

WESTERN NEW YORK

# HERITAGE

Volume 20 Number 1

Western New York's Illustrated History Magazine

\$8.00 Spring 2017

CELEBRATING

# 20

— YEARS —

# OF HERITAGE

# 1997

WESTERN NEW YORK  
**HERITAGE**  
MAY 2017



**BUFFALO'S OWN**  
Prince Melodion

**CROSSROADS ARTIFACTS.**  
Excavations Shed Light on Previous Occupants

**FIN ISH WOMEN'S STORY**  
From Tipperary to Buffalo's Canal Street

**THE OLD PHOTO ALBUM**  
Main Street 1921

**Ghosts of Buffalo's Christmas Past**

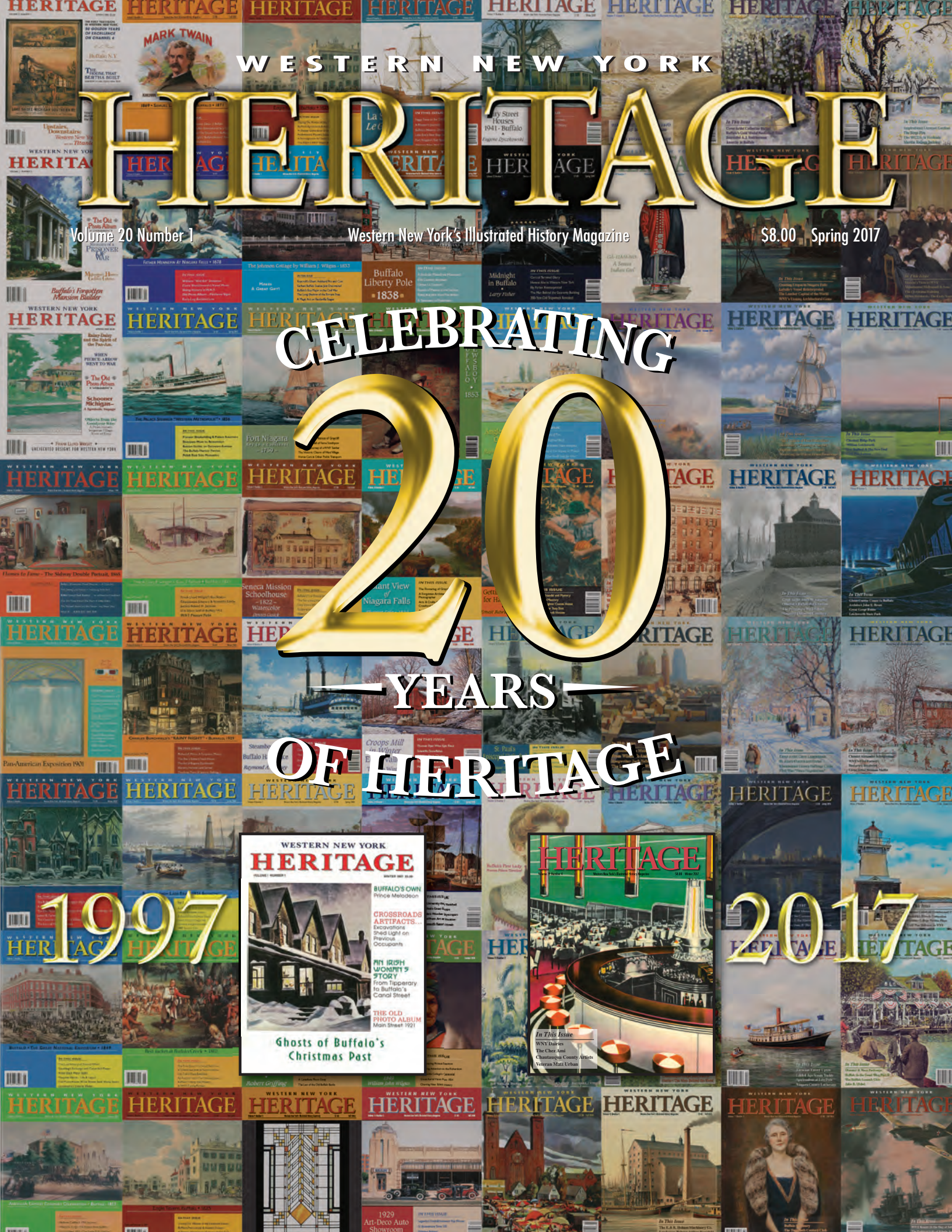
Robert Griffing

**HERITAGE**  
MAY 2017



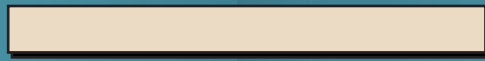
**In This Issue**  
WSNY Dances  
The Cher Ami  
Chautauque County Artists  
Veterans Meet Urban

# 2017





**A FIRM COMMITMENT:**



# Hodgson Russ' Two Centuries of Leadership in Buffalo



By Chris Muldoon

Notable firm attorneys through the years.  
Left column: Nathan Hall, Millard Fillmore, Solomon G. Haven,  
Grover Cleveland and Dennis Bowen.  
Right column: Franklin D. Locke, John Milburn, Charles Sears,  
Chauncey Hamlin and Louis Babcock.

**A**ny time a local business reaches a milestone anniversary – whether it’s 50, 100 or even 150 years – it is worthy of commemoration. For the law firm Hodgson Russ, which celebrates its bicentennial in 2017, the feat is especially significant. With an unbroken succession of firms dating back to 1817, Hodgson Russ lays claim as the oldest continuous business in Buffalo, and is one of the oldest law firms in the country.

But in the case of Hodgson Russ, the accomplishment of existing for 200 years only tells half the story. The firm’s history and that of Buffalo are intricately connected in a myriad of ways – some well-known, others more obscure. Members of the firm and its predecessors have been behind many crucial events and civic institutions that define Buffalo’s past and present, from the completion of the Erie Canal to the incorporation of the city to the creation of local educational systems. Furthermore, the firm has a long track record of working with business leaders in key industries that have shaped the region’s economic development, including railroads, milling, steel manufacturing and banking. These contributions are the full legacy of Hodgson Russ, and have resulted in a unique relationship between a private business and its city – one that continues to this day.

### **The Birth of a Law Firm and a City**

The roots of Hodgson Russ can be traced back to one man: Asa Rice. At the age of 29, this notable trial attorney left Wyoming County to practice law in Buffalo. When he arrived in 1817, the village was the seat of Niagara County. He was a member of the First Presbyterian Church and sat on the committee that formed the Buffalo Sunday School Society. Records show that in 1822, Rice’s office was located in a small, one-story building east of Main Street, just above present-day Lafayette Square.

At the time of Rice’s arrival, Buffalo was entrenched in a heated competition with the nearby village of Black Rock to become the western terminus for the Erie Canal. Black Rock appeared to hold the advantage by boasting a natural harbor. But Buffalonians would not be deterred. On December 16, 1820, a group of citizens gathered at the Eagle Tavern to appoint a seven-man committee that, among other duties, drafted an official petition to connect the canal with Lake Erie at the mouth of Buffalo Creek. On that committee was Asa Rice. The document would prove to be a pivotal piece of Western New York history. Around the same time, the village was bolstering its résumé by building a harbor of its own.

In the winter of 1822, the Canal Commissioners announced that Buffalo would be granted the western terminus. By 1825, the canal was completed, and Buffalo quickly became “The Gateway to the West.”

With the city growing at a break-neck pace, Rice decided it was time to expand his business. He convinced his brother-in-law, Joseph Clary, to leave his firm in Cherry Valley, NY, and join him in Buffalo. The new firm would be called Rice & Clary. In 1822, another new member would join the firm; an

unpaid clerk named Millard Fillmore. While studying the law, Fillmore supported himself by teaching in the Cold Spring school district. He was admitted into practice in 1823. After Rice’s death in May of the same year, the firm was renamed Clary & Fillmore. The partnership would be a tumultuous one, to say the least. Early on, Fillmore moved his office to East Aurora, while Clary remained in Buffalo. Such an unusual arrangement strained the relationship, leading to a brief separation before the two lawyers reunited in 1830.



The Erie County courthouse, ca. 1898. Finished in 1817, the structure was located where the Buffalo and Erie County Public Library now stands. Asa Rice’s 1822 law office was located nearby.  
WESTERN NEW YORK HERITAGE COLLECTION



Buffalo from Lake Erie, ca. 1833. In 1820, Asa Rice was part of the committee that drafted the petition to name Buffalo as the western terminus for the Erie Canal, marking the village for future greatness. By 1823, Rice was dead, but his firm had grown to include Joseph Clary and a young Millard Fillmore. Both would be part of the 18-man committee charged with drafting the charter for the City of Buffalo in 1831, as the rapidly growing village sought to incorporate.

LIBRARY OF CONGRESS

By 1831, time had come for Buffalo to be incorporated as a city. Clary and Fillmore were part of an 18-man committee charged with drafting the charter. At the time, Clary carried special clout as the president of the village Board of Trustees. The committee's application for incorporation of the City of Buffalo was passed by the State Assembly on April 4, 1832 and the Senate on April 18, then approved by Governor Enos Throop on April 20.

In 1833, Fillmore and Clary amicably parted ways, and Fillmore brought in Nathan K. Hall. Three years later, another partner, Solomon G. Haven, joined the firm, which was renamed Fillmore, Hall & Haven. Under these three men, the firm would become the preeminent law firm in Western New York. Their office was on the second floor of the American Block, on Main Street between Eagle and Court streets.

In addition to its thriving law business with clients spanning from Boston to Michigan, Fillmore, Hall & Haven – individually and collectively – had a major civic

impact in Buffalo. Hall led the creation of Buffalo's public school system, which was the first tuition-free, tax-supported public school system in New York State. In 1846,

Fillmore and Hall joined a group that drafted the charter for the University at Buffalo as a private institution. As a State Assemblyman, Hall was influential in



When Millard Fillmore and Joseph Clary parted ways in 1833, Fillmore continued the firm by adding attorneys Nathan Hall and Solomon Haven. The three established their new office on the second floor of the American Block, on Main Street between Eagle and Court streets.

WESTERN NEW YORK HERITAGE COLLECTION

pushing the bill through the State Legislature. After the university charter was granted on May 11, 1846, Fillmore was named Chancellor.

By 1847, increasing political responsibilities would finally pull Fillmore away from the firm. In a fitting conclusion to the partnership, Fillmore and Haven engaged in a good-natured negotiation and coin flip to determine the price of Fillmore's law books. Fillmore, of course, would go on to be elected vice president of the United States, running with Zachary Taylor on the Whig Party ticket in 1848. Following Taylor's death in 1850, Fillmore assumed the office of president. In that role, he named his former law partner, Nathan Hall, as postmaster-general.

The legacy of Fillmore, Hall & Haven is not merely one of productivity but also comradery. During their relatively short time in business together, the trio seemed inseparable. They were regularly seen socializing together. All three attended the same Unitarian Church. They even simultaneously held political office. So it should be no surprise that the three men have adjoining family plots in Forest Lawn Cemetery, Fillmore on the left, Hall in the center and Haven on the right.

### Empowering Buffalo's Industrial Era

Following the departure of Fillmore, Nathan Hall forged a partnership with Dennis Bowen. However, Hall eventually retired from the firm to hold full-time political office. Bowen soon teamed up with Henry W. Rodgers, whose prior accomplishments included the formation of the Buffalo Water Works. The firm, and Bowen in particular, worked closely with Buffalo's most prominent business figures of the time, including Pascal Paoli Pratt and William Fargo. Of his many ventures, Pratt would lead the formation of Manufacturers & Traders Bank, beginning the firm's long and extensive relationship with M&T. William Fargo was a founder of the American Express Company and Wells Fargo. Bowen built such strong trust and personal relationships with his clients that Pratt and Fargo served as pallbearers at his funeral. [For more detailed coverage on M&T Bank and William Fargo, see stories in the Summer 2006 and the Summer and Fall 2002 issues of *Western New York Heritage*, respectively. Copies still available.]



*...where someone will  
always mow the lawn  
and polish your  
granite front door.*

Think about it—you've always taken care of your own home.  
But who will continue to take care of you after you die?

Mount Calvary Cemetery Group.

You'll be awed by the artistry of the memorials and buildings  
and calmed by the serenity of the immaculately kept grounds.

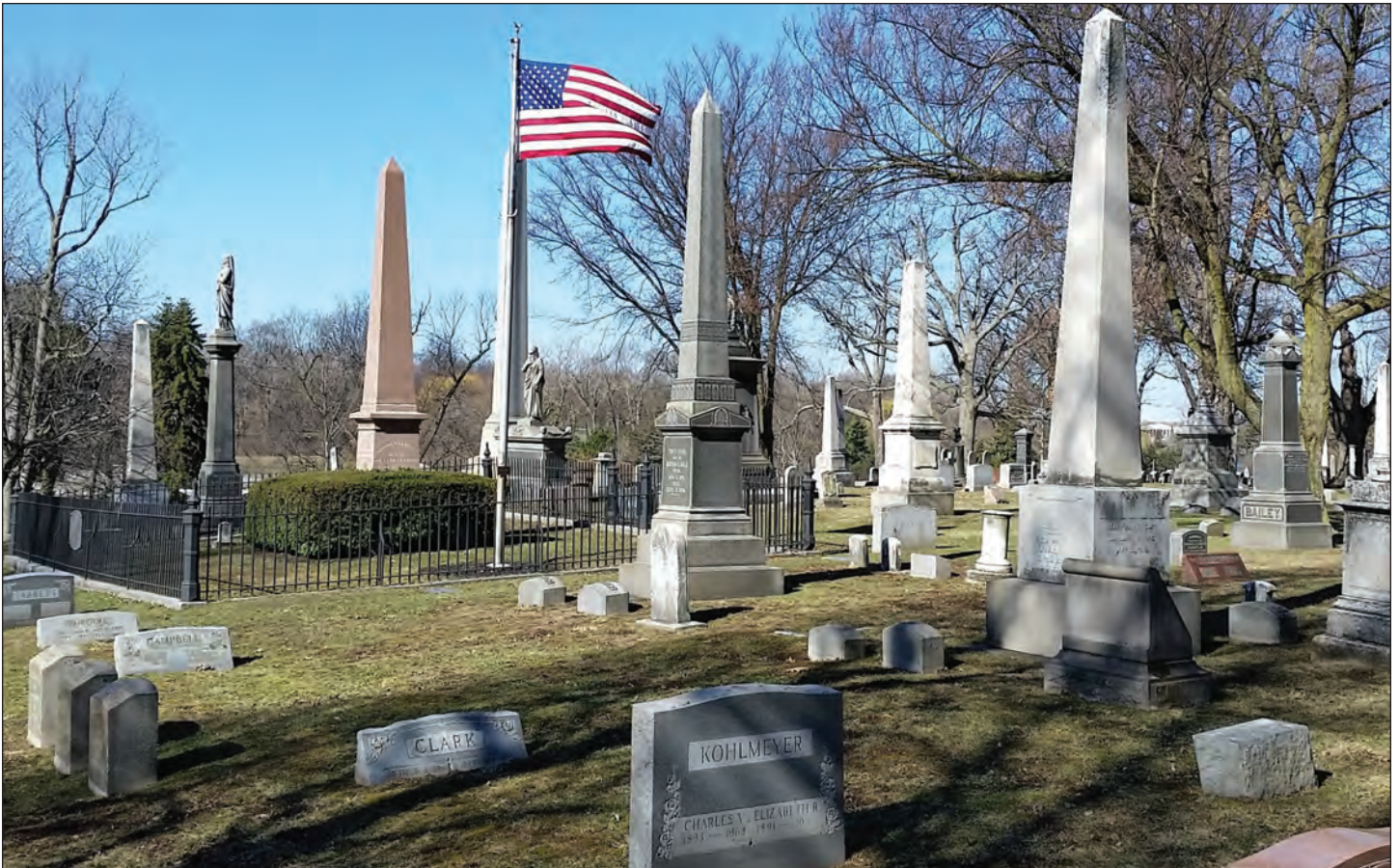
Whether you have selected a private or public mausoleum,  
a cremation niche or traditional in-ground grave space,  
Mount Calvary's dedicated staff is here to care for you.

*You don't have to compromise to get the best and you'll be  
pleasantly surprised at the affordability.*



**(716) 892-6600**  
**MountCalvaryCemetery.com**

**800 Pine Ridge Heritage Boulevard, Cheektowaga, NY 14225**



Fillmore, Hall and Haven became close friends as well as influential colleagues in Buffalo's early history. Thus, it is not surprising that the three occupy adjoining family plots in Forest Lawn Cemetery (obelisks from left to right: Fillmore (rose granite), Hall and Haven). WESTERN NEW YORK HERITAGE PHOTOGRAPH, 2017

During the 1850s, Rodgers & Bowen added two notable young members to the firm's roster. The first was Sherman Rodgers, nephew of Henry Rodgers, who would later become a partner. The second was an aspiring lawyer named Grover Cleveland. At the age of 19, Cleveland was introduced to Rodgers & Bowen by his wealthy uncle, Lewis F. Allen (namesake of Buffalo's Allen Street and Allentown), who was a client of the firm. Cleveland eventually rose through the ranks from clerk to partner. It is also said that his democratic views were shaped in the firm's office, by Bowen in particular. Cleveland left the firm in 1863 to begin his political career, initially as an assistant district attorney and eventually as a two-term president of the United States.

In 1856, the firm (now Rodgers, Bowen & Rodgers) moved into the office that would be its home for nearly 80 years. Located at 28 Erie Street, the firm occupied the first floor of a quaint three-story building. Construction of the new office was led by Bowen, who was also one of the commissioners tasked with selecting a site and building the City and County Hall. The recommended site bound by Franklin, Eagle,

Beginning in the mid-19th century, firm attorneys would maintain extremely close ties to some of Buffalo's most notable financial institutions, two of which were M&T Bank (left) and Fidelity Trust Company (right), whose buildings at Main and Swan streets are shown here ca. 1916. The two would merge in 1925 – with the help of the firm's attorneys.



LIBRARY OF CONGRESS

Delaware and Church streets was overwhelmingly approved, and the construction was completed under budget in 1876, much to the credit of the building commissioners. Unfortunately, Bowen succumbed to illness the following year.

Stepping in as leader of the firm was Franklin D. Locke. A friend of Grover Cleveland, Locke began his tenure as managing clerk, and would remain at the firm for a total of 61 years. Thus, around 1870, the firm would take on the name Bowen, Rodgers & Locke. Of his many accomplishments, Locke is noted as the strategic mastermind behind the 37-year-long legal battle between the Lackawanna Railroad and the government over a coal trestle on the Northern Pier of the Buffalo Harbor. A businessman as much as a lawyer, Locke was also a founder, president and chairman of the Fidelity Trust Company before its merger with the Manufacturers & Traders National Bank in 1925.

Locke was also responsible for the addition of John G. Milburn to the firm in 1883. Described by *The New York Times* as "one of the foremost lawyers of this state," Milburn's legal achievements were numerous. He successfully defended the editor of *The (New York) Evening Post* in a notable libel case involving comments made about President Grover Cleveland. He represented John D. Rockefeller before the U.S. Supreme Court in the anti-trust case, *United States vs. Standard Oil Company*. As far as civic contributions, he played a substantial role in bringing Lackawanna Steel (later Bethlehem Steel) to Buffalo. In addition, he led the negotiation (referred to as the Milburn Agreement) that unified Buffalo's streetcar system. Milburn was also part of the committee that oversaw the construction of the Buffalo Public Library.

These impressive accomplishments aside, however, John Milburn may be best remembered for his work outside of the legal realm. In 1899, he took over as president of a restructured Pan-American Exposition Company, at a time when Detroit was attempting to overtