

GOSSIP ABOUT GREAT MEN.

WASHINGTON, D. C., Aug. 8, 1893.—The death of Justice Blatchford will make another change in the Supreme Court, and deaths have been more rapid here during the past few years than in any other branch of our government. Chief Justice Waite died when he seemed to be in his prime. Justice Miller, though he had served on the bench twenty-eight years, seemed hale and hearty just before he passed away, and no one here seemed to think but that Justice Bradley would last forever. His wiry frame seemed to be made of steel, and he was regularly in his seat year in and year out. He was one of the hardest workers on the bench, and he put in about twelve hours out of every twenty-four. It was the same with Judge Miller. I don't think Justice Lamar overworked himself. He got the grip, and this, added to his careless habits of eating and exercise, helped to carry him off. He had no rules of work, and he sometimes put in twenty hours at a stretch. Justice Blatchford was more regular in his habits. He looked more like an English statesman than an American jurist, and he was the personification of the eminently respectable gentleman. The other justices are extremely healthy, and the court as it is now constituted would make a good hotel advertisement. Justice Harlan must weigh over two hundred pounds. His eyes are bright and his cheeks are rosy. Justice Gray is fat and rotund and his skin is as clean and fair as that of a baby. Both Brewer and Brown are the personification of physical vigor, and the Chief Justice, though his hair is white and his mustache is silvery, has eyes full of life and he trots about as though he were walking on rubber. None of them look as though they had much to worry them, and they have forgotten their first struggles of the bar, when, as in the case of Chief Justice Fuller, they were glad to get fees of five dollars and had not yet begun to hope for positions worth \$10,000 a year.

HOKE SMITH'S FIRST FEE.

During my chat with the Hon. Hoke Smith the other day I spoke to him of his law practice and asked him if he remembered the first fee he received for legal services. He is, you know, one of the most famous lawyers of the south. He made last year, I am told, just \$37,000 out of his practice, and his earnings right along range from \$30,000 to \$50,000 per year. He laughed as I put the above question and replied:

"Yes, I remember it very well. It was for the settling of an injunction. The case was decided in Atlanta at 11 o'clock Monday and the situation was such that the injunction would have to be served at 11 o'clock Tuesday. The party interested lived away off in the interior and it was a question whether we could reach him in time. I took the train that afternoon for Gainesville and the next morning at 4 o'clock I was in a buggy riding off into the mountains with my injunction. I reached the place at 10:30, driving my horse as fast as he could go all the way, and succeeded in serving the injunction in time. The fee I got for it was twenty-five dollars and it seemed to me very good pay."

"How about your first law case, Mr. Secretary? What was it?"

"It was the defending of a negro who had been arrested for arson," was the

reply. "The penalty was hanging, and I took up the man's case and cleared him. This gave me such a reputation among the negroes that they all came to me to defend them when they got into trouble. I took their cases for practice, sometimes getting small fees and sometimes none at all. I soon got a better class of business, however. Before long I had one of the best practices in the south. I don't think there is any more pleasant work than that of the law. I like it, and I shall go back to it as soon as I leave Washington."

SOME FAMOUS FIRST FEES.

This twenty-five dollars which Hoke Smith received as his first legal fee was a big amount in comparison with those of our other great lawyers. Henry Clay's first fee amounted to just fifteen shillings, and the late Justice Lamar got two jugs of hand-made whisky for his first legal services. John Sherman had to borrow fifty dollars to go to Columbus to be admitted for practice before the supreme court of Ohio. And John H. Mitchell of Oregon, who now makes \$20,000 and upward a year at the law, was refused credit by a carpenter whom he asked to make an office table for him at the time he began his law practice in Portland. Senator Ingalls' first law fee was from a carpenter and he took his pay out in trade. The carpenter made him a table and a desk for trying the suit, and Ingalls' son uses this desk as a part of his office furniture today. The late Benjamin Butler made his first real start at the law in attaching a mill wheel for one of his clients in Lowell, and Leland Stanford once told me that he made just \$1,200 the first year that he practiced law in Wisconsin. A fire burnt down his law office and library, and this it was that sent him west to make his fortune.

