

# PROFILES

## MR. CHAIRMAN

WHENEVER the sponsors of a worthy cause are about to form a committee, one of the first names they think of is George Gordon Battle. Possibly they feel that Mr. Battle's name has a clarion ring to it well calculated to lighten the dull list of Heckschers, Strauses, and Schieffelins. Perhaps they know that Mr. Battle is a persuasive propagandist and money-raiser. Certainly they are aware that he will be likely to find their project sufficiently interesting to win his name and services.

In the matter of committees, Mr. Battle's catholicity is immense. He takes a positive delight in identifying himself with movements of all ages and sizes. In the past fifteen years, he has raised or helped to raise substantial sums for everything from procuring translations of "Pilgrim's Progress" for foreign missions to feeding the local unemployed. He has raised money for the Salvation Army, Sweet Briar College, the Passion Players from Oberammergau, Russian exiles in Europe, tubercular Royal Arch Masons, the Sesquicentennial Celebration of the American Revolution in Philadelphia, as well as countless hospitals. He has investigated the effects of prohibition, the troubles of the cloak-and-suit industry, milk graft in New York, and alleged radical utterances of the late Dr. Percy Stickney Grant. Battle committees have sought to preserve the sacred places of the Holy Land, furthered the ambitions of Irwin Untermyer to become a judge, and acted as conciliators between the Publishers' Association of New York and Typographical Union, Number 6. They have hailed Lindbergh on his return from Paris, greeted Commander Byrd on his return from the North Pole, invited Gandhi to come to this country, and invested Mr. Battle with such imposing titles as Executive Chairman of the Community Council of National Defense for the City of New York, Chairman of the Committee on Psychiatric Work of the Girls Service League of America, and Secretary of the Committee on Educational and Publicity in the Interests of World Peace. So irresistible is the lure of committee work for Mr. Battle that he sometimes rushes in where statisticians fear to tread. In 1926, as chairman of

a committee which sought to raise three million dollars wherewith to establish homes all over the country for aged and indigent physicians, he appointed innumerable sub-committees of bankers, brokers, butchers, bakers, and candlestick-makers, only to conclude a year or so later that very few doctors were poor enough to need free homes. So the Physicians Home, Inc., drive was called off.

It is seldom, nevertheless, that Mr. Battle's committees meet so humiliating a fate. More often they divide magnificently into other committees, like so many amoebae, and the sight of a parent committee contentedly surrounded by several offspring is not unusual. Generally, Mr. Battle occupies a commanding position in these new groups. A year or so ago, for example, not satisfied, perhaps, with being president of the National Committee on Prisons and Prison Labor, he announced the creation of a National Advisory Committee on Institutional Industries—chairman, George Gordon Battle.

So intense is Mr. Battle's participation in these extra-curricular affairs, so wide his acquaintance, and so frequent his after-dinner speeches, that he has attained the reputation of being a great lawyer. He has made money, and tried many cases which, if not genuinely important, have been sensational, although in the courtroom he is neither an Untermyer nor a Seabury. Where his career as a lawyer is concerned, his friends like to stress the courtesy of his cross-examining, his courtly manner with juries, and his generosity in assuming the legal responsibilities of any number of widowed Southern ladies, at small compensation to himself.

COURTESY and chivalry come as naturally to George Gordon Battle as his Southern accent, and forty-odd years in an impolite community have done little to eradicate



George Gordon Battle

is a singularly genial and urbane man, and, at sixty-four, a very handsome one, with a striking profile, a shock of white hair, and bushy black eyebrows. He was born in Edgecombe County, North Carolina, at Cool Spring Plantation, where, on twenty thousand acres of river land, his father's family had raised cotton for four generations.

Of his eleven brothers and sisters, six died in infancy. The survivors were fortified for the rigors of life by salt herring, bacon and eggs, and chicken hash for breakfast; ham, turkey, chicken, mutton, and vegetables for lunch; ham, broiled chicken, rabbit, game birds in season, and batterbread for supper. The boys hunted and fished, and in the evening everyone read and played whist, backgammon, and chess. Mr. Battle père was famous for his skill at mixing mint juleps. The Battle Negroes had remained loyal during the Civil War; they were said to be the blackest in the state. Young Gordon Battle, educated first by governess, and later at Hanover Academy in Virginia and at the University of Virginia, aristocratic seat of learning where legions of Battles had preceded him, grew up with a healthy regard for the leading Southern families to whom he was related. He has preserved a feeling for the South which manifests itself today not only in the legal championing of Dixie widows but in his membership in the North Carolina Society, the Virginians, the Sons of Confederate Veterans, and the New York Southern Society, of which he was president last year. On all appropriate occasions, he is the volunteer Southern ambassador in New York. A few years ago, when alumni of the College of the City of New York gave their Alma Mater a bust of Jefferson for her eightieth birthday, Mr. Battle extolled the Jeffersonian virtues and compared C.C.N.Y. to the University of Virginia. Last December, at the forty-sixth annual smoker of the Southern Society, he awarded a "parchment of distinction" to John

Williamsburg, Virginia.

The immediate paternal Battle ancestors were all cotton farmers, but judges cheerfully sprouted on the family tree—among them, grandfather Joseph J. Daniel, cousin William H. Battle, elder brother Jacob Battle—and Gordon himself never had any doubts about wanting to be a lawyer. After graduating from college, he entered Jacob's office to study, but in 1889 the South was still in the throes of the Reconstruction period, and he decided that if the study of law were to be followed by the practice thereof, he would have to move elsewhere, for a time at least. Manhattan friends who had known him at college encouraged him to come to New York, and in 1890 he took a geographical step that was to establish him permanently in New York.

George Gordon Battle's early success here was the immediate result of his being a bright boy. At Columbia Law School, he became so expert at framing indictments that when, in 1892, District Attorney De Lancey Nicoll asked the faculty to send him an assistant, they sent Battle. He promptly affiliated himself with Tammany Hall, and shortly thereafter, aged twenty-four, was appointed Assistant District Attorney. He has never been District Attorney, although in 1909, running for that office against Charles S. Whitman, he delivered campaign speeches with such fervor and frequency that he developed inflammation of the antrum and his face swelled to twice its natural size. He went into private practice, to receive, from time to time, various crumbs from Tammany. Appointed Special District Attorney to help in the Grand Jury in-

vestigation of crime conditions in 1911, he attempted to minimize reports that daylight robberies were widely prevalent. This failed to make a favorable impression on the Grand Jury, and when, in 1919, he was again chosen to aid in a Grand Jury investigation, his appointment was received with a reticence which grew more and more marked until, a few months later, he resigned. Since then, although Tammany throws an occasional committee chairmanship his way in return for the pleasure of his decorative presence in its midst, Mr. Battle's party activities have been largely confined to indorsing the candidacies of Democratic colleagues for the Supreme Court and faithfully attending the national conventions.

His law firm, successor to a number of previous partnerships in which

only the name of Battle has been a constant, is not a corporation affair. You do not associate the senior partner of Battle, Levy, Van Tine & Fowler with any large bank or trust company, as you might Paul Cravath with Kuhn, Loeb; or John W. Davis with the Guaranty Trust. Nor do overworked young men from Yale and Harvard Law Schools pore over briefs in the Battle offices until two or three in the morning. Located in the heart of Wall Street, the offices are quiet, leisurely, and old-fashioned. The partners do most of the work themselves. Mr. Battle sits in a spacious room, its walls lined with pictures of Southern jurists and of Abraham Lincoln. He makes a point of coming out to the reception-room to usher in his next client, and if others are waiting also, never fails to greet them. His



