Joseph, Mark Twain, Emma Goldman, Ansel Adams, Robinson Jeffers, Clarence Darrow, Childe Hassam, Margaret Sanger and John Steinbeck.

C.E.S. Wood's son, Erskine Wood, was born in 1879 in Vancouver Barracks, Washington Territories. He graduated from Harvard in 1901 and the University of Oregon Law School in 1912. That same year, he was admitted to the state bar and joined his father's law firm. He became



Erskine Wood poses with Nez Perce Indians in front of Chief Joseph Dam, Columbia River, 1956 Courtesy Oregon Historical Society

the senior partner in the firm of Wood, Tatum, Mosser, Brooke & Holden, and was considered one of the greatest admiralty lawyers in the United States. He tried cases into his mid-90s. He died in 1983 at the age of 103.

After the Indian Wars, Erskine's father had become friends with Chief Joseph. In 1892 when he was 13 and his mother became ill with tuberculosis, Erskine was sent to live with Chief Joseph, his two wives and family for six months at the Nespelem River on the Colville Indian Reservation. The following year, Erskine returned to the reservation and participated in the fall hunt. In 1970, when Erskine was 90 years old, the Historical Society published an account of his experiences as "Days With Chief Joseph." He said that knowing Chief Joseph was "the high spot of my entire life."

And yet, his one lingering regret was that he failed to honor Chief Joseph's wish. His father had instructed the boy to ask Chief Joseph if there was a gift he wanted. Chief Joseph replied that he wished for a fine stallion to improve his herd. Thinking this request too small for such a great man, Erskine never conveyed the message to his father. Several years after Erskine's death, his descendants learned about this regret and in a moving ceremony in 1997 presented the descendants of Chief Joseph with a stallion.

* * *

In 1919, C.E.S. Wood left the practice of law and the firm, which his son Erskine then headed. Later, Erskine's grandson, Erskine Biddle Wood, became the firm's lead partner and practiced until 1986. The present incarnation - Wood Tatum Sanders & Murphy - has the distinction of being the oldest law firm in the state of Oregon, tracing its founding to Durham & Ball in 1870.

Five Generations - Tongue (continuation)

Student Body President. Wayne Morse was then the Dean of the University of Oregon Law School. Morse promised him that if he did well in law school, he would get him a fellowship after he finished. True to his word, Morse performed. He obtained a Sterling Fellowship at Yale that permitted Thomas to get a JSD. His thesis was on the resolution of labor disputes by arbitration and mediation. He then went to work for "that man's government" as his father referred to Roosevelt, in the Labor Department, where he argued several cases in the U.S. Supreme Court. In 1939 he married Bernice Healy. The Healy family also came to Oregon in the 1850's. Bernice's brother, Frank Healy, despite being blinded as a teenager, became a lawyer and was Oregon's Corporation Commissioner for 29 years.

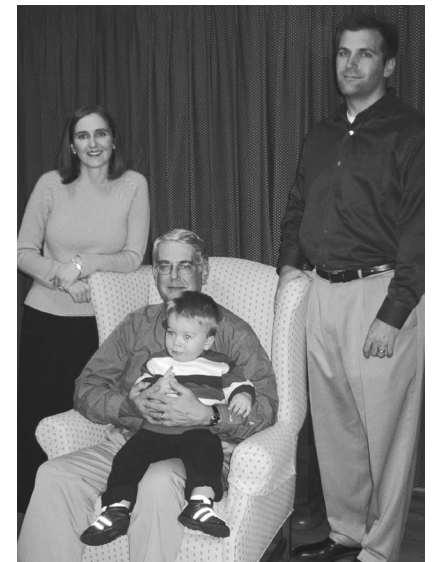
Thomas became the Secretary for the Labor Board for lumber production in

Portland. His job was to resolve labor disputes to keep mills running for the benefit of the War effort. Anticipating that he would be drafted, he decided to try the private practice of law so that he would have had that experience to consider as an alternative after the War. He joined Ed Hicks and, because he failed his draft physical, the practice continued from 1943 until 1967. It was last known as Hicks, Tongue, Dale & Strader. He

He obtained a Sterling Fellowship at Yale...

did appeals and tried court cases. Bill Dale tried jury cases and they were a very effective team. Thomas was active in Bar activities, receiving the OSB's Award of Merit for his many contributions to the Bar. While a member of the Board of Governors he chose to vote for his opponent rather than for himself for the office of OSB President. His opponent won by one vote. There were many discussions around the family dinner about the concept of voting for oneself that followed that election.

As an appellate lawyer he became frustrated with the delays on appeals to the Oregon Supreme Court. In the 1950's he wrote a *Law Review* article that ranked Oregon last among all states in time to decide appeals. Needless to say, the Court did not take the article well. He always was



Kathryn, Thomas H., Jason and Thomas M. Tongue

concerned that the next case that he argued before the Supreme Court was decided adversely to his client's interests because of the article. The case was *Stout v. Madden* and adopted the principle of superseding intervening cause to bar plaintiff's recovery. The principle was reversed not long thereafter.

Thomas H. Tongue, III was always interested in teaching and started teaching evidence at the Northwestern School of Law in Portland in the 1940's. He was particularly interested in the night school program offered by Northwestern School of Law. When the owners of the Northwestern School of Law decided to sell the school, he and other principal faculty members, including Jack Cairns and Jack Kennedy, were influential in having the school come to Lewis & Clark College. One of the conditions of Lewis & Clark to acquiring the school was that it would

(continues on next page)

Jacquelyn Jurkins Law Librarian Extraordinaire

By Carol Hawkins, MBA Executive Assistant.

Soon after the MBA hired its first Executive Director, Multnomah Law Librarian Jacquelyn Jurkins was featured in a July 1978 *Multnomah Lawyer* article as "...the only lady in the state who can tell these nine men [the Colorado Supreme Court] where to go and get away with it."

The MBA and the Multnomah Law Library have been interrelated since 1954, when the bar officers announced a board resolution to take over the library. Lawyers in the MBA believed that the library was inadequate to their needs and were concerned about its possible mismanagement. Over the next 10 years, the MBA succeeded in removing the old board and making the library a truly nonprofit organization. Jacque was hired on a two-year contract in 1964.

Jacque originally came from a small town in east central Wisconsin that is on Lake Winnebago and close to Oshkosh. She still has a sister living there. Jacque attended the University of Wisconsin, where she obtained her LL.B, LL.M and J.D. She started on her S.J.D. there, but decided at that time that she did not want to go into academia (their loss was to be our gain!). While in law school, she worked for a law professor who was a noted authority on wills. He died while she was working for him. She was asked to wind-up his manuscript, send it off to the publisher and close his office. When she went to law school, there was only one other female in her class, who encouraged her into law librarianship.

Jacque went to the University of Washington's Law Librarianship program, under Marian G. Gallagher. Her thesis was on the Washington

**...responsible
for installing
computerized legal
research...**

Supreme Court Library. The librarian at the Supreme Court hired her out of the program. When the University of Washington Law Library received a Ford Foundation Grant to build its Pacific Rim Collection (which was mostly Asian materials) Jacque went back to the University to organize this collection, becoming the International & Foreign Law Librarian. When the Colorado Supreme Court offered her a job in what was to be their new law library, she wore "many hats" in the position, including that of assistant secretary to the state board of bar examiners. She notes that the court was extremely partisan – the court was of one party and the governor and legislature were the other. After a dispute over the location of the new Supreme Court building, the building and the library wound up being de-funded. After Jacque's mentor Marian called and told her about the Oregon law librarianship opportunity, she came here.



Jacque Jurkins

Jacque was also tapped to serve as "the" MBA. She had a phone in the law library that was answered for the MBA. This was our first office – and she was the registered agent for the MBA when it officially incorporated as a nonprofit in 1971. Recognizing her years of unheralded service, Jacque was belatedly honored as the first "unofficial" executive director in 1978 with a gift of roses and a silver bookmark.

Jacque says when she came into the Multnomah Law Library, it was much smaller, and while the collections were good, they were not extensive or updated regularly. Her predecessor, Fred R. Salway, retired March 1, 1963, after many long years of service. Salway was born in December of 1876 and graduated from Cleary College in Michigan in 1890, the year the Multnomah Law Library was founded. In 1907, a law was passed by the Oregon Legislature which allowed funds to be collected from litigants for support of the law library. Salway began working for the law library in 1908.

When asked why she has stayed so long – nearly as long as her predecessor, Jacque says that she truly enjoys the challenges of her work. She was responsible for installing computerized legal research in the library and has kept collections up-to-date and relevant for the lawyers in this area. Jacque has earned the respect of her lawyer patrons. She has had to find room to store collections offsite over the years, and has been flooded out several times when the locations were too close to the river. Jacque views all these events as opportunities. She enjoys problem-solving and organizing. She also used these skills with Lewis & Clark Law School's library, assisting them in achieving accreditation. The Northwestern School of Law was then in downtown Portland, behind the Benson Hotel – and when she began organizing their collection and overseeing its move to the Lewis & Clark campus, the library was housed on the upper floors of the building. Its broken windows nicely accommodated the pigeons that roosted there.

Jacque has watched the practice of law evolve. She says that the computer, while a powerful tool, has caused extensive and unanticipated changes in legal practice. Much legal information is accessible not only to lawyers, but to everyone. She feels the historical evolution of legal concepts from common law is becoming lost today. She notes that theory has long been the basis of law, but sees the research of the law becoming more factual and relying less on underlying theory. She thinks this is because the computerized legal databases are fact or outcome oriented, and less legal theory or historical evolution of law oriented. She is concerned that the legal "big picture" is being lost for those who focus only on what computerized research gives them.

Another change she has seen is that today, there are many more pro se litigants coming in who expect the law library to function as a legal advisor for their cases, and she cannot accommodate them.

The Multnomah Law Library, while a nonprofit corporation, is supported by a percentage of civil litigation filing fees. None of its operating funds come from either OSB or MBA dues. However, all MBA members belong, by virtue of their MBA membership, to the library.

Jacque Jurkins has served us all well, humbly and with enthusiasm for many years. The MBA owes her a great debt of gratitude for her many years of service to all the attorneys in the state.

Five Generations - Tongue (continuation)

continue to maintain a night school program. Thomas H. Tongue, III always admired and respected the hard work and perseverance of students who were working their way through school and felt that there should always be a night school available for such students to afford the opportunity for them to become lawyers.

In 1967 Bill Dale decided to become a Circuit Court Judge and the firm of Hicks, Tongue, Dare and Strader dissolved. Thomas H. Tongue, III became Of Counsel to Mautz Souther Spaulding Kinsey & Williamson. In 1969 he was appointed by Governor McCall to the Oregon Supreme Court where he served until his 70th birthday in February, 1982. He was known as a productive, hard worker and published many more opinions than any other justice every year. Toward the end of his service he took issue with his fellow justices on their delays in getting out opinions and would occasionally dissent for the purpose of making a public record on the fact that this opinion was delayed more than he thought it should be. His colleagues knew how strongly he felt about the issue and did not let it interfere with their collegial relations. After his retirement he participated as a pro tem judge in a number of decisions of the Court.

Having married Bernice Healy, Thomas H. Tongue, III named his first-born Thomas Healy Tongue, thereby eliminating the IV. Thomas Healy Tongue graduated from the University of Oregon in 1965 and from Wisconsin Law School in 1968. He started practice in 1968 with the firm of Morrison & Bailey. Bill Morrison, a president of the American College of Trial Lawyers saw that Tom was given the opportunity to try cases early in his career and he tried numerous cases, finding that he enjoyed doing jury work. He was elected an officer of the MBA in 1973 and its president in 1976. He was always active in state and county bar activities. In 1990 he was the first living recipient of the MBA's Professionalism Award. A second Professionalism Award was received in 2002, the Owen Panner Professionalism Award from the OSB Litigation Section. In 1993 he was inducted as a Fellow by the American College of Trial Lawyers. He served as President of the Oregon Association of Defense Counsel in 1998. The American College of Trial Lawyers elected him a Regent in 2003. He continues trial work at the same firm, which is now known as Dunn Carney Allen Higgins & Tongue.

Thomas Healy Tongue's two children, Thomas Michael Tongue and Kathryn

Ann Tongue, both became lawyers. Thomas Michael Tongue graduated from Vanderbilt University with a degree in Economics in 1995 and received a joint JD/MBA from the University of Oregon in 1999. He works at Schwabe Williamson & Wyatt as a business lawyer. His sister, Kathryn, graduated from Northwestern University with a degree in Journalism in 1998 and from Northwestern University Law School in 2001. She then clerked for Justice Randolph of the D.C. Circuit and married her high school

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sweetheart, Andrew Watts. Andrew's father, uncle and both grandfathers were Oregon lawyers. Kathryn then clerked for Justice Stevens of the U.S. Supreme Court from 2002 to 2003. She returned to Chicago and after working at Sidley Austin Brown & Wood for two years, she is now a Visiting Associate Professor of Law at Northwestern University School of Law, teaching federal jurisdiction and administrative law.

