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# THE TWIN CITY LAWYERS' GUILD

HENRY W. McCARR, JR.\*

WHAT DO Cana days and a Catholic lawyers' guild have in common? In the Archdiocese of St. Paul, where there is a unique connection between these two activities, the answer is "quite a lot." No doubt, the founders of the Cana day movement expected that much good would result from the mutual efforts of the participating Catholic laity. But it would have required a special gift of prophecy for anyone to foretell that the Cana days (begun in the Archdiocese of St. Paul in 1946) would be the mustard seed from which would grow such an apparently unrelated Catholic activity as The Lawyers' Guild of St. Thomas More. The Guild is an association of Catholic lawyers and jurists in the metropolitan area of St. Paul and Minneapolis, Minnesota.

Among the participants in a Cana day held in the Archdiocese in 1946 were a number of professional men who took from this experience a resolve more fully to relate their professional lives to the work of the Church. These men found a willing ear in the Right Reverend Richard T. Doherty, professor of theology at the St. Paul Seminary, and Director of Catholic Action for the Archdiocese. In a meeting with Msgr. Doherty, the men formulated their plan: They would promote Catholic Action cells, each of which would draw its membership from a particular professional group.

In 1949 it was decided that one of the cells would be for Catholic lawyers. St. Paul attorney Joseph M. Donahue, who was destined to be the first president of the Guild, sent letters to Catholic lawyers in the Twin Cities who had made Cana days. The first meeting – a luncheon meeting at the Athletic Club in St. Paul – was attended by a dozen lawyers, predominantly from St. Paul, and by Msgr. Doherty. Thus it was that the forerunner to the present Guild had its beginning in the year 1949 as a cell for Catholic Action. Luncheon meetings were held once a week in downtown St. Paul, and it was not long before the organization was complete and the membership had increased.

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However, as a cell of Catholic Action, the early Guild was a far different organization from its modern day successor. In keeping with the idea of the "cell," membership was small. While the members did study moral problems of the legal profession, the characteristic "judge and act" format of the Catholic Action cell characterized the weekly meetings.

Yet, by 1951, the concept of the Guild as a closely-knit, select cell of Catholic Action was giving way to the idea that the function of the Guild should be expanded to serve the needs of all Catholic attorneys in the Twin City area, and to make them more aware of their obligations as Catholic lawyers.

### **The Guild Organizes**

It was in 1951 that the organization of the Guild was formalized by the adoption of a constitution and bylaws. Article I of the constitution adopted in 1951 reads: "The name of this association shall be The Lawyers' Guild of St. Thomas More."

Article II states the purpose of the association to be: ". . . to bring God into the law and to restore the Christian concept of jurisprudence."

By Article IV, the Board of Directors consists of: ". . . seven members of the association, one of whom shall be the Moderator."

Article IV also provides that the moderator shall be the Director of Catholic Action for the Archdiocese of St. Paul.

Article I of the bylaws reads, in part: "The officers shall consist of the Moderator, the president, vice-president and the secretary-treasurer, elected from the membership by the board of directors and each serving for a term of one year. . . ."

The same article provides that the board

of directors, other than the moderator, shall: ". . . be elected by the members on report of a nominating committee appointed by the president . . . for such terms that two members shall be elected each year. . . ."

Prior to the adoption of the constitution and bylaws in 1951, the Guild had abandoned weekly luncheon meetings in favor of evening meetings. Next came the move to bimonthly meetings and finally to monthly meetings, as provided in the new bylaws. Most of the meetings were held at the College of St. Thomas in St. Paul.

### **Lectures**

In 1951, after the accomplishment of the preliminary organizational work, the Guild took another step toward broadening its appeal to include all interested Catholic lawyers in the Twin City area. A lecture program, having as its theme the Natural Law, was adopted for the Guild year 1951-52. It was fitting that the Guild turned to its moderator, Msgr. Doherty, to give the opening lecture titled, "What is the Natural Law?" Speakers for the year included Dr. Emerson Hynes of the faculty at St. John's University in Collegeville, Minnesota, who spoke on "The Natural Law and Parental Rights as to Education"; Dr. H. A. Rommen, then professor of political science at the College of St. Thomas in St. Paul and now a faculty member at Georgetown University, whose subject was "The Natural Law and Democracy," and the second president of the Guild, Minneapolis attorney and author Ben W. Palmer, who spoke on "The Natural Law in Equity" and "The Natural Law in the Supreme Court of the United States."