HOW PRESIDENTS HAVE MADE MONEY.

I understand that the prospects are that ex President Harrison's law practice will be more than doubled by the reputation he has made as President, and Grover Cleveland is said to have made a fortune during the four years he was out of office. Nearly all the Presidents have been lawyers, but none of those of the past have made the vast sums that our lawyers make today. Thomas Jefferson early jumped to the front of the bar of Virginia, and he was making \$5,000 a year when he was married. Madison and Monroe were good lawyers before they meddled with politics, and Hayes had a fair practice. Andrew Johnson liked nothing better than to make a speech at the bar. He studied law while he was at the tailor's bench, and graduated from it to the bar. Martin Van Buren is said to have been a good lawyer. James Buchanan was making \$11,000 a year when he left the law for politics, and Harrison's practice was a valuable one.

SOME COSTLY LAWYERS.

It costs something to get one of these great statesmen to try a suit for you. Evans receives about ten dollars apiece for each and every word in the 400 word sentences which he uses in his arguments before the Supreme Court and Edmunds was published not long ago as having an income of \$100,000 from his law practice. One of the most famous lawyers of this country was a Jew who was connected with the southern confederacy. I refer to the late Judah P.

Benjamin, who served at different times in the cabinet of Jefferson Davis as attorney general, secretary of state and secretary of war. He left this country with only ten dollars in his pocket at the close of the war and fled to England. He opened a law office in London and during the eighteen years which he practiced there his fees amounted to \$696,000. He began his work in London by writing editorials while he was waiting for clients, and his first year's income was only \$2,000. The next year it doubled and during the last seven years of his practice he made from \$50,000 to \$80,000 a year. This was especially wonderful in that Benjamin's law practice had been before this entirely in the United States. He had practiced before the Supreme Court while he was member of the United States Senate, and at this time he got big fees, some of which were in the neighborhood of \$50,000.

LAW PRACTICE AT WASHINGTON.

Some of the best paying practice is that before the government department at Washington. The fees are often contingent and where the amounts are large the lawyers get a large percentage in case they win. A number of famous lawyers will not undertake a case without a retainer. Roscoe Conkling is said to have received a fee of \$50,000 from the Apollinaris Water company for arguing in its favor before the treasury department. Ex-Secretary Stephen B. Elkins told me last winter that he once made \$10,000 in an hour by presenting a land case before the interior department, and he said that he made as much as \$50,000 a year for some time after he left Congress in practicing law here.

Speaking of retainers, it often surprises a client to be asked to pay down money before any work is done, and an instance of this kind was told here the other day by one of our leading lawyers concerning Daniel Webster. The amount in the suit was about \$80,000 and Webster was asked what the retaining fee would be. The reply was \$1,000.

"One thousand dollars!" exclaimed the client.

"Yes," replied Webster, "but you will not have to take it, and you need not if you do not wish it. I can't engage to try the suit without a retainer. If I am not retained I may be approached by the other party and may get a much larger fee from them than from you. If I am retained I will, of course, have to try the suit for you."

This frightened the client and he wrote out a check for \$1,000 and gave it to Mr. Webster, who put it into his pocket and then said:

"I will now give you my advice on the case. It is that if you can compromise the suit on fairly good terms you had better do it. I will not charge you anything for that advice."

The client expressed his thanks and left. He did compromise the suit and then came back to Webster. Mr. Webster congratulated himself on his success and was turning to other business, when the visitor said:

"Of course I shall not need your services, Mr. Webster."

"Certainly not sir."

"And—how about that \$1,000 I paid you," he went on, evidently expecting to have it handed back to him.

"Oh," replied Mr. Webster, while a broad, substantial smile flitted across