These five generations of Oregon lawyers have never practiced law in the same firm together. Each generation has approached the practice of law in a different way, each striving to continue the family tradition of excellence and professionalism. Each has found the law as practiced in Oregon a most enjoyable profession. The family now includes young Jason Tongue, age one. It remains to be seen if the lawyer "gene" has been passed on.

Bullivant Pledges \$20,000

Bullivant Houser Bailey recently pledged \$20,000 to the new Community Gift Fund commemorating the MBA's 100th anniversary. Administered by the Multnomah Bar Foundation, the Fund will promote civic education and participation. For more information please contact Guy Walden at 503.222.3275.

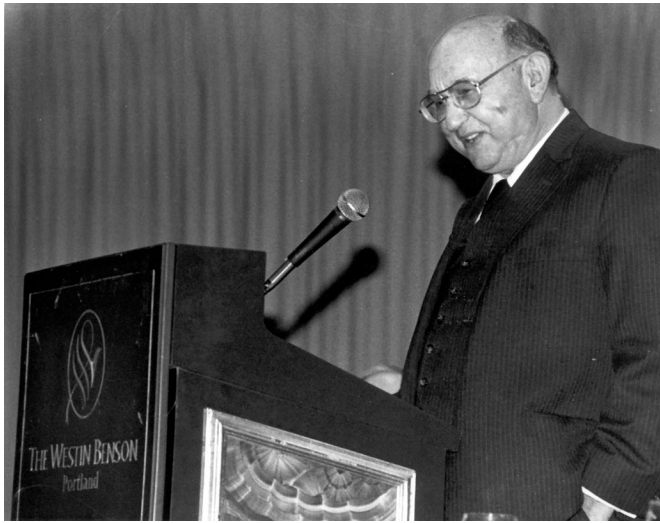


David A. Ernst, Managing Partner
Portland Office, Bullivant Houser Bailey

Gus J. Solomon

By Hollis McMilan, Attorney at Law.

“Judge Gus Solomon was a legend in our time. We can honor him by doing our job without waste and malice, so that someday we too can leave this place a little better than we found it.” Those words were written by Ernie Bonyhadi in 1987 in the *Multnomah Lawyer* in a tribute to Judge Solomon after his death. Nearly 20 years later, Judge Solomon’s legend has not diminished and the call to honor him is as pertinent today as it was when first written by Ernie Bonyhadi.



Judge Gus J. Solomon

Gus J. Solomon was born in the same year the MBA was established. Thus, it is particularly fitting to honor his memory as we celebrate the 100th anniversary of the MBA.

Solomon was raised in Portland and graduated from Lincoln High School in 1923. He pursued undergraduate studies at Reed College, the University

...an outspoken advocate of civil liberties...

of Washington and the University of Chicago where he graduated in 1926. He then attended Columbia University Law School and Stanford University Law School. After graduating from Stanford in 1929, he returned to Portland and founded the firm now known as Kell Alterman & Runstein.

As described on the Kell Alterman Web site, Solomon “cultivated a varied clientele but counted public power as a pet project. The community-minded Solomon actively supported the creation of a public-utility district in Portland, along with the development of the Columbia River hydrosystem. In 1939, the Bonneville Power Administration (BPA) was created, and Solomon became the liaison between the public-power movement and the BPA. The BPA’s primary mission was to deliver electric power to underserved rural and urban areas.”

In addition to being a champion of public power, Solomon was an outspoken advocate of civil liberties. He was one of the organizers of the Oregon Chapter of the ACLU. During the early days of World War II, Solomon represented many Japanese Americans who were fighting against exclusion orders and he actively helped the returning Japanese Americans after the war. Solomon unsuccessfully attempted to persuade the national ACLU to help him defend Minoru Yasui. He was awarded the E.B. McNaughton Civil Liberties Award in 1965 in recognition of his commitment to civil liberties.

His distinguished career in private practice ended when President Truman nominated Solomon to a newly created position on the Federal District Court. He was confirmed by the Senate on June 27, 1950, received his commission on July 5, 1950 and served as chief judge from 1958 until 1971, when he assumed senior status.

During his many years on the bench he became famous (or infamous) for demanding excellence, diligent preparation, strict adherence to the rules, brevity, focus on the core issues and concise writing from those who

appeared before him. There are many stories circulating about Judge Solomon’s efforts to elevate the level of practice in his court. Two of my favorites: Monte Bricker recalled taking an order to be signed. Judge Solomon took a look at it and admonished Bricker: “Go back to your office and read the rules, young man.” Embarrassed, Bricker said he raced back to his desk, discovered the error and corrected the order. He then returned to the courthouse with the order. Judge Solomon called him into his chambers and said, with a twinkle in his eye: “I know that you didn’t prepare that order, but I wanted to teach you a lesson. If you come to court as prepared as your Uncle Lou Schnitzer always has been, then you will do a good job in your profession.”