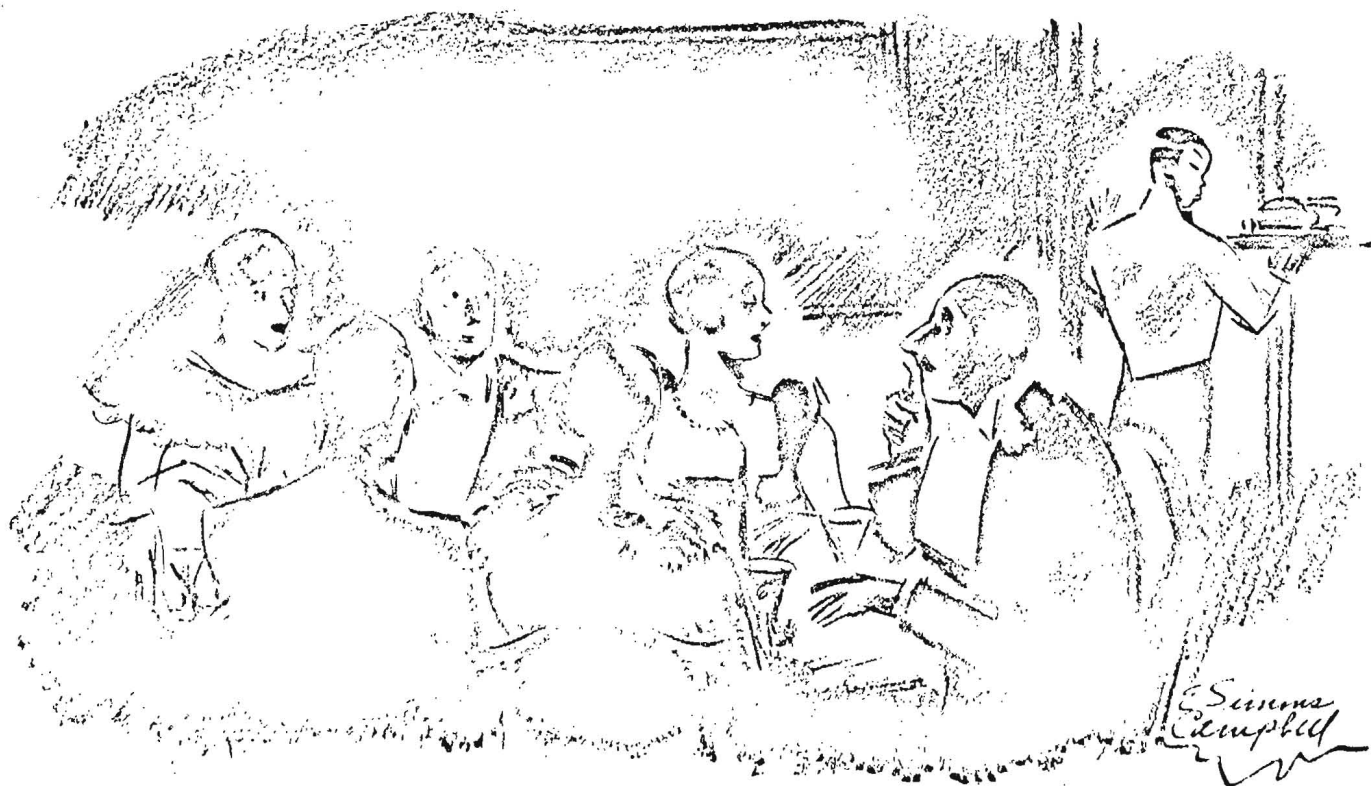
manner, without being in the least effusive, is calculated to make any stranger feel at home, and his technique with clients follows the most approved stage-lawyer tradition. Pacing up and down the room, hands behind back, head bowed in thought, he asks questions gently, persuasively; listens sympathetically, delivers opinions emphatically and without hesitation. Mr. Battle is the essence of kindness, and nothing in the world is too much trouble for him. Often he is at his office Sunday mornings, seeing people who want his advice and whom he has been too busy to see during the week. He takes just as much pains with a free case as with one in which a large fee is involved. The William Lyon Phelps of the legal profession, he omits no opportunity to congratulate or condole. He invariably answers the routine announcements of new partnerships or changes in address which lawyers send to one another. "I was gratified to learn you moved your office from 285 Madison Avenue to 70 Pine Street," he writes on such an occasion, "and congratulate you on your successful career." So unfailing is his recommendation of neophytes to the character committee of the Bar that the chairman is said to open meetings by announcing "We have the customary affidavit from George Gordon Battle."

Twenty years or so ago, Mr. Battle

was counsel for concerns like the Diamond Match Company, and in the course of the day's work thought nothing of attacking such impressive organizations as the International Paper Company, the Bituminous Coal Operators, and the Southern Pacific Railroad. Today, he goes in chiefly for trial work. He is never vindictive. On numerous occasions he has expressed the opinion that a lawyer should not hesitate to defend a client whom he knows to be guilty. He himself once appeared for an ensign in the Naval Reserve who removed all doubts as to his culpability by pleading guilty to fifteen charges, including accepting money, parties, and motor trips in return for assigning his benefactors to shore duty. Evil association, pleaded Mr. Battle, referring presumably to the benefactors, and in further extenuation pointed out that the culprit had shared his booty with his friends. On another occasion, he defended a lady whose husband sought annulment of marriage on the grounds that she had deceived him as to family, position, color, and mode of life prior to her marriage. The case had already been decided adversely to the husband in a previous trial, but Mr. Battle, instead of pleading prior case, which would automatically have thrown the issue out of court, sought to let in the light of day. Unfortunately, so much was let in that the earlier decision was reversed.

