

* * PROFILES * *

LITTLE GIANT-II

MR. UNTERMYER'S practice is varied. A world map of his clients would be studded with colored pins from Argentina to Turkey. For a fee of seven hundred and seventy-five thousand dollars he has merged copper companies worth one hundred million dollars; for no fee at all he has defended bricklayers on trial before their own union for unbricklayerlike conduct. He was the unfeared lawyer for Mrs. Sanger years ago when she first started preaching what was then called "race suicide." He has represented Reds and Cabinet officers. He has officiated in our most pretentious divorce cases and our most chic annulments, appearing for Geraldine Farrar when she dispossessed Lou-Tellegen and for Alexander Smith Cochran when he escaped from Ganna Walska. In the case of Charles W. Morse, the shipping king, he even annulled an annulment. Few great railroad, insurance, or banking wars or mergers of the last half-century have been complete without Untermyer.

Criminal law is not his line, but he gave an interesting specimen of his art in the Crisanti case in 1909. Crisanti, a sailor, had come home unexpectedly, to the astonishment of Mme. Crisanti and a boarder. One thing led to another, and the impulsive woman plunged a breadknife between her husband's shoulder-blades.

While this case was pending, Mr. Untermyer happened to make an address before the Bar Association. He heaped his usual abuse on the profession. What were the leading lawyers of the day but "a lot of highly paid clerks to guide financiers in the way of keeping prayerfully within the law"? Where were the great advocates? Where were the Erskines, the Evarts, the Rufus Choates, the Charles O'Conors? Dead were "the arts, learning, and graces of advocacy." He praised medicine for its free service to the poor, and denounced the bar for its servility to the rich. It was a dramatic address.



Samuel Untermyer

tion, he said, that penniless culprits should be represented by untried lads. He assailed the judges for failing to assign distinguished counsellors to defend paupers charged with serious offences.

Judge Malone took the speaker at his word and assigned him to defend Mme. Crisanti. It was Untermyer's maiden murder case. One circumstance embarrassed him: the fact that the knife had penetrated the back. Self-defence, however, was the plea; the sailor was found to have been so aggressive that he attacked with his back. He was, in fact, retrogressing at Mme. Crisanti with unique ferocity when the blade found lodgment between the hostile shoulder-blades. Aside from her frailties, Mme. Crisanti was a jewel of a woman, a model dam to the young Crisantis; the late tar had been very trying. Such was the case. Untermyer was at his best. The jury was swept off its feet. There was never any question about the acquittal; the only question was one of aiding suffering womanhood. Twelve men came back from the jury room with red-rimmed eyes, a verdict of not guilty, and a purse of five hundred dollars which they had raised among themselves for Mme. Crisanti. A pretty touch was added to the case on the following Christmas. A magnificently rigged ship was delivered at the Untermyer home. Mme. Crisanti and the boarder, now united in the bonds of holy matrimony, had constructed it with their own hands; it was an exact model of Crisanti's, the husband's, last ship.

MR. UNTERMYER started in earnest on his Wall-Street-baiting career in 1903, when he concluded that the bankers had been very rough in reorganizing the United States Shipping Company. He represented certain bondholders; when he took the case, the bonds were selling at ten dollars,

they had attained a value of more than two thousand dollars. His financial masterpiece, however, was that of chiselling two million dollars off Ganna Walska's claim against one of her earlier husbands. Questioning Charles M. Schwab for three days, the lawyer was greatly impressed and bought a huge block of Bethlehem. He eventually profited to the extent of many millions by his faith in Brother Charlie. A year later the lawyer played a part in stirring up the insurance scandals, and his eyes were further opened to the failings of Wall Street. In the clamor for reform he became one of the trinity of ill-assorted and mutually hostile loudspeakers of the period—Roosevelt, Untermyer, and Tom Lawson. He was cheek by jowl with the satanic William Jennings Bryan, who never, under any circumstances, referred to Untermyer except as "America's greatest lawyer." He was active in the great insurance wars of 1904 and 1905 as unpaid counsel for policyholders and also for a time as paid counsel for James Hazen Hyde, who owned fifty-one per cent of the capital stock of the Equitable. Untermyer negotiated the sale of this stock to Thomas Fortune Ryan for two and a half million dollars. Later E. H. Harriman coerced Ryan into selling it to him. Still later J. P. Morgan, Sr., coerced Harriman into selling it to him. "I thought it would be safer with me," Morgan testified later.

