

# California Law Review

VOL. XV

MARCH, 1927

Number 3

## Alexander F. Morrison: the Lawyer and Citizen

ALEXANDER F. MORRISON was born in Weymouth, Massachusetts, February 22, 1856. He lived nearly his whole life in San Francisco, for he went there with his parents when he was eight years old. There he received his common school education. He graduated from the University of California in 1878 and from Hastings College of the Law in 1881. One of his classmates at the University was Miss May B. Treat, whom he afterwards married on April 27, 1893. He died at Singapore, November 13, 1921, while on a pleasure trip to the Orient.

Mr. Morrison was by profession a lawyer; he practiced his profession in San Francisco for forty years; and he stood in the foremost ranks with his brethren at the Bar and was universally esteemed and beloved by each and all of them. Yet the fame of the practicing lawyer is proverbially brief. Even in the case of the great advocate, unless his cases, like those of a Daniel Webster, are connected with large public interests affecting the common weal, his reputation often dies when he has argued his last case. The attainment of enduring eminence within the law itself is achieved rather by our great judges—a Marshall, a Shaw, a Field, and many others; and by noted writers on the law—a Kent, a Story, a Pomeroy.

Mr. Morrison will be remembered not only because he was an able lawyer but also because he was a great citizen. He was a great man in private life. He never held a judicial position, though he was eminently qualified to have done so. He did not write a book, yet his life itself is a volume worthy to be studied. He needed no official nor outward insignia to distinguish him, for he was intrinsically great.

Mr. Morrison brought to the practice of the law the ideal of thoroughness and intellectual sincerity. He had that depth of scholarship—that scholarly attitude and habit of mind—which the college of fifty years ago, with its narrower curriculum and fewer students,

was perhaps better adapted to foster and inculcate than the larger university of today, with its more widely extended curriculum and larger number of students. This scholarly attitude of mind of Mr. Morrison expressed itself in the practice of the law in the thoroughness with which he studied every legal problem and with which he drafted every legal document. His ripe scholarship and his good judgment made him an exceptionally strong counsellor, and gave force to his arguments on legal questions before a court. But, as has been said of that great lawyer, John Chipman Gray, "The dust of the arena had no attraction for him, and he was not fitted to enjoy the struggles and squabbles of jury practice." His scholarly tastes also found expression in his accumulation of a large and varied private library, where his reading made him a widely read and deeply cultured man.

Mr. Morrison had what is more important to a lawyer even than scholarship—rugged honesty. There is not meant by this, the plain and common honesty which every lawyer worthy of the name has and must have to satisfy the ethics of his calling, but rather, that militant honesty which ever sought to resolve all possible doubts against his own self-interest and in favor of his client, and which set as the standard of his conduct not the legal measure of honesty which satisfies the test of the law, but always the Christian standard of absolutely fair dealing between man and man. Ruskin says, "Truth is the equator and girdle of all the virtues." And so in the case of Mr. Morrison, it may be said that truth, with its social expression in honesty and justice in all of his relations with men and women, was the foundation stone of his character. And this quality in his character made him abhor sham of every kind and gave to him that simplicity, or guilelessness, which was one of his distinguishing characteristics.

Intellectual honesty, which must ever adorn the mind of the scholar, was another expression of Mr. Morrison's love of truth. He never assumed to know what he did not; he generously accorded to others, in conversation and argument, full credit for any contribution to his own thought; he never shifted his position in argument except openly and honestly.

Clients soon discovered these predominating qualities of scholarly thoroughness and complete honesty, and their confidence in him was entire. A client once gained invariably became his friend and remained his client and friend ever afterwards, the bond between them growing stronger with the years. And so it came to pass that in the forty years of practice at the Bar, he built up a large clientele—

one of the largest and best in San Francisco. During the last few years of his life Mr. Morrison devoted much of his time taken from a busy practice towards promoting reforms having to do with the improvement of the administration of justice.

Another attribute which Mr. Morrison had in an unusual degree, both as lawyer and private citizen, was independence of judgment, and the courage at all times and under all circumstances to maintain his independence. We hear much today about the so-called commercializing of the law, the making of its practice a business rather than a profession, and doubtless there is much to justify such criticism. There has been a rapid expansion of commercial activities throughout the world and especially in this country, and in these activities the lawyer has naturally taken a large part. He is not only the legal adviser of the heads of large business interests, but is often a co-administrator with them of business policies. In consequence of this close relation between the legal profession and the business world, there is frequently a strong tendency for a lawyer or group of lawyers to become identified with the business interests with which they are connected, and to grow subservient to them. It may be said that Mr. Morrison during the last twenty-five years of his life was as closely identified with the larger business interests of San Francisco and California as any of his contemporaries at the Bar. Yet it is absolutely true that he never at any time sacrificed his independence of judgment, nor his personal dignity, nor the high ideals of his profession, to the interests of any client—however powerful. And it is a tribute to the business interests of which he for so many years was the counsellor, that his was the type of legal service which they really wanted. The distinct tendency of Mr. Morrison's influence was to draw business up to the plane of a profession—to the same high plane of his own profession—where these business interests would recognize more and more their relation to the common weal, and would appreciate ever increasingly the necessity and wisdom of making their business ethics and practice conform to the standards of social and economic welfare.

Another fine illustration of Mr. Morrison's character was his interest in the success of the younger members of the profession. This interest was exemplified by the fact that in his later years of practice he associated with him in partnership the younger men of his office. He felt that the men who had proved themselves worthy, in his opinion, of advancement should be given recognition as partners in his firm. The respect and affection which the young men of his law office had for him is one of the noteworthy facts of his

life. His sound scholarship, his rugged honesty, his instinctive sense of justice, his generosity—which knew no bounds, his uniform personal kindness and his common humanity, bound all of his associates to him and compelled their hearts to pay to him their voluntary tribute.

Although the profession of the law brought to Mr. Morrison success and honor, yet his attainments in this exacting profession are not what most distinguished him from other men. If an attempt were made to describe Mr. Morrison's character by a single word in an endeavor to point out his most salient characteristic as a man, he might be called a "philanthropist"—using the word in its literal and primary meaning of "a lover of men." By a happy coincidence, Mr. Morrison's name "Alexander" by derivation means "a helper or defender of men." Mr. Morrison was all human. There was about him that touch of "nature" which is said to "make the whole world kin." This was the reason why men and women, old and young, rich and poor, so loved him. He had that personal dignity—greater than kingship—which made all people respect him.

Any description of Mr. Morrison's character would be incomplete which did not allude to his modesty. There are few men in whom the ego was submerged to as great an extent as in his case, and in whom the personality of the other person—whether client or friend—was more generously in the forefront of his thoughts. Perhaps this, together with his quiet humor, is the explanation of his rare charm, and was the reason which made every acquaintance desirous of being his friend, and which made his society equally welcome to the savant and to the business man.

And like a silken thread running through the warp and woof of his character was that moderation or balance which the ancient Greeks exalted as being the noblest gift of heaven. This moderation and balance gave him that poise or reserve which was so noteworthy a trait of his nature.

At the present time, when the materialism of the age beats hard against the spiritual ideals which are ever embodied in true character and in unselfish loyalty to causes for the betterment of mankind, when success in life is too often appraised in terms of measures of gold, it is well to pause, if only for a moment, and contemplate the life of a man like Alexander F. Morrison, which, in such large measure, both typifies the ideals of the American lawyer and exemplifies the cardinal virtues of the best in American manhood.

*Edward Hohfeld.*

San Francisco, California.