Not that there aren't instances of Battle shrewdness. It was Battle who gave the late William J. Fallon the worst trouncing of his career. In 1916, Thomas Mott Osborne, Sing Sing warden, was indicted for perjury on false testimony, at the instance of contractors who were angry at his refusal to renew their contracts. Osborne had been mentioned as Democratic candidate for governor, so the case had strong political undertones. Fallon was the lawyer for the prosecution. The testimony came largely from a doctor. Mr. Battle, who was defending Osborne, had a detective pose as salesman of a valuable heating device and offer it to the doctor as a present in return for a signed testimonial saying he'd used it satisfactorily for a year. The doctor agreed, wrote the testimonial, and two or three days later, when the gift was delivered, sent the salesman a receipt. At the trial, Mr. Battle questioned him about his heating apparatus, elicited the response that he'd used it a year, and then gleefully produced both testimonial and receipt, with their incriminating dates. The witness' testimony was thrown out; and eventually all the charges against Osborne were dismissed.

Another occasion upon which Mr. Battle displayed his acumen — although in this case with less success — was when he was counsel for Harry M.



"Sh! Don't mention the League of Nations."



Blackmer, former president of the Midwest Refining Company and self-exiled Teapot Dome witness. Battle interpreted his client's refusal to emerge from the fastnesses of the French Riviera and answer the subpoenas served on him, as the act not of a man who had anything to conceal, but of one who sought thus to test the constitutionality of a law requiring that a summons served in a foreign land be heeded. The court declined to accept this picture of Mr. Blackmer as a legal student, and fined him sixty thousand dollars.

BATTLE is an inveterate writer of letters to the newspapers and a determined champion of the city's parks and playgrounds. He has written more letters to the papers than Adolph Lewisohn. Embellished with appropriate quotations from Milton, Kipling, and other poets, these have, in a delightful nineteenth-century literary style, advocated military ranks for nurses, praised women voters for supporting social legislation, eulogized deceased colleagues, recommended higher salaries for judges, opposed a bill allowing chiropractors to be called doctors, denounced stage blasphemy, praised North Carolina legislation, discussed the defects of criminal law, begged for the conservation of Pacific Coast sugar pines, recalled the achievements of Grover Cleveland on his ninety-first birthday, advocated international good will, attacked prohibition, and urged, before it was the general custom here, the wearing of gowns by judges. "The unfortunate persons who are charged with crime," Mr. Battle explained, "are for the most part of weak mentality. They are easily impressed by form."

As president of the old Parks and Playgrounds Association (which merged with the Central Park and Battery Park Associations in 1928 to become the Park Association), Mr. Battle bombarded the papers, the mayor, and the Board of Estimate with a barrage of letters demanding increased appropriations for the planting of trees, more open-air playgrounds, etc.

He waged relentless war on threatening encroachments, which ranged from peanut-stand and fruit-stand concessions in Battery Park to a proposed fifteen-million-dollar music and art centre in Central Park. He resisted the efforts of Mr. Rodman Wanamaker to erect a war memorial there and of Mr. Otto Kahn to have an opera house there. The Park, he felt, should be kept as rural as possible, and it has been. Childless himself, he saw to it that more juvenile playgrounds were built, and conducted personal tours inspecting swings, slides, wading-pools, and baseball diamonds. These things seem to have been dearer to Mr. Battle's heart than the intricacies of law, and possibly even than the joys of committee work. The tragic death of his favorite nephew during the war caused him to immerse himself more than ever in public affairs. He had brought the boy, John Manning Battle, up from the South and was grooming him to take a place in the law firm.