With this attractive program, member-

ship in the Guild began to grow. It is estimated that the 1951 membership totaled about fifty; by 1961, the figure reached 130. For a short time following 1952, the lecture method was abandoned in favor of group participation in study projects related to ethics and the law, but the idea of inviting competent speakers to address the Guild meetings was soon firmly established. This is the basic approach of the Guild today.

### The Red Mass

Had the Guild been nothing more than a forum for the presentation of Catholic doctrine in the light of contemporary legal problems, it is doubtful that the organization would have achieved its present success. But, like its counterparts and predecessors in other parts of the country, The Lawyers' Guild of St. Thomas More in the Archdiocese of St. Paul gained its strength, purpose and inspiration from the annual observance of the Red Mass. From the very beginning, the Red Mass was instituted by the Guild as a service to the legal profession and to the community.

The Guild moderator, Msgr. Richard T. Doherty, was the celebrant and preacher of the first Red Mass, held in 1949 at the Chapel of the College of St. Thomas in St. Paul. Msgr. Doherty also preached at the Red Mass in 1952. In his 1952 Red Mass sermon, the Monsignor described the origin of the Red Mass, and remarked:

In the city of Paris there stands a gem of medieval architecture called La Sainte Chapelle. Once the private chapel of the kings of France, it is now merely a national monument used for one religious service only — the annual Red Mass. If, within its hallowed walls, there is to be but one Mass each year, it is altogether fitting and proper

that it should be the Red Mass, which owes its origin to the builder of La Sainte Chapelle, Louis IX, King of France, canonized saint and lawgiver.

In 1950, the celebrant was the Most Reverend James J. Byrne, then Auxiliary Bishop of the Archdiocese of St. Paul and now Bishop of the diocese of Boise, Idaho. The Right Reverend George A. Gallik, Chancellor of the Diocese of Duluth, Minnesota, gave the sermon. In 1951, the Bishop of the diocese of La Crosse, Wisconsin, the Most Reverend John B. Treacy, preached the sermon; the Red Mass was offered by Msgr. Doherty. In each succeeding year, prominent midwestern clergymen and members of the hierarchy have been selected to participate in the celebration of the Red Mass.

It came to be the established practice that the Red Mass would be held on the fourth Sunday of September in each year at the Chapel of the College of St. Thomas in St. Paul, to coincide with the opening of the fall term of the Minnesota Supreme Court the next day. This procedure was followed with but few exceptions. One exception was in 1955, when the northwest regional meeting of the American Bar Association was held in the City of St. Paul. In that year it was deemed appropriate to hold the Red Mass Thursday, October 13th, during the sessions of this regional conference. The celebrant and preacher was the late Most Reverend William O. Brady, then Bishop of the Diocese of Sioux Falls, South Dakota, but soon destined to be Archbishop of the Archdiocese of St. Paul. Bar association officers and members from seven states and three Canadian provinces joined in celebrating the Mass. Dignitaries attending included judges of various courts and prominent civic leaders, including the

governor and attorney general of the State of Minnesota.

The tone of the Bishop's sermon at the Red Mass of 1955 was appropriately expressed by one enterprising headline writer in this caption: "Lawyers Get 'Ruling' on Their Duty" (*Minneapolis Star*, Thursday, October 13, 1955). In his sermon, the Bishop admonished the Catholic lawyers that they were: "essentially upholders of the integrity of the law so that the bench may maintain its dignity and the police their majesty. . . . Without your preserving of such integrity, the dignity of the courts declines into contempt."

Preaching at the Red Mass of 1956, the Right Reverend James P. Shannon, President of the College of St. Thomas in St. Paul, chose a timely topic, the question of integration. After describing the racial problem as "the greatest social cancer of our day," and predicting that "it will take generations, if not centuries to solve — just as it has taken centuries to evolve," the speaker concluded with this plea to the assembled members of the legal profession: "To you leaders who guide our legal system we look for positive and constructive leadership in this difficult but challenging undertaking."

The thirteenth annual Red Mass, on Sunday, September 24, 1961, was a wonderful success. This year, as every year, a colorful red and white formal invitation was sent to each of the 2300 members of the Ramsey and Hennepin County Bar Associations, to the judges of federal, state and local courts in Minnesota, to all state constitutional officers, including the governor and attorney general, to the mayors of St. Paul and Minneapolis, and to other metropolitan area officials. The members and guests were invited to bring their families to the Red

Mass. A social hour, with refreshments, was held on the College of St. Thomas campus following the Mass. This year's attendance numbered over 550 persons. The celebrant and preacher, the Most Reverend Leonard P. Cowley, Auxiliary Bishop of St. Paul, took as his theme the development of the law under a Nordic king who lived almost 1000 years ago, St. Olaf of Norway. This subject had a special significance for those many Minnesota citizens of Scandinavian descent. The Bishop observed:

The law extended, as it did in all Christian countries of the time, to religious as well as to secular affairs. It was a very strict but a just law. Assuring the Christian behavior of all, it gave no quarter to the aristocracy. . . . Olaf's was a provincial law at first, but it was destined to become a universal influence. It joined the forces of good law from all sources. Once a tributary it now is in the indivisible mainstream making glad the city of God, the holy dwelling place of the Most High.

### Meetings

Once the original enthusiasm for the new organization had passed, it became apparent that in addition to the lectures, an attractive social program would be an inducement to attendance at Guild meetings. Thus evening dinner meetings came into being. At first, these meetings were strictly stag affairs, but a few years ago a decision was made to invite the members' wives to one dinner meeting a year. This special dinner meeting proved to be a good attraction. The ladies appreciated the opportunity for an additional night out, and were as interested as their husbands in the lectures and question and answer sessions which followed. One of the best attended husband-wife dinners was in 1956, when the

speaker was the new Archbishop of St. Paul, the late Most Reverend William O. Brady.

For the 1961-62 season, the Guild is trying a new experiment which gives promise of being a success. Of the six dinner meetings scheduled for the year, three will be open to the wives of members. The Guild now holds most of its dinner meetings at the College of St. Thomas in St. Paul, where accommodations are excellent and the cost is modest. Nevertheless, at least one dinner meeting each year is held at one of the clubs or hotels in the Twin City area.

The program for 1961-62 calls for the six dinner meetings to be held on the fourth Monday of each month, October through April, but skipping the month of December. The wives of the members were invited to the first dinner meeting in October and were invited to the January meeting and will be invited to one additional dinner meeting.

The October dinner meeting was addressed by Msgr. James P. Shannon, the President of the College of St. Thomas in St. Paul, who spoke on the topic "Papal Volunteers for Latin America." The November meeting featured Msgr. Louis J. McCarthy, Rector of the St. Paul Seminary, whose subject was "Man and Freedom of the Will." In January Msgr. Doherty spoke on "A Catholic View of the Law," "The Natural Law" was the February topic, with the newly-named Archbishop of St. Paul, the Most Reverend Leo J. Binz, now Archbishop of Dubuque, Iowa, as speaker. In March, Minnesota's junior United States Senator, Eugene J. McCarthy, will speak on "Natural Rights and the State," while in April, the Most Reverend Gerald O'Keefe, one of the two Auxiliary Bishops

of St. Paul, will discuss "The Catholic Lawyer and His Relations With the Chancery Office."

This year it so happens that the speakers are predominantly members of the clergy, but in the typical schedule, a balance is achieved between lay and clerical lecturers.

Written notices, with enclosed return reservation postcards, are sent to the members prior to each meeting. In addition, a telephone committee, composed of members' wives, is now being activated by the Honorable Ronald E. Hachey, a state district court judge and one of the Guild's directors.

### Membership

While the present Guild membership of 130 consists almost entirely of lawyers and judges from the Twin City area, one member hails from Marshall, Minnesota, a distance of 153 miles from the Twin Cities.

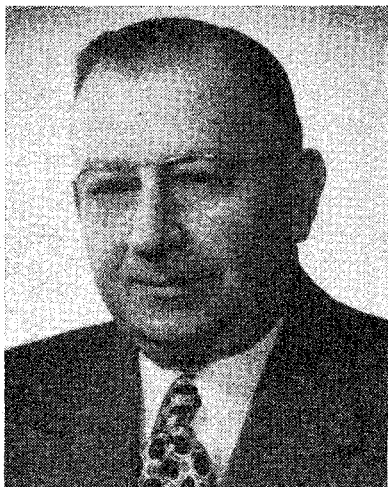
Each year, at a time shortly before the Red Mass, memberships are solicited by mail from a list of 325 Catholic lawyers in the St. Paul-Minneapolis area. As names of prospective members become known, the list is expanded; but it is not an easy task to obtain a census of this nature.

Like many other organizations, The Lawyers' Guild of St. Thomas More is a victim of inflation. The original dues were \$2.50 a year; the present annual dues are \$5.00. In addition to the dues, the first membership plea requests a donation for the expenses of the Red Mass. Members have responded generously to this appeal. After the Red Mass, a second written appeal for membership is made to those on the list who do not respond to the first request.