The Progressive upheaval tossed Untermyer to the top of the mad political world of twenty years ago. Both at Washington and Albany he led campaigns against Wall Street. When he was made counsel to the Pujo Money Committee of the House of Representatives in 1912, his enemies decided that things had gone too far. It was time to unmask Cagliostro, Jesse James, and the last of the Borgias. A suite of offices was taken and a large staff organized to gather data on the life of Untermyer. Some of the greatest biographical artists of the time were borrowed from Burns and the Pinkertons. Fishy-eyed contemporary historians were sent out to interview every client that "U," as he was known to the operatives, ever had; specialists in trouble and bad news examined every lawsuit and business venture he had ever been engaged in. The result of this great historical enterprise was some forty volumes, entitled "Re Untermyer," which are

labor, however, was ineffective for its immediate purpose. Only two chapters of the work were made public. It was charged that a tin property in which the lawyer was interested did not turn out as well as might have been expected and that a New Jersey judge in the Columbia Strawboard case had criticized certain financial operations and added that "Samuel Untermyer was the managing genius of the whole transaction." Mr. Untermyer replied that the jurist had not understood the transaction; he explained the case to the Pujo Money Committee, which gave him a vote of confidence. He emerged practically unhurt from under the enemy's ultra-microscope. It seems doubtful that a man with weak spots in his past would show Untermyer's lifelong recklessness in making enemies. It makes rather a good impression when

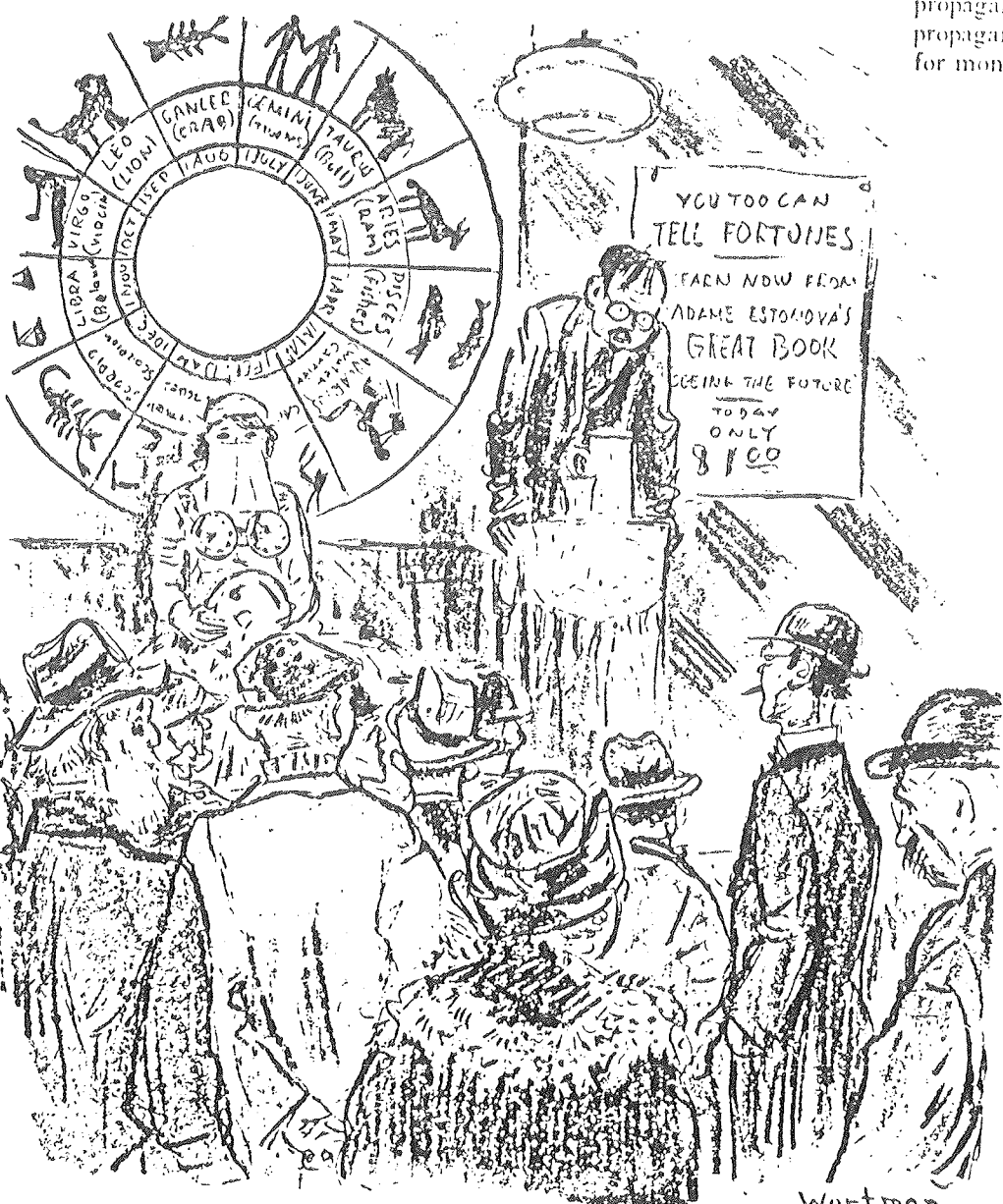
a member of the bar wantonly slaps the face of the grievance committee of the Bar Association; Untermyer accused it of lacking the nerve to proceed against any lawyer who stole more than fifty dollars. The one reflection that he has taken seriously came from the Supreme Court of the United States a year ago; that court held that he had violated a rule by representing both trustees and creditors in a bankruptcy matter. Contending that the reflection was unjust, the lawyer has placed his case before the American Bar Association and is fighting to have the criticism removed from the Supreme Court record.

HE became a big national figure by his catechisms of famous bankers before the 1912 Pujo Committee in Washington. His pet witness was

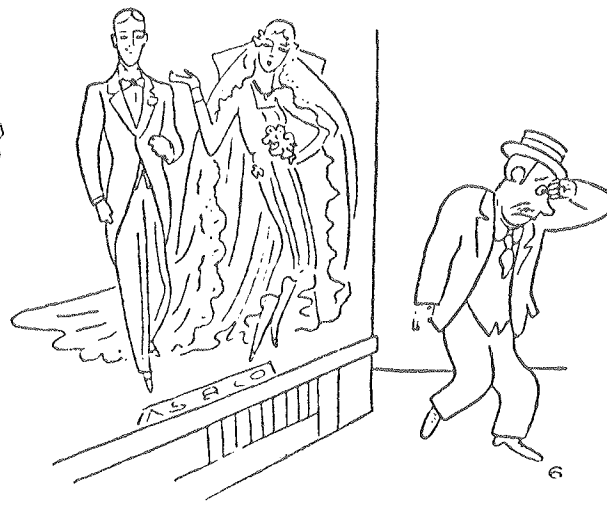
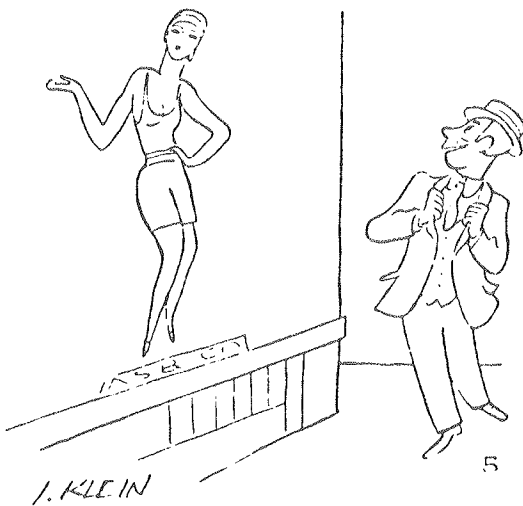
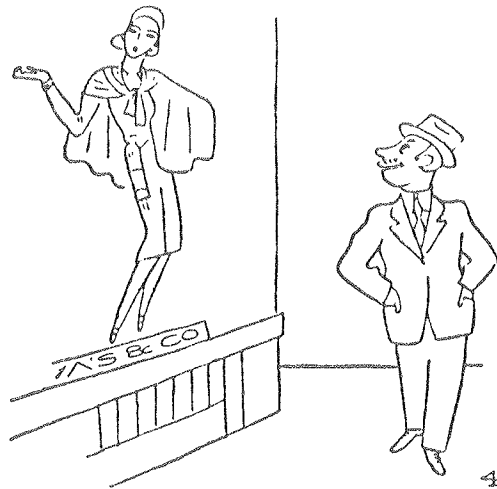
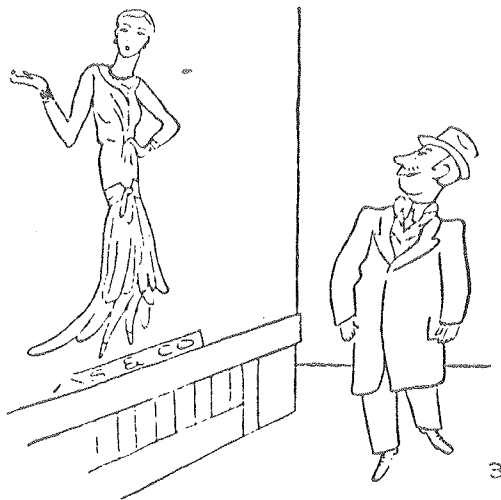
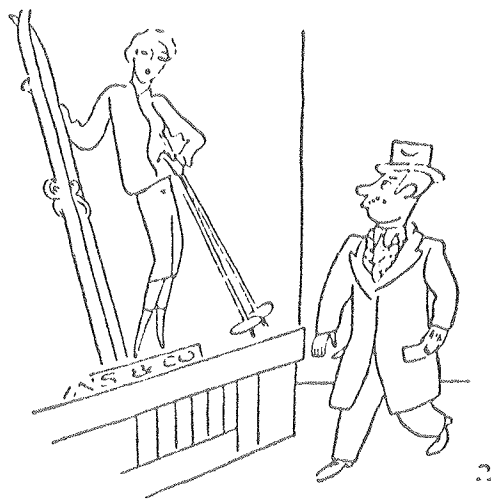
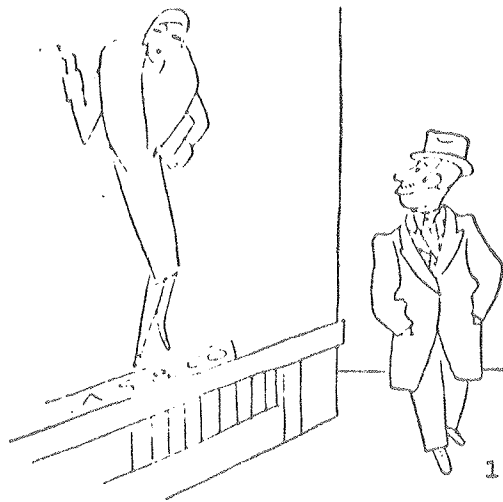
George F. Baker, who agreed that too much money and power were concentrated in a few hands. The lawyer spent part of two days interrogating the elder Morgan. Three months later the financier died in Egypt and word was cabled over that Untermyer's cross-examination had killed him. This was unjust, as the *Congressional Record* and the reports at the time show that the lawyer handled his celebrated witness with consideration.

