David E. Snodgrass (1894-1963)

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IN MEMORIAM

David E. Snodgrass
(1894 - 1963)

THE Board of Directors of Hastings College of the Law met July 12, 1963, two days following the lamented death of Dean David E. Snodgrass on July 10, 1963. The Board President, Honorable Phil S. Gibson, Chief Justice of California, presided over the meeting. The following actions were taken by unanimous vote:

The Board and each of its individual members express on behalf of the College to David’s widow, Ellen Snodgrass, his daughter, Mary Ellen, and other members of the family their profound sympathy, their every good wish for strength to sustain an irreparable loss, and the hope that comfort may be found in remembrance of the service and accomplishment which form the record of David’s life.

To David, and in his memory, the Board expresses the gratitude of the College for 35 years of unsurpassed devotion to its interests and unequalled achievements on its behalf. From 1928 until his death he taught classes effectively and well. During his deanship, from 1940 until his death, the College attained national and international reputation. Through the establishment and operation of the now famous Sixty-five Club it assembled and has today a faculty of unexcelled distinction. It obtained its present building and equipment in 1953 after weary years in temporary and inadequate quarters. The homeless years included those immediately after World War II, the time probably of greatest stress ever to law schools, when the number of student applicants far outran the means for their instruction. Yet the College recruited a faculty somehow, and for space utilized courtrooms, public library rooms and whatever else it could find. Thus Hastings kept an open door throughout a time when many other doors were closed.

These accomplishments were achieved at reasonable cost and without administrative waste. In all of them Dean Snodgrass was the principal, and, in the Board’s opinion, the indispensable, factor. Through these accomplishments the College has been enabled to discharge for many years and with a high degree of success the function which alone justifies its existence—the rendition of a first class legal education to hundreds of young men and women; an education wherein emphasis is placed not only on proficiency in the law but on character and on the obligations and ethics of the legal profession.

The Board directs that copies of this memorial resolution be sent to Mrs. Snodgrass and her daughter, and that the resolution be entered in the Board’s minutes and made part of the permanent records of Hastings College of the Law.
DAVID E. SNODGRASS
TEACHER, MENTOR, COLLEAGUE AND FRIEND

DAVID SNODGRASS and I arrived at Hastings College of the Law together, although there was a great discrepancy in our relative status. He had been teaching at the College on a part-time basis since 1928; in 1936 he joined the Faculty as a full-time Professor, and in August of that year I enrolled as a First Year student.

I shall never forget my first recitation in Contracts when, having been gradually moved out on the proverbial limb through varying hypothetical questions, that limb was slowly sawed off behind me. Nor shall I forget the time some months later when, recognizing that the same technique was being applied, I balked, with the comment “You have changed the facts once too often!” Without a word of comment, Dave turned to another student and presented him with the same problem. I thought “Now you have done it! He has you pegged as a flip law student, and if he keeps a black list, your name will lead all the others.” I had never been more thoroughly wrong in my life.

I had only been graduated for two years when he recommended me to the Committee of Bar Examiners as a reader, which ultimately led to my becoming Secretary of the Committee. There again, we were in close contact, and after I left to enter private practice, he immediately offered me a position as a part-time instructor. In 1947, at the psychological moment when the demands of active practice had grown so heavy that the continuance of part-time teaching had become impossible, he recommended to the Board of Directors of the College my appointment as a member of the full-time Faculty and as Registrar of the College. For sixteen years we “fought the Battle of Hastings” together. Certainly his impact on my life was greater than that of any other person outside of my immediate family.

Others will tell you of his trenchant wit, his warmth and geniality as a host, his tremendous ability as a teacher, and his dedication to the College, which he built to its present stature. All of these qualities I have known and appreciated, but to me more than any of Dave’s other colleagues, I believe, his death has brought a feeling of tremendous personal loss. I find it extremely hard to accept the fact that I am no longer the executive officer under a captain who seemed indestructible, and that an end has come to a relationship of mutual respect and affection.

Those who read the Readers Digest will remember a feature that has appeared in many issues, “My Most Unforgettable Character.” This, to me, epitomizes David Snodgrass.

