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FERRISS CLAY BAILEY

The death of Ferriss Clay Bailey, on October 5, 1966, created a void which will be most difficult to fill. To know him was to love him. Truly, he was a gentleman in every sense of that frequently misused term; he was a gentle man, with hatred toward no one, and with an innate kindness which endeared him to all, and was ever ready and anxious to lend a helping hand to any one in need and a sympathetic ear to the myriads who sought him out; some might say that he was a "soft touch". But, lest it be thought otherwise by those who had not the privilege of knowing him as intimately as did the members of your committee, in the practice of his chosen profession he was ever an able and forceful advocate, according to his clients all of his boundless energy and legal ability in which he was the peer of the best. Nevertheless, while never failing in his zeal for his client's cause, his conduct in the courts and in his relations with other lawyers was such as to command the fullest respect of the courts and fellow practitioners, and in such matters his life and career set standards to be emulated by all. Undoubtedly many members of the Bar, who obtained their legal education under his tutelage, will recall his sage advice, that lawsuits, generally, are won, not in the court room, but by careful pre-trial investigation and study of the applicable law before entering the court.

One of his outstanding characteristics was a never failing keen and charming sense of humor, but, unlike many who are noted for their wit, his was always devoid of malice. There was no littleness or meanness in his nature.

Ferriss Clay Bailey was born, in Nashville, on October 22, 1899, the son of William Samuel, and Mary Ferriss, Bailey. His paternal grandfather, Professor William Bailey, was, for many years, in complete charge of the music department of the Nashville public schools, and, like his grandson, greatly beloved. He received his preparatory education at the old Hume-Fogg High School, which was noted for its able teachers and demanding curriculum. In 1916 he entered Vanderbilt University, and was graduated from the Law School in 1921, after an interruption of eighteen months during the years 1917-18 for service in the United States Army, in which he held the rank of Lieutenant. He was a member of Sigma Alpha Epsilon fraternity, and the legal fraternity, Phi Delta Phi. He was exceptional in the field of athletics, and, in addition to being an accomplished gymnast, he was a member of the basket ball team which won a State championship.

Upon graduation from Vanderbilt Law School he began his practice with the firm of Pitts and McConnico, later Pitts, McConnico and Hatcher. Soon thereafter he served, for about two years, as Assistant Attorney General of the State of Tennessee,

under the late L. D. Smith.

Subsequently, he formed a partnership with the late Elmer D. Davies, under the name, Bailey and Davies, which continued for a number of years.

Thereafter, he formed a partnership with the late Laurence B. Howard, under the name, Bailey and Howard, which continued, happily and congenially for both, for a number of years, and this was followed by an association with John K. Maddin and the late Fred S. Powell.

In 1952, he, Andrew Ewing, and Fred S. Powell formed a partnership under the name, Bailey, Ewing and Powell, which continues to this day as Bailey, Ewing and Dale.

Always willing to contribute generously of his time and effort for the good of the community, he was much sought after for his wise counsel in many fields, and particularly in the field of education; and, to name a few of the positions which he honored, he served as Dean of the Y. M. C. A. Law School, as a member of the Boards of Education of both the City of Nashville and Davidson County, as trustee of Montgomery Bell Academy, as President of the Nashville Bar and Library Association, as a member of the Board of Stewards of West End Methodist Church, and as a director of the Y. M. C. A.

One of his outstanding services to the Bar was as a member of the committee which, in the "thirties", drafted new rules for the regulation of practice in the Circuit Courts, and these rules, with certain changes, remain in effect today. To him is due the credit for the abandonment of the former practice of arbitrarily assigning a set number of cases to each court per day, and the adoption of the present system of assigning cases to available court, thereby ensuring the fullest use of the court.

In addition to the Nashville Bar Association, he was a member of the Tennessee Bar Association, and American Bar Association; the Belle Meade Country Club, and the Cumberland Club. In the nineteen twenties he and a number of his contemporaries, including William Waller, Cecil Sims, Alfred T. Adams, George H. Armistead, Jr., J. Connelly Edwards, Matthew M. Campbell, who now practices in New York City, E. J. Walsh, Miller Manier, and Albert W. Stockell, organized The Dissenters' Club, the name of which conveys well its purpose.

On February 10, 1926 he was married to Miss Clara Rust, and, of that marriage, were born two sons, Ferriss Clay Bailey, Junior, and William Winston Bailey, the latter of whom predeceased him in 1953. He is survived by his widow, Clara Rust Bailey, and his son, Ferriss Clay Bailey, Jr., who is a member of his father's firm, Bailey, Ewing and Dale.

NOW THEREFORE, BE IT RESOLVED, by the Nashville Bar Association, in a meeting duly assembled, that, in the passing of Ferriss Clay Bailey from our number, the Bar has suffered an irreparable loss, and the countless numbers who know and loved him will sorely miss his wise counsel, his ready wit, and his love for all; and be it further resolved that this resolution be enrolled in the Memorials of this Association, and that a copy be transmitted to his beloved wife, Clara Rust Bailey, and his son, Ferriss Clay Bailey, Jr.

Respectfully submitted,  
William Waller,  
Henry Goodpasture,  
Andrew Ewing