Mr. Battle resigned his Park position in 1927, to be succeeded by Nathan Straus, Jr., but he bears the

title of honorary president, and letters to the press about peanut stands and war memorials are still more likely to be signed Battle than Straus. In the past five years, he has turned increasingly to other affairs. In 1928 he took the stump for Smith, and in the fall of that year delivered so rousing an oration before three hundred delegates of sixty Polish organizations that his hearers cheered loudly and promised the support of no fewer than three hundred thousand Poles for the Democratic Party. In that year, too, he acted as vice-chairman, under Grover Whalen, of a committee to raise money for the Olympic Games athletes. The Battle fervor knows no distinction of race or creed. In 1931 a succession of philo-Semitic activities, including serving as chairman of the Board of Sponsors of the Wall Street Synagogue, presiding over the Jewish New Year celebration of the Madison Avenue Methodist Church, warning Poland to end anti-Semitic riots, and presenting a medal for distinguished public service to Felix M. Warburg, culminated in the election of Mr. Battle, along with a handful of other Gentiles, to the *American*

*Hebrew's* Who's Who for the year.

The old Battle spirit shows no sign of flagging. During the past few months, Mr. Battle was appointed by Mayor O'Brien to a committee to determine what changes should be made in the present city government. In the recent excitement over the ex-convict Burns, he volunteered his legal services and wrote Governor Moore of New Jersey urging that the man be not extradited. Last Christmas he acted as chairman of the Lawyers Division of the Christmas Seal Campaign, mailing thousands



"He pointed out how it's our depression, not just yours and mine."



*"Don't make fun, George! This one is a Cézanne."*

of dollars' worth of stamps to fellow-members of the Bar.

WHATEVER political ambitions Mr. Battle may have had must be a thing of the past, and the best he can hope for is the sort of medal which he so graciously pins to the lapels of others. Yet his letters, committees, commencement addresses, eulogies, debates, and speeches at Masonic lodges go on as furiously as ever. In private life, he is a very different man from the orator of a thousand banquets and the officer of a million committees. He enjoys a mild game of poker and plays an excellent hand at bridge. His Park Avenue apartment is stocked with countless well-thumbed books. He and his wife, the former Miss Martha Bagby of Richmond, Virginia, spend every summer at their country place in Virginia, where he hunts and fishes. He is a talkative dinner companion and the anonymous supporter of many an impoverished Southerner. His feeling for the Old Dominion is perhaps the strongest thing about him. He still owns a share in the original family

plantation, where the descendants of his grandfather's slaves still call him Master George. It is virtually impossible for him to turn down the plea of a Negro from his home town. He tells of visiting the place in 1914, at the beginning of the war, and of attempting to stimulate one of the Negroes there to thought worthy of an American citizen. "What do you think of this European war?" he asked. "Well, suh," was the answer, "they sure has a fine day for it."

—GEOFFREY HELLMAN

### OF ALL THINGS

AMERICANS of both parties take heart from the brave words of the inaugural address and hope for better things. The people would like to have a miracle but they would settle for less.

If the words "President Roosevelt" have an easy and familiar sound to your ears, wrap up well when you go

out, and wear your rubbers. You are no longer a whippersnapper.

Mr. Hoover takes with him as he goes the good wishes of the people. Everybody feels that the United States at the present moment is a perfect country of which to be ex-President.

Hereafter, the Fourth of March will be just one of the days it takes to make a year. The Fifteenth, however, will still be with us in all its sinister significance.

Maybe the Democrats should, as Al Smith suggests, kick out the bigots, fanatics, Populists, demagogues, mountebanks, and crackpots. At least the party might do without them during Lent.

Jimmy Walker fails to file an answer to the suit brought by that dress shop. Ol' Man Riviera, he don't say nothin'.

Owen Young gave the Rockefellers the idea for Radio City, according to O. O. McIntyre, who snaps his fingers at libel suits.

Mr. Whitney says he would have been laughed at if he had tried to halt the wild speculation of 1929, and no doubt that is true. It's fun to be fooled.

Charles E. Mitchell will now have time to pay some attention to his health, a thing which, it appears, he was not in business for.

Rainey won the Speakership through an alliance of Tennessee, Texas, and Tammany. Hereinafter to be known as the Washington T. Party.

From this distance, the Denver kidnapers look like Napoleons of Finance. It is amazing to discover that it is still possible to get sixty thousand dollars for a broker.

Henry Ford thought the depression was nothing to worry about, but look what happened. He was put on the hot spot and almost forced to become an out-and-out banker.

—HOWARD BRUPAKER