Arthur M. Sammis, Acting Dean
Hastings College of the Law
FIRST knew David Snodgrass when we were both freshmen at the University of California fifty-one years ago. My dominant recollection of him in those far-off days was of a bookworm. A tiny, cheery, little man named Pierce operated a vast secondhand book store at the foot of the campus and Dave haunted the place. He was there so constantly, browsing with his nose in a book, that I thought he had some sort of a job to justify his habitual presence. I suspect that Dave's remarkably extensive and vividly expressive vocabulary had its formation in the voracious reading he did at Pierce's. The trenchant and sparkling wit and sly, pungent humor were native endowments.

It was also during those student days at California that I met Dave's mother whom I remember as a most lovely, intelligent and, towards Dave, indulgent woman. No doubt she molded his taste which guided him in selecting his charming and gracious wife, Ellen.

Dave transferred to Harvard College for his senior year. Only a year or so ago he told me why: California had compulsory military training that he found intolerable. So with that rebellious and determined personal non-conformity typical of him, he stayed out a year and changed schools rather than endure more of it.

When I went to the Harvard Law School in 1916, I found a completely transformed Dave, from a bookworm to a gay blade, who was the object of some solicitude on the part of the dean of students. Hearing that I had known Dave at California, he expressed concern over the fact that Dave had taken up with a rather wild and fast group of students. My only personal knowledge of any of this was that, somewhere along the line, he had learned to play a first-rate game of four handed pinochle and was not only suffering no financial or other harm but was learning a great deal about life and human nature outside cloistered academic circles.

After serving as an ensign in World War I, Dave was graduated from Harvard Law School in 1921. He was admitted to practice in Illinois in 1920, a year before getting his law degree, and went there for a time. From Illinois he came back to practice in California in 1924. He began his teaching career in 1925 as a part-time instructor at San Francisco Law School and also became Law Secretary to U. S. District Judge Kerrigan.

Kerrigan was one of the shrewdest and wisest politicians that Northern California ever produced. I think it probable that his association with Kerrigan developed Dave's astuteness in getting support for his programs, and his genius for publicity which has been so useful in
gaining for Hastings its present prestige with the bar, legislature, and public at large.

In 1927, Dave became Sales Attorney for Tidewater Associated Oil Company, and a year later joined the Hastings Law Faculty as a part-time instructor. The dual occupation continued until 1936 when he became a full-time professor. On the death of Dean William M. Simmons in 1940 he became acting dean and in 1941 was appointed Dean and Isaias W. Hellman Professor of Law, in which capacity he served the rest of his life.

From the outset of his academic career, Dave was regarded as an unusually effective teacher. He was not only stimulating but was a sound scholar. However, his great accomplishment was the building of Hastings from an institution of low standing and inadequate quarters to one having a national and international reputation, with a celebrated faculty and a splendid physical plant. And that feat belongs almost solely to him, although he accomplished it by enlisting help from great numbers, to whom he invariably awarded a major share of the credit for getting done what he had planned, inspired and directed.

His most important contribution to Hastings' development was his establishing the policy of appointing as permanent members of the faculty only men who have retired elsewhere. Though the plan was created by wartime necessity, Dave had the imagination to see its merits as an affirmative policy and so established what has become famed as the Sixty-Five Club. By making himself into a one man intelligence network and sales force in recruiting members, he made it a successful experiment that has brought renown and acclaim to Hastings. He assembled and by wise replacements kept together a remarkable faculty that in its maturity, extraordinary ability and conspicuous achievements gave great and unique stature to the College. The roster of distinguished figures in American legal education that have been and are members of the Sixty-Five Club is most imposing. There is irony and great sadness in the fact that Dave, creator of the Club and foremost apostle of the gospel of long years of fruitful and satisfying work after the usual age of retirement, should have his own career of usefulness cut short while still its youngest member.

