

JOSEPH HAYS ACKLEN:

When Joseph Hays Acklen died at his residence on September 28th, 1938, the Nashville Bar lost its oldest practicing member, and one of its most interesting and colorful personalities.

Born in Nashville on May 20, 1850, he was, of course, too young to enter the Southern Army. He was sent to Europe by his parents, and received much of his early education in France and Switzerland. To the day of his death the French language was to him as familiar as was English.

Many years ago the writer was associated with Col. Acklen and the late John A. Pitts (as decidedly the Junior member of the team) in a lawsuit involving the title to the property now known as West End Park. Our conferences were often held at Faucon's Restaurant - then at its zenith - and the Colonel, after due study of the memo, would always summon M. Faucon in person and give the order in French. He was one of the few lawyers who knew how to order something besides a steak and french fried potatoes. The particular wine to go with the meal was a matter of careful selection. M. Faucon would present the bottle, and stand at attention, napkin over arm, while the Colonel made due inspection. I shall never forget his polite and carefully repressed horror, when Judge Pitts (who was himself something of an individualist) ordered a bottle of sweet native wine in preference to M. Faucon's best claret.

This intimate knowledge of the French language stood him in good stead when he moved to Louisiana shortly after his first marriage in 1873. Always interested in public affairs, he was elected to the 45th and 46th Congresses from that State in 1878 and 1879. The campaigns were to a considerable extent conducted in French. Insults were given in French, and duels after the French fashion followed. Col. Acklen carried to his grave a scar on his forehead made by the glancing blow of a three-edged duelling rapier. He had rushed in as soon as the swords clashed and wounded his adversary in the arm, thus escaping the full force of the return thrust.

He was a wonderful shot with any sort of firearm. While living in Louisiana he won a bet that he could kill a certain percentag of live pigeons, flying from a trap, using a duelling pistol instead of a shot gun.

Declining a third election to Congress, he left Louisiana and returned to Nashville to resume the practice of law in 1885. He kept his interest in civic affairs, and was a member of the City Council from 1886 to 1891.

When the Klondike gold fever seized the country in the nineties, Mr. Acklen was not the man to stay at home. Like most of the adventurers, he brought back nothing but the recollection of some exciting experiences. It was a rough country, swarming with rough men. Everybody went armed. On one occasion, when out on a trail, Mr. Acklen encountered a man who was engaged in bea ding a dog to death. Mr. Acklen remonstrated, and backed up his remonstrance with a Colt-45. He saved the dog, and the owner had the wisdom to let it go at that. But it would have been quite in order for one or both to have died with their boots on.

All his life Col. Acklen was an ardent sportsman. He loved the gun, the dog, the open field. From 1903 until 1915 he was State Game Warden. In 1912 he was elected president of the National Association of Game and Fish Commiaaions of the United States.

Always keenly interested in the Tennessee Bar Association, he was elected as its president in 1901. He seldom, if ever, missed a meeting as long as his health permitted. The two matters which he constantly stressed were the enactment of a new code and the calling of a constitutional convention. In one of these, as we know, he was successful. It seems certain that but for his persistent efforts the Legislature would never have passed the Code bill. The Tennessee Bar owes him a debt of gratitude for this.

Col. Acklen was a man who thought and wrote much about public affairs. As a lawyer, he was at his best in the larger field of constitutional law. It was characteristic that he should devote the last years of his professional life to the questions of a new code and a constitutional convention.

In his passing, we who knew him have lost something bright and colorful - a good friend, a brave and adventurous spirit undaunted by adversity, a link with civilizations forever departed. It is fitting that we should pay this brief tribute.

March 11, 1939.

Thomas H. Malone,  
John W. Hildrop,  
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