Untermyer has contended, and has offered evidence, that he played an important part in shaping the Federal Reserve Act. But what of it? There are enough self-confessed authors of the Federal Reserve Act to populate all our unoccupied Western lands.

Francis P. Garvan recently called Untermyer the ablest pro-German propagandist in America during the propaganda days. War was postponed for months by Bernstorff's semi-official and half-repudiated interview to the effect that a break in diplomatic relations would mean war; this was an Untermyer-inspired idea which had a profound effect in Washington; the interview was so well arranged that Bernstorff could not be accused of going over the head of Washington and addressing the American people directly. The lawyer did his utmost to persuade the *New York World* not to publish its exposure of the far-reaching plots of the German financial agent, Heinrich Albert, who went to sleep on a train and allowed his papers to be stolen by a British agent. Untermyer was of German ancestry; his object was to keep us out of war; that was then the object of the American government and most of the American people. However, Mr. Untermyer did go rather far when he wrote to Heinrich Albert suggesting that the dear old morning *Sun* could be bought for use as one of the Kaiser's American house organs. His war account is pretty well balanced, however. He was the second highest stockholder



"Now folks, we're not scientists here. We talk facts."



I. KLEIN

in the Bethlehem Steel Company, which sold more than a billion dollars' worth of munitions to the Allies; his pro-German propaganda was clever, but it is hard to outsmart fifty million shells. It does not seem possible that his pro-German right hand got an even break with his pro-Bethlehem left hand. After April 6, 1917, Mr. Untermyer was an indefatigable patriot, a member of half the government war commit-

buyers. He helped draft the proclamation taking over the railroads.

IN 1919 he started on his unprecedented career of service to the city and the state. As unpaid counsel for the Lockwood Commission, he broke up the building trades' and material contractors' rings. Starting with a few clues, when he had finished, the leaders of both groups were behind the bars.

body excels him in the pursuit and round-up of a beaten foe.

He has lavished quantities of money on his one-hundred-and-seventy-one-acre Greystone estate, where he employs sixty gardeners on his sixty thousand plants. He built a large Greek theatre there for Mrs. Untermyer, the former Minnie Carl, whom he married in 1880. Many of the great operatic stars of the time appeared there at her concerts. The Greystone hothouses supply out-of-season crops of figs, grapes, nectarines, and peaches. For the last quarter of a century Greystone has given a brave account of itself in the great annual orchid-chrysanthemum Armageddons.

Mr. Untermyer seldom appears in court or elsewhere without his orchid. In his great civic pageants like the nickel-fare and housing inquiries, his chauffeur shuttles between Greystone and the inquiry room, bringing fresh orchids. When the orchid begins to droop, it affects Mr. Untermyer's temperament; he must have a fresh orchid, or the city's interest suffers. During the Lockwood hearing the chauffeur would arrive at noon with a damp box containing Mr. Untermyer's fresh figs and orchids done

up in paraffin paper. The buttonholes of the whole Untermyer faction would sprout orchids.

Greystone was formerly the estate of Samuel J. Tilden. Mr. Untermyer bought it thirty years ago. In his first year there he received police attention. He was accused by a neighbor of violating the speed limit in a yellow wagon with pneumatic tires, and a bicycle patrolman was assigned

October 21, 1900, said that his horses ate up Warburton Avenue at a speed of fifteen miles an hour and that at eight-thirty o'clock every morning the children lined the curb "to see him go."

Twenty-five years ago he challenged the collie-breeding sovereignty of the late J. P. Morgan by importing Squire of Tyton and Sophie of Tyton, the champions of their respective sexes in England. The Morgan dogs were outclassed. Beating J.P. at anything was a source of prestige and satisfaction, and everybody began to import dogs. Collie-rearing became a major industry. After several bad years, Morgan sent agents abroad and cornered the wonder dogs of the world, but they fell ill and the judges rated his entries near the bottom of the list. "Sell 'em all; close my kennels," called the financier from his box at the Dog Show, and he flounced off to the Mediterranean in the Corsair. The greatest crash in kennel history followed; the whole collie family lost its standing for years in dog aristocracy.

MR. UNTERMYER'S health was broken in 1924, following his wife's death. He started on a trip around the world, planning to give up active work. He travelled by way of the Pacific, but by the time he reached the Near East, law cases of all kinds began to besiege him. Twenty-two Turkish princes signed him up to fight for their Mosul oil wells against the Standard Oil and other companies. The retired lawyer arrived in New York burdened with Levantine, Viennese, and other Old World briefs. At one time he was retained by three hundred members of royal and noble houses who were fighting to recover estates in Central Europe after the peace. He also represented Frank Munsey, Charles H. Sabin, and others, who financed a syndicate to recover nineteen palaces, twelve castles, and other properties belonging to the Hapsburg Archduke Frederick. Later, the five-cent fare

fight gripped him; the Westchester land frauds were next. Still struggling to retire, he is still working fourteen and sixteen hours a day. They come to the tired veteran sobbing that all is lost unless he will take the case. The William Fox and the United Cigar Store imbroglios were recently added to his problems. He will probably never retire or semi-retire. He experiences spots before the eyes and shooting pains now, whenever his day's work drops below fourteen hours.

He lives today in a quadruple home consisting of Greystone, a suite at the Hotel Ambassador in this city, a bungalow on the Hotel President at Atlantic City, and a houseboat in Florida, but he carries his work with him wherever he goes. Asthma still bothers him, though he smokes only non-nicotine cigars.

Mr. Untermyer is in fair health now. The best proof is that he is picking on the New York Stock Exchange again. He recently induced the Exchange to make certain reforms that would prevent the concealment of the real ownership of the Interborough. He is advocating a further reform, the compulsory publication of all pool agreements, which would compel market-riggers to work in the open. The New York Stock Exchange has, in his opinion, straightened up noticeably. He regards it today with an almost paternal pride and is pleased to recall that he never spared the rod.

He has never run for office. Boss Croker

once sounded him on the subject; "I think I might like to be Park Commissioner," said the lawyer, but nothing came of it. Untermyer was twice offered the Tammany nomination for United States Senator, but declined. Last year his son Irwin, who has won considerable prestige by his own contribution to the fight for the five-cent fare, was elected to the State Supreme Court, leading the Democratic ticket. He has two other children, Alvin Untermyer, a lawyer, and Mrs. Stanley Richter.

The city has not officially acknowledged its debt to its great patron even to the extent of naming a fireboat or a park after him. Municipalities are ungrateful.

—ALVA JOHNSTON

(This is the last of two articles on Mr. Untermyer.)

POEM FOR YOUTH

The mind is vulnerable
To the slight death of a leaf.
By swift things, by hawk-shadows
Is the heart quickened to grief.

Whatever wind blows by,
An instant of tears blows after,
But years and sterner grieving
It takes to fashion laughter.

—FRANCES M. FROST



"Peter darling, you can