Though Dave's professional eminence and his undeviating devotion to Hastings' welfare are most widely known he had other notable qualities that gave him marked individuality. Not endowed with much patience he was apt to form quick and lasting likes and dislikes. He was a man of strong opinions vigorously expressed which on occasion made him a center of controversy. He was an unusually gifted after-dinner speaker and, in relaxed moments, a delightful and convivial companion.
His staunch loyalty to old friends and to men and institutions he revered was deep and abiding, sometimes being manifested in odd ways as, for example, his constant wearing of an eye shade in imitation of Roscoe Pound, his dean at Harvard Law School. He inspired in those who knew him well not only admiration for what he had accomplished but a genuine and strong affection.

At least one university where official honorary degrees are prohibited now and then confers upon exceptional men of outstanding merit an unofficial degree of Uncommon Man. Taken all in all no one is better qualified for such a great honor than was David Ellington Snodgrass.

George E. Osborne
Professor of Law, Hastings College of the Law, and William Nelson Cromwell Professor of Law Emeritus, Stanford University
DAVID E. SNODGRASS — BUILDER OF HASTINGS

If, as Emerson has said, “An institution is the lengthened shadow of one man,” the shadow of Dave Snodgrass is cast in the lengthened form of a great law school; it will reach down to tomorrow so long as there is a Hastings College of Law.

Although the ubiquitous Dean, whose green eye shade became his symbol, expressed himself in manifold ways, his activities solidified in one design. While he was a perceptive writer, a stimulating teacher, and an outstanding administrator, his creativity was channelled to a single purpose. The extraordinary ability of the man, his vitality itself, found their consummation in the development of the law school.

When Dave Snodgrass became Dean in 1941, Hastings College of the Law conducted its classes in the drab and crowded rooms of the California Building at 515 Van Ness Avenue. Indeed, this location served as the sixteenth habitation of the school, which, after its establishment in 1878, had been housed in such varied and borrowed quarters as a science building, a medical building, an office building and a synagogue. In 1941 the school’s student body numbered 272; it boasted a small but excellent faculty. The new Dean, dreaming behind the green eye shade, envisioned a famous faculty and a permanent home.

He conceived of an idea which established the famous faculty. Fortuitously the foundation act of Hastings said nothing about compulsory retirement. Dean Snodgrass, however, expressed his “unshakeable conviction that chronological age is an unsound test for determining when a man should be retired. . . . A man who is qualified, able, experienced and fit to continue with the same work in which he was engaged at sixty-four should not be deprived of the right to do so merely because he has had another birthday.”

The Dean invited distinguished professors who had been retired from other law schools to teach at Hastings. Among his first appoints were those of the beloved retired Dean of Boalt Hall, Orrin Kipp McMurray, and the venerable Arthur M. Cathcart of Stanford Law School. These were followed by others until the roster of Hastings Law School resembled a bibliography of the writers of the leading law books of America. The colorful Sixty-Five Club was founded. And Dean Emeritus Roscoe Pound of Harvard Law School told Newsweek Magazine that on the whole he regarded the Hastings faculty as “the strongest law faculty in the country.”

Indeed, the great Pound, whom Dean Snodgrass truly loved, had inspired the green eye shade. “Roscoe Pound, who was my old Dean at
Harvard, wore a green eye shade. I thought it might help a little to wear one too—but it hasn’t.” Dean Snodgrass conceded, however, that when he went to the bar convention “a great roar goes up when I pull it out of a paper bag and put it on.”

Dean Snodgrass achieved the realization of the second part of the dream. He won for the peripatetic law school a permanent home. One could almost say the iron determination and legislative ingenuity of the Dean built the structure. The Legislature appropriated $1,450,000 and the Regents of the University of California subsequently augmented the amount by $300,000. The dream took the form of steel and glass and became, on March 26, 1953, one of the finest law school buildings in the United States.

The law school enrollment climbed to 861; the state’s oldest law school became the largest in the West. It counted a world-renowned faculty, and it occupied a magnificent building. Dave Snodgrass’ contribution to his generation was no mean one: it was nothing less than the maturation of an institution, a leading law school of the United States.

The green eye shade is laid to rest. But we should not be sad. How many men have had the fortune to see their dreams fulfilled?

Mathew O. Tobriner
Associate Justice,
Supreme Court of California
DEAN DAVID E. SNODGRASS
To his memory this issue is respectfully dedicated.