

Missouri's Judge Hyde

By Maude Freeland

Time has rested lightly on Judge Laurance Mastick Hyde. His experiences have left the imprint of serenity of spirit. His judicious mind is tempered with gentleness and a sense of humor.

The quiet dignity of the Chief Justice of the Missouri Supreme court does not quite desert him, even when he recalls some of the escapades of the students of the University's School of Law during the year 1915. He recalls that his roommate who was in engineering was dating the daughter of the Buick agent. On St. Pat's Day, he and his roommate drove two Buick cars in the parade. During the parade, the lawyers turned over the float; in retaliation the engineers stormed the law building. The freshman lawyers turned the fire hose on the engineers just as Dean Eldon James of the Law School came out — to get the full force of the deluge. From the Savitar of that day came the quotation, "we discovered that Dean James was human, for in the thickest of the fight he was heard to shout, 'Turn her off boys, the engineers have got the hose.'"

It was some twenty years later that we had occasion to visit in the family home. It is a pleasant memory. Their two children, Laurance M. Hyde, Jr., and Florence, were delightful, and Mrs. Hyde was a gra-

cious hostess. The conversation at that dinner table drifted naturally from the recent trip they had made around the Mediterranean, on an export tramp steamer.

Judge Hyde, then Commissioner of the Supreme Court, had been out of Law School of the University about twenty years. Through these years he had been paving the way to become one of Missouri's most eminent jurist.

Judge Hyde was selected as a member of the Supreme Court under a constitutional amendment which he helped to formulate. The non-Partisan Court plan, which has taken the selection of the members of the Supreme Court out of politics, is being considered as a pattern for other states to follow.

During the years Judge Hyde has been in the Supreme Court, he has written almost 1,000 decisions, some of which have strengthened our way of life. One of the more important cases was what is known as the Bryan Mullphany Emigrant and Travelers' Relief Fund. Mayor Bryan Mullphany, one-time mayor of St. Louis, was a bachelor. When he died he left his estate to go to the immigrants who were stranded in

Continued on page 44



Mary Paxton Keeley photograph.

Missouri's Judge Hyde continued

St. Louis on their way to the west. The will was written in 1840. Time, however, changed this condition. In 1920 the relatives made an attempt to break the will, but lost the contest in court. However, in a later case at bar, in a decision written by Judge Hyde, the court held that the fund could be used for similar purposes. Today it is used for any stranded travelers who may be in St. Louis.

A second case Judge Hyde recalled as having great import upon the public was *Barber vs. Time Magazine*. This case involved the right of privacy of an individual. *Time Magazine* had taken a picture of a woman in a hospital and had printed it without her permission. Again the court held, Judge Hyde writing the decision, that people have a right to privacy, that the magazine was in error in publishing the picture without her consent.

A third case which Judge Hyde considers important was heard during the time of the transition between the Pendergast regime to the citizen's organization. On the record of the city, there were double the number of employees on the payroll as there were supposed to be. Half of the employees were being paid by the officials putting a lug on the other half. The court in this instance held that those employees who had been forced to pay the lug could recover full salaries from the city.

These are three of the almost 1,000 opinions which Judge Hyde has written that he considers will have effect on many people. There is one other decision which Judge Hyde wrote that persons interested in public welfare will recall. In this case a county court of Ozark County had refused to print its financial statement. The case was filed directly in the supreme court. The ruling of the court in this case was so pointed and recognized the public welfare requirement for the publishing of such statement so forcefully that there can be no question as to the validity of the law.

In 1951, during the period when Judge Hyde served as Chief Justice of the Supreme Court of Missouri, he was also first chairman of the Conference of Chief Justices. The honor of Chief Justice in Missouri is passed among the judges of the court.

In selecting Judge Hyde, the conference chose a man "who has been outstanding in his own state and throughout the nation in the Association's program for improving judicial administration."

It was during his administration that a survey of the judicial systems of all the states was conducted. The ultimate aim of the survey was that of integrating the judicial systems of the various states.

Judge Hyde's interest in the University of Missouri remains. His son and daughter both have degrees from this institution. He recalls that many changes have come to the University since his campus days but he thinks they are for the better. Students are

better prepared to enter Law School with their A.B. degree than they were when they could enter the school direct. There is a change in policy—no practicing attorneys are at present full time members of the faculty. Many courses have been added to meet the demands of the time, such as business law and labor law.

As testimony to Judge Hyde's eminence as a jurist and as a humanitarian a plaque hangs on the wall of his office. This plaque was presented to him by the Bar Association of St. Louis on the occasion of its 82nd Annual Dinner in 1956. Engraved on it are the words that describe his character:

“. . . in recognition of his preeminence as jurist, humanitarian, and leader in the improvement of the administration of justice.

"By his quiet and modest, yet his determined and unswerving devotion to the ideals of liberty and justice under law, and by his persistent effort to achieve these ideals in the actual functioning of the law and the Courts, Laurance M. Hyde symbolizes the American lawyer and jurist at his best. By his insight and vision he had been a leader in adapting the law and its methods to emerging and ever-changing needs. His constant observation of the law in action and his reports of its manner of functioning have resulted in shaping the law into a more perfect instrument for meeting the needs of justice in a complicated society.

"As Chief Justice, Judge and Commissioner of the Supreme Court of Missouri, his judicial career has reflected his sound learning, industry and fidelity. As judge and lawyer he has regarded the legal profession as embodying a paramount obligation for public service, and not merely vocational qualities. His skill and energy as designer and builder of the law as a living instrument and his warm and sympathetic concern with the problems of the profession have marked a majestic imprint in the work of the American Bar Association, the Inter-American Bar Association, the Missouri Bar, the Missouri Judicial Conference, the National Conference of Judicial Councils, the American Judicature Society, the American Law Institute, the National Institute of Judicial Administration and the Bar Association of St. Louis. The profound respect and admiration of distinguished members of those organizations for Judge Hyde has been reflected by his frequent selection for high office and great responsibility in those vital segments of the organized bar.

"Through his idealism and dedication to the administration of justice, the career of Judge Hyde is an exemplar for generations yet to come. In the history of growth of the law as the keystone of democratic and free government his name will be written in large letters as a master-architect of the temple of justice."