

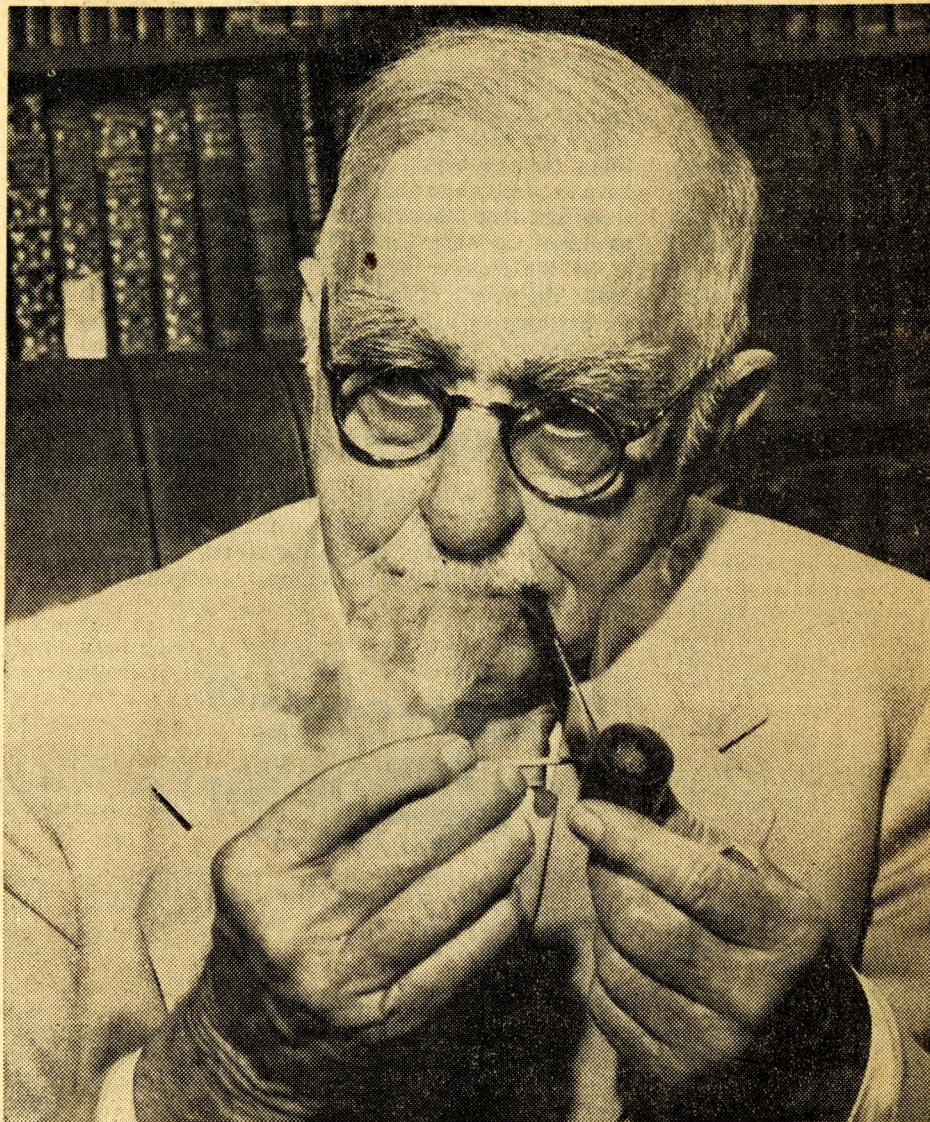
LAWYERS

The lawyers were James Clark; his son Ed, and Theodore
DeSabra, Judge _____ Whitt, ^{W.A.} Taylor Young and John Riley. *Elijah Hogg*

Prototype of A Kentucky Gentleman—That's Edward Clay O'Rear at 90

Still active as an attorney although a nonagenarian, Judge O'Rear lives in all but ducal splendor in Woodford County, looking back on a life filled with honors and accomplishments—and forward to still more service and enjoyment.

