

JOHN P. HELMS.

Judge John P. Helms was born in the State of Kentucky in 1845, and he came to Nashville, Davidson County, Tennessee, when a young man and engaged in the practice of law, and has been a member of the Nashville Bar for many years, and has held Court as Special Judge in the various Courts of Nashville on various occasions, and was in the active practice of law until about two years before his death when he was forced to retire from the practice on account of his health.

Judge Helms is survived by his widow, who was Miss Fannie Fulghum, daughter of John G. Fulghum, who was for many years Manager of the old Commercial Hotel at the corner of Fourth Avenue and Cedar Street.

Judge Helms was active for many years in fraternal circles and was a member of the Red Men and Odd Fellows, and took great interest in said organizations, he was kind and courteous to all with whom he came in contact, and was held in high esteem by the members of the Nashville Bar.

Judge Helms was seventy-two years old when he died.

THEREFORE, Be it Resolved, That the Nashville Bar, in the death of Judge Helms has lost a kind, able and honest member, and that Davidson County has lost a good citizen and that his widow has lost a kind and good husband, but we hope that our losses are his eternal gain.

(Signed) J. W. Puckett,  
Percy Kannard,  
A. G. Rutherford,  
G. M. Miller,  
John T. Lellyett.

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CLAUDE WALLER.

January 3, 1919.

On this January 3, 1919, Frank Slemons, Esq. appeared in open Court in Parts I and II thereof, the Honorable John T. Lellyett, Chancellor, presiding in Part I and the Honorable James B. Newman, Chancellor, presiding in Part II, and presented the resolutions adopted by the Nashville Bar in memory of Judge Claude Waller, and requested that the same be enrolled in the Memorial Volume of this Court, and it was so ordered and decreed by the said Courts.

Said resolutions are as follows:

A meeting of the members of the Nashville Bar to take action in regard to the death of Judge Claude Waller, was held in the Chancery Court Room at Nashville, on December 13, 1918.

Judge J. M. Anderson was chosen as Chairman of the meeting, and Mr. R. B. C. Howell was chosen as Secretary.

A Committee on Resolutions was appointed, and reported the resolutions, which are published in this pamphlet. After the committee had reported, and the resolutions had been presented, appropriate remarks were made by the following members of the Nashville Bar:

Judge J. M. Anderson  
John T. Lellyett  
Frank Slemons  
Albert G. Ewing, Jr.  
J. Washington Moore  
M. T. Bryan  
Noah W. Cooper  
Hamilton Parks  
Robert F. Jackson.

The resolutions were then adopted, and the chairman of the meeting appointed the following committee to present a copy of the resolutions to the family of Judge Waller, and to the various Courts mentioned in the resolutions:

Judge W. K. McAlister, Chairman  
M. T. Bryan  
R. F. Jackson  
Walter Stokes  
Frank Slemmons  
M. H. Meeks  
J. Washington Moore.

#### R E S O L U T I O N S --

We have become accustomed, during the past year of war, to paying the relentless toll that death exacts. But death takes its toll in peace as well as in the stirring time of war. It cuts men down in the quiet of their homes - far from the scene of battle - as well as in the charge or defense in the great events of war.

Today we have assembled to pay tribute to the life and character of one of the most honored and distinguished members of the Nashville Bar. Judge Claude Waller passed away at his home on Saturday, December 7th, 1918.

In his life and character he reflected the very best of our civilization.

Born in a rural community, near Morganfield, Kentucky, on August 14th, 1864, of a strong and influential family of that State, he spent his boyhood in the county of his birth.

He had the distinct advantage, in his childhood and youth, of breathing the pure air of the farm; and of participating actively in the care of the soil from seed time to harvest. Indeed, this period of his life did so impress his character, that he retained his love of the soil - his fondness for making it productive and beautiful, until the end. He was never happier than in the field or in the gardens of his home, aiding by his personal labor as well as his wise direction, the fruit of the ground to grow, and coaxing the flowers to bloom by his eager and intelligent care. He loved all nature, the fields, the flowers, the woods and the birds of the air. It was the necessary result of this training and association with nature that he was peculiarly a natural man. He was singularly free from affectation, and he escaped the limitations of the artificialities so often the result of modern civilization.