Sid Lezak told another of my favorites in the April 1987 issue of the *Multnomah Lawyer*. He is quoted as follows: “[Solomon] was a most unforgettable man, although not all of our encounters were positive. In 1952 I was assisting Frank Pozzi, representing the longshoremen’s union in an injunction action. It seems there was an emergency on the docks, and the hearing continued until 11:30 at night. As I stood for what I hoped would be one final argument, Solomon pointed his finger at me and said, ‘Speak faster, Lezak!’”

Solomon was not all about fierce advocacy and elevating the practice of those who appeared in front of him, however. He was also a man of great generosity of spirit. Many of his clerks recall how he treated them as family and many became friends

...a man of great generosity of spirit...

for life. Representative of how his clerks felt about him is this description from Jonathan Ater quoted in 1987. “For me it was most memorable the way he and his wife, Libby, adopted my wife, me and our small son when we first came to Portland. He was a terrific friend, most giving in his grandparent attentions to our family. Besides learning about the law, I got a great friend out of it. We remained close family friends: he came to our daughter’s wedding.... There’s an informal alumnae club of his former law clerks. We’ve held numerous gatherings over the years; our relationship became an extended family.”

He was equally warm and caring to his judicial colleagues. Judge Panner kindly provided the following remembrance for the MBA. “One of the many wonderful

characteristics of Judge Solomon was his generosity. It was always a pleasure to appear in his court. Until I became a judge, I never realized just how kind and generous he was. Judge Frye, Judge Redden and I all came on the court at the same time and he immediately and continuously until his death, looked for opportunities to provide and assist us. When the work was heavy and I was starting early and finishing late, he was nearly always there with coffee and doughnuts or some treat.

“At that time, all opinions were circulated to all judges and magistrates before they were entered. He routinely made excellent suggestions and in fact, conducted writing ‘classes’ for us.

“I always admired him as a judge for his ability to expedite the setting and trial of cases. As an associate he became a great friend.”

Senator Hatfield was also a fan of Judge Solomon. Introducing remarks of former Solomon clerk, Stephen Gillers, into the Congressional Record, Hatfield said: “The late Judge Solomon was an inspiration to everyone who had the pleasure of knowing him. He was a dedicated and honest man with a keen intellect and a fierce love of the law.”

Stephen Gillers, a former clerk, remarks at the ceremony renaming the Gus J. Solomon Courthouse were quoted in the Congressional Record. He said: “The public’s ambivalence about judges and the individual anonymity of judges may partly explain why it is so rare for the people, through their elected representatives, to name a building after a judge. Indeed, if it were not rare, our Supreme Court building in Washington would long ago have been named for Chief Justice John Marshall.

Nor were Oregonians ambivalent in their fondness for him. Gus was a son of this state and this city.

The very rarity of our purpose here today therefore bespeaks Judge Solomon’s importance to the people of this state.

“Gus Solomon was, of course, decidedly not anonymous. Nor were Oregonians ambivalent in their fondness for him. Gus was a son of this state and this city. As lawyer, judge and citizen, he was visibly part of public life here for nearly six decades. I haven’t done an opinion poll, but I bet that for the man or woman on the street, Judge Solomon’s name recognition would set some kind of record. And outside the state, traveling, Gus was the best good will ambassador one could wish for.”

Judge Solomon touched the lives of many as a lawyer and as a judge and in so doing, he definitely left this place better than he found it. Portland and the MBA are indeed fortunate to have had a man of such integrity, dedication and conscience as one of its preeminent citizens and members. We could do no better than to follow Ernie Bonyhadi’s call to honor the memory of Judge Solomon by doing our jobs as lawyers “without waste and malice” and perhaps with that twinkle in the eye that took the sting out of the rebuke still remembered by Monte Bricker.

Thank You to MBA 100th Anniversary Committee Volunteers

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Mark May 13 on Your Calendar

Please mark May 13 on your calendar now for the MBA 100th anniversary party at the Portland Art Museum. You will be treated to a rare opportunity to celebrate the MBA’s 100 years and pay tribute to the legal profession. Join us for music, cake, champagne toast, presentation of the first MBA 100th Community Gift and a light-hearted celebratory program.