By PAUL HUGHES, Courier-Journal Staff Writer



Judge Edward C. O'Rear, still an active lawyer at 90, puffs on a pipe in the study of his Woodford County home and looks back over his life.

man who had come to Mount Sterling with a drove of horses to sell. He sold all but a lanky nag nobody would buy, so he offered me a free ride 56 miles back to West Liberty so he wouldn't have to lead him."

The publisher of The Scorcher was John Tom Hazelrigg, one of the ablest of mountain lawyers and scion of a British general and member of Parliament.

Hazelrigg permitted Ed to "read" law in his office in his spare time, and that led O'Rear not only into his lifelong profession, but to a courtship with Hazelrigg's daughter, Virginia Lee Hazelrigg.

They were married, and Ed kept up his law studies and his editorship—which, by the way, meant setting the type, too, and printing the paper.

Special Law Passed

When Ed O'Rear was 19, he was ready, so Hazelrigg felt, to take the bar examination. But he still lacked two years of meeting the 21-year-old rule. With Hazelrigg's help, a special act, permissible under the State Constitution of that era, was passed

by the Legislature to waive the age limit for young O'Rear.

But there was another barrier: the bar examiners at Mount Sterling, where O'Rear was directed to take the examination, agreed that both O'Rear and another young man who was also examined, were qualified, having answered all the questions propounded. However, at the end of the test, they told the boys that they should write their own certificates. That stumped both; they had no idea of the form such a document should take. They conferred seriously together—what should they do?

At length, at O'Rear's suggestion, they visited an attorney they knew and told him how honored they would be to have their certificates written in his inimitable and beautifully florid script. The lawyer, thus flattered, immediately agreed, whereupon the neophyte attorneys faithfully copied the papers and handed them in.

That was in 1882, and O'Rear hung out his shingle in Mount Sterling. Between the early days of being a printer

and a train "butch" and now, Ed O'Rear has been Chief Justice of the Kentucky Court of Appeals; nominee for Governor and nominee for Congress; the only Republican County judge Montgomery County has ever had; chief counsel in Kentucky for the Consolidation Coal Company for 41 years—he's today the oldest member of the organization—and the only alumnus of the University of Camargo.

Here is the way Judge O'Rear tells the story about Camargo—one that has been repeated hundreds of times. Whenever lawyers get together, you're almost sure to hear it:

"Some years ago, after I had resumed law practice following my service as appellate chief justice, an important oil-refinery case arose in which I was employed by a Philadelphia attorneys' firm as trial lawyer in the Federal Court at Lexington.

"I hadn't known any of the (Philadelphia) firm, and I'm sure they had found my name in their directory. But they wrote a rather full explanation of the litigation, and, as time for trial approached, they telegraphed a request that I go to Philadelphia to consult with them on the legal points that probably would come up.

"When I got to Philadelphia, a rather green countryman, I was escorted into their office suite, high up in a big office building. The walls were lined with shelves of books, the biggest law library I had ever seen. The floor was covered, wall-to-wall, with thick carpeting, and all about there was an atmosphere of ease such as I hadn't known.

"The principal attorneys I met were handsome men of great poise and dignity, well-tailored and of even voice.

"We sat about all morning discussing the case; and at length the head of the firm suggested that we go to the Union League Club for lunch.

"The club was lush, too, and populated by gentlemen of obvious wealth and position in Phila-

delphia. Each greeted the other with 'Hello, Judge,' or just, 'Nice to see you, Bill,' as they met acquaintances in the lobby and dining room.

"At length, my main host, introducing me to various friends who would stop by the table and then linger for a social few minutes, called out to somebody near me: 'Say, Tom, I saw your old friend Harry Blanketyblank in town yesterday; weren't you and he in Yale together? What was your class?'

"Other such friendly greetings were tossed about until, finally, a dignified lawyer sitting next to me turned toward me, apparently conscious that I, as a stranger, was being overlooked. 'Judge O'Rear, what was your alma mater?' he asked.

"I was nonplussed, but only for a minute, as my mind ran back to my little schoolhouse back in Kentucky. Here I was, in a crowd of great lawyers who had been profoundly educated in the principal seats of learning of the country. I simply had to make a showing.