In his boyhood he was educated in the excellent local schools of the county; and so thoroughly was he taught, that at the age of sixteen he was ready to enter college. Entering Vanderbilt University in the fall of 1880, he first became identified with Nashville, the city in which he was to pass every remaining winter of his life, and which, for the last twenty-eight years, he was to make his permanent home. Immediately upon entering the institution he made his place in the university community. Graduating in June 1884, he remained as instructor and post-graduate and professional student, for a period of six years, until in June, 1890, when he graduated from the school of law and entered the practice of his profession at Nashville.

His university career was full of honor. No man ever went out of the walls of Vanderbilt with a greater record of achievements, and bearing more honors, than he. However, in this period of his life he evinced the qualities that later brought him recognition in the greater arena of life - thoroughness in preparation, painstaking investigation, inexorable logic in the process of reasoning, a rare capacity for analysis, and a gift of clearness in statement, characterized his college days. Here we find the basic elements that brought him success, honor and position, as his life grew richer in tone with his maturing years.

The influence of his college years left other and deeper imprints of his character.

He developed there a profound affection for and loyalty to his friends. Many of the friendships of that period lasted until he passed away. Indeed he enjoyed a long friendship from this time of his life with many strong men which was never broken nor marred in a third of a century. The strong devotion to his friends enabled him as years passed, and he came in touch with men of various walks of life, to open and enlarge the circle.

However, he did not hastily nor eagerly invite strangers into what was to him a sacred relation.

Judge Waller came to the Bar in the fall of 1890, and continued his professional career for a full period of twenty-eight years. During this time, he had a wide range of experience in professional affairs, both public and private.

At the beginning of his professional life, he was associated in the practice, for several years, with Mr. Chas. N. Burch, formerly of this bar, with the firm name of Burch and Waller, both of whom were at the very threshold of their professional lives, and both of whom have attained great distinction.

In the few years in which he was in the general practice, he appeared in several important cases, and rapidly made a deep impression upon the older members of the bar, as well as the public generally. Nevertheless, in this period of his life, he had the adversities that the younger members of the bar generally have, but he bore them bravely and patiently, and devoted himself diligently to the preparation for his life work.

Judge Waller held public office twice. In 1892, when Judge J. M. Anderson was appointed from the Office of City Attorney to the position of Judge of the Criminal Court, Judge Waller was elected to fill his unexpired term as City Attorney, and was re-elected in the fall of 1893, for the full term of two years. It was in this position that Judge Waller first came prominently to the front as a lawyer. His ability in the handling of cases in Court, his accurate and wise counsel to the various officials of the city when legal problems arose in the administration of municipal affairs, demonstrated definitely that he was possessed of every requisite of an able and successful lawyer.

He had the conduct of some investigations in reference to the management of the city's police affairs, and while he held a political office, and the investigation of these affairs trenched somewhat upon the connections of prominent men in the City Hall, he fearlessly conducted the examination of witnesses, and laid bare before the public every fact that was pertinent that came to his knowledge, never sensational, however, except in so far as the fact itself was sensational.

While he was still City Attorney, and engaged also in the general practice of the law with Mr. Burch, the Legislature created the Second Circuit Court, and Governor Turney tendered to him the position of Judge of that Court. This position was tendered him in the late winter of 1895, and he accepted it. In the summer of 1896 he was elected to a full term. He remained upon the bench until the first of 1897, when he resigned to again enter the practice of the law.

To the members of this bar who practiced at that time it is unnecessary even to state that Judge Waller made an ideal judge. His fairness and courtesy upon the bench; his dignified demeanor, without assumption of authority; the kindness of his nature; his inherent love of justice; his diligence in the investigation of authorities, all combined with his rare powers of analysis, made him an able and just judge, satisfactory both to litigants and to lawyers.