### Officers and Directors

Ask a non-Minnesotan what he knows

about the cities of St. Paul and Minneapolis and he is likely to reply in one word: "Rivalry." After all, didn't intercity feuding almost cause major league baseball and football to bypass the Twin Cities? We Twin Citians are rightly indignant about



*Honorable D. E. La Belle, President,  
The Lawyers' Guild of St. Thomas More*

this grossly exaggerated image of what is essentially nothing more than a spirit of healthy competition. The Lawyers' Guild of St. Thomas More has encountered no difficulties in its bi-city operations. For example, it has become traditional to alternate elective offices of the Guild between members of the two cities. But this is done in order to keep the management of the association close to the members, rather than in any spirit of compromise. The officers of the Guild for the 1961-62 year are the Honorable D. E. La Belle, of Minneapolis, retired state district court judge, president; Richard E. Leonard, St. Paul attorney, vice-president; and Henry W. McCarr, Jr., of St. Paul, secretary-treasurer. The six directors, who include two state district court judges, are evenly distributed

between the two cities. Cooperation is the byword, and Guild members do not think of themselves as St. Paul or Minneapolis members.

### **The Moderator**

To relate the development of The Lawyers' Guild of St. Thomas More without giving due recognition to the contribution of the Guild's moderator, Msgr. Doherty, would be as empty as a history of the Church omitting all mention of the Papacy. There were officers, directors and members who left their mark on the Guild; but through the association's thirteen years, the Right Reverend Richard T. Doherty has remained as moderator. His enthusiasm, encouragement, counsel, administrative abilities and unselfish willingness to serve have earned him the admiration and respect of all Guild members. If there is Guild business which needs attending to, no hour of the day is too early, nor too late, nor too inconvenient for the Monsignor. He continually demonstrates that he is, indeed, "a man chosen from among men."

### **Public Relations**

Every year the Guild has prepared and distributed to the local Catholic and daily press information concerning the association's activities. Some television coverage usually is obtained for the Red Mass.

This year a decision was made to expand the public relations functions of the Guild. The present officers and directors agree with Msgr. Doherty that it is important to inform the community of the existence and purposes of the organization. The expansion is taking place in two ways. First, speakers are encouraged to submit to the

Guild's secretary, prior to the meeting date, partial or full texts of their remarks. The news media prefer direct quotes to paraphrased reports. The full text of Bishop Cowley's Red Mass sermon this year was mimeographed and distributed to the press, radio and television. Second, the publicity mailing list was expanded to include local radio stations and suburban and weekly newspapers in the area. In fact, prior to the Red Mass, one statewide press release was prepared announcing and explaining the Red Mass and describing the Guild. This release was circulated to 100 radio and television stations in Minnesota, and to all of Minnesota's 450 newspapers. The results of this statewide release were most encouraging. For the first time, citizens in the iron mining towns of northern Minnesota and in the farming communities of the southern part of the state learned of the Red Mass and of the work of the Guild.

### **Future Plans**

What of the future plans for the Guild? One hundred and thirty members from a mailing list of 325 — a percentage of more than one-third — is encouraging. Nevertheless, the Guild's moderator, officers and directors believe that even better results could be obtained if the membership campaign by mail were supplemented by the direct person-to-person approach. This technique will receive a high priority in the immediate future.

The constitution and bylaws should be overhauled. Minnesota now has a Non-profit Corporation Act under which the Guild could be transformed from an association into a nonprofit corporation. In addition, the organization's constitution and bylaws are not entirely expressive of

the present needs, goals and procedures of the Guild. A revision is planned, and should be ready for presentation to the Guild at its April, 1962 meeting or, at the latest, at the first meeting of the association in the fall of 1962.

Another project planned for early 1962 is preserving a systematic history of the Guild by microfilming of records, minutes of meetings, press releases, and various information and data. A copy of the film will be filed in the library at the St. Paul Seminary. Like most voluntary organizations, the Guild now recognizes the need to keep a better account of its activities for future use.

### **The Guild — A Purposeful Activity**

The Lawyers' Guild of St. Thomas More is serving a need in the Archdiocese of St. Paul. It has been the bond cementing together Catholic lawyers of the community for a common purpose, the spiritual enrichment of their professional lives. It has been a forum for the mutual solution of moral-legal problems. It has been the school of applied theology and philosophy for the active practitioner caught in the incessant whirl of his daily activities. It has been the occasion for the formation of new friendships between those who share both a common profession and a common Faith. It has been a good example to the Catholic laity, and to the entire community as well. It has helped to create a favorable public image of the lawyer, showing him as a responsible, informed and God-fearing man, who is dedicated to the noblest traditions of an ancient and honorable profession, and who consistently seeks his fulfillment according to the Divine Plan.