'With Great Dignity'

"So I patted the ashes from my cigar into an ash tray, took a sip from my water glass and, as everyone's eyes turned to me, I looked my questioner straight in the eye and with great dignity and a slight smile of pride, said, 'I was graduated from the University of Camargo, sir!'

"From all around me there were head-noddings of approbation and respect: I could see at once that I had made a deep impression. And after that, I was treated with a certain deference that went a long way toward helping me, I felt, to win that Lexington case."

Judge O'Rear was doing right well with his law practice at Mount Sterling just before the turn of the century.

He was a handsome man with a black mustache and hair that beginning to gray, even though he was still in his 30's. His courtroom manner was ideal; the jury was his from the beginning of any case. Master of the metaphor, he used rapier-sharp satire

in his questioning; but there also was a disarming gentleness. No lawyer in that part of Kentucky was quite his equal, acquaintances said, and his fame soon spread beyond his own bailiwick.

On Bench 11 Years

In 1900, he took a seat on the State Court of Appeals, and was still there in 1911 when he was nominated for Governor by the Republicans.

The incumbent was Augustus E. Willson, who had succeeded J. C. W. Beckham, who in turn had succeeded to the Governorship at the assassination of William Goebel and had won a second term on his own.

The Democratic nominee against O'Rear was James B. McCreary, who had been Governor back in the 1870's.

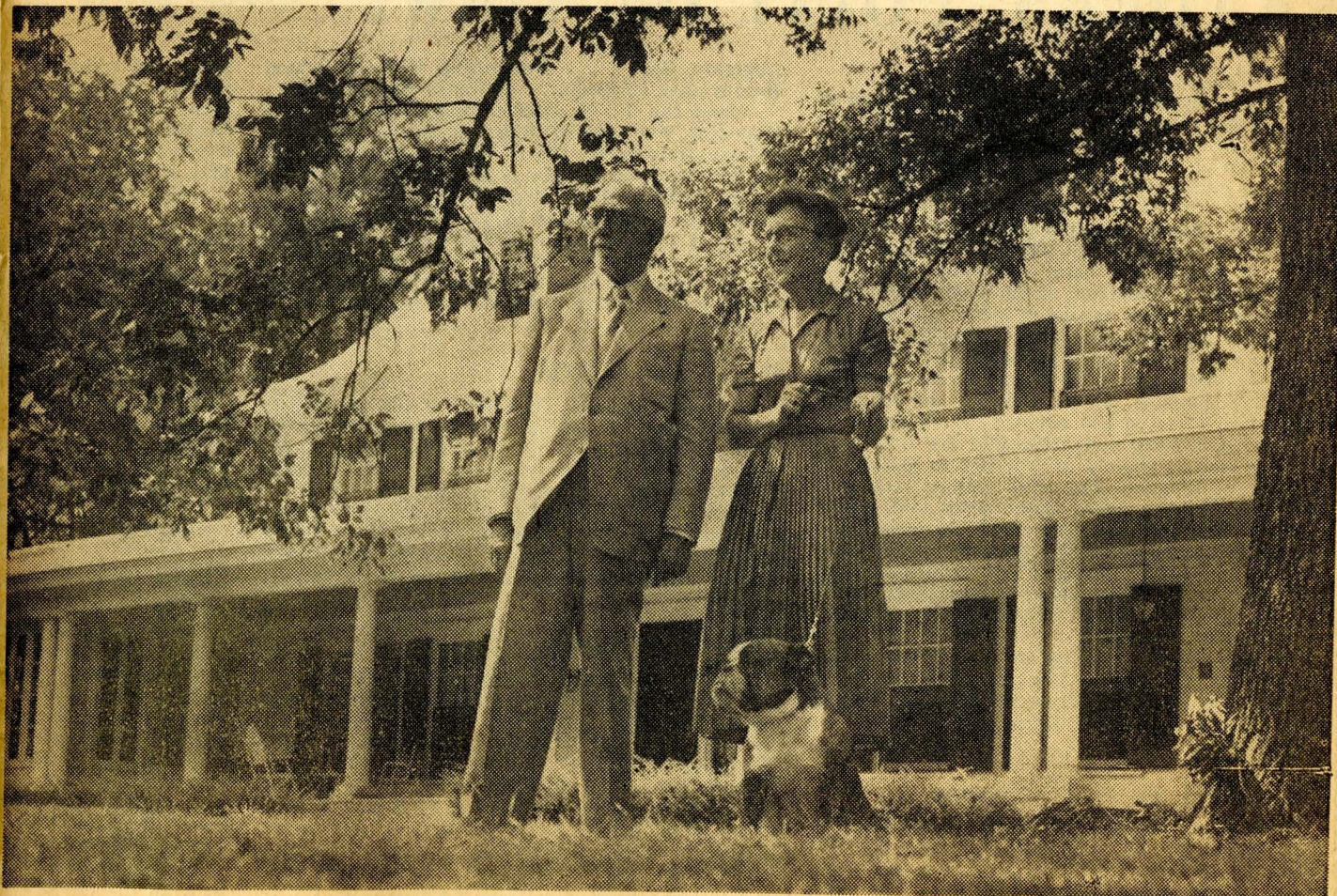
Willson was cool to the O'Rear candidacy, probably because O'Rear was at that time considered somewhat of a radical (now he's thought of as a conservative; he was the quite effective chairman of the Committee of 1,000 opposing a new Constitution for Kentucky a few years ago).