When he retired from the bench, he retired to become associated in the practice of the law with the Honorable J. M. Dickinson, who had just returned from Washington, where he had been assistant Attorney General during President Cleveland's last administration. The firm was Dickinson and Waller. In their practice, this firm represented the Louisville & Nashville Railroad in the State of Tennessee, and Judge Waller held the title of Assistant District Attorney. This was the beginning of his corporate connections, and the beginning of a period of more than twenty years in which he devoted himself particularly to dealing with the questions that arose in the management of the affairs of a great railroad system.

So efficiently did he perform his duties as Assistant District Attorney, and so thoroughly did he impress himself upon the management of railroad interests as a lawyer, that when the law department of the Nashville & Chattanooga Railroad was reorganized, in 1898, Judge Waller was made General Counsel, and that position he held until the United

States Railroad Administration took charge of the operation of the road, and then he was made General Solicitor, performing practically the same duties with a slightly different title.

It was during his twenty years of service in this position that Judge Waller achieved his greatest prominence as a member of the bar of the State. He conducted many important cases for his client, with success.

However, it was as a counsellor and adviser that he arose to his highest position. His natural sense of justice, his incisive powers of analysis, the inexorable accuracy of his reasoning faculties, combined with an unusual degree of common sense, all combined to make him an adviser the equal of adviser in such a position in the South.

In the presentation of the more important cases in which his company was concerned, he rapidly attained before the bar of the State, a foremost rank as an advocate; the clearness of his mind, the logical arrangement, and the lucid statement of his presentation, always attracted attention, and won for him an unusual degree of reward.

In giving counsel, one of the qualities of Judge Waller's character always came to the front. Never dogmatic, always patient to hear, yet when once arriving at a conclusion, he fearlessly and courageously advanced it, regardless of whether his opinion met the wishes of his client or not. While Judge Waller was always loyal to the interest he represented, the breadth of his view, the generosity of his nature, were such that he could not fail to take into consideration the rights and claims of his opposing interest, and although firm and positive in his convictions, he was ever considerate of the opposite party.

Had it been Judge Waller's fortune to take part in public affairs, he would have filled with distinction and honor any office within the gift of the people. He had to a degree those qualities of mind and of heart that would have made him a most distinguished member of the highest court of the country. However, he chose the more modest and the more laborious part of a life among the ranks of his brother lawyers, and with the few exceptions just pointed out, never held, or sought, public preferment.

As an indication of the truth of these statements, when he served as special judge in the Court of Chancery Appeals, which was his only experience on the appellate bench, he demonstrated ability of the very highest order.

Throughout the years of a busy professional career, Judge Waller found time for much study and reading in the realm of history, politics, and general literature. He was prominent in the meetings of such associations as the Erskine Club, the Round Table, and the Old Oak Club, and from time to time made notable contributions upon subjects under discussion.

When we reflect upon his taking away, it is clear that this Bar has lost a lawyer the peer of any in our State, and one who could have contested with credit and honor with members of the bars of any sister State.

Therefore, be it Resolved, That in the death of Claude Waller, the Nashville Bar has lost a strong and honored leader; the State an upright and noble citizen, and we, as members, a respected and valued friend.

Be it further, Resolved, That a copy of these Resolutions be presented to his family, with expressions of our deep sympathy, and that copies be presented to the Supreme Court, the Court of Civil Appeals of the State, the Circuit, Chancery, and Criminal Courts of this County, and to the District Court of the United States.

Be it further Resolved, That a committee be appointed to make the presentations to the several Courts.

Respectfully,

John B. Keeble, Chairman.  
G. N. Tillman,  
Jno. T. Lellyett,  
W. O. Vertrees,  
E. A. Price,  
R. T. Smith,  
C. C. Trabue.