At any rate, McCreary defeated O'Rear—some said largely because of Willson's defection.

"After the election, I handed my resignation to Governor Willson," Judge O'Rear recalls. "I had studied the matter over thoroughly, and had come to the conclusion that if I remained on the bench I might expose myself to criticism in case I held against a man who had been against me in the campaign, or for a man who'd supported me."

And so, in the fall of 1911, O'Rear rented offices in the McClure Building in Frankfort—and there he has remained to this day. To this same suite, he now comes to

Continued on Page 4



Judge O'Rear and the second Mrs. O'Rear (she formerly was his secretary) stand on the lawn of Ashley

House, their palatial Woodford County estate. The judge has 40 living descendants, including in-laws.

Courier-Journal Photos by Billy Davis



MIGHTY E' HOOPE +
HIS ENCOUNTERS OF
WOMEN ADMIRERS

ky
DERBY
1920s

From The Collection Of:

Dr. Jack D. Ellis
552 W. Sun St.

Morehead, KY 40351

606-784-7473

Mo

Morehead, KY 40351

606-784-7473



Marg^S. Morris

Eliot Hopper
Lige ~~WIGHT~~ E
~~319 E.~~
MOREHEAD
ATTORNEY

WELBY YODAL
LAW PARTNER

From The Collection Of:
Dr. Jack D. Ellis
552 W. Sun St.
Morehead, KY 40351
606-784-7473



JH POWERS, CO Supt 1914-1930

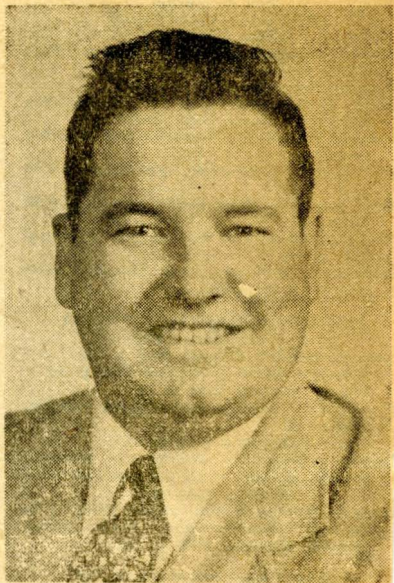
V (8) -

JH POWERS, ROWAN
COUNTY SCHOOL Supt
1914-1930. A MEMBER OF
THE BAR, MR POWERS
PRACTICED LAW BEFORE
AND AFTER HIS TERM
AS Supt.

(Photo Roger Barber
Collection)

2 cols

V (8)
110



SEEKS NOMINATION—James W. (Jimmy) Clay has formally announced for the democratic nomination for County Attorney of Rowan County. He is the son of the late James C. Clay and has practiced law in Morehad since his discharge from Maine Corps and graduation from law school.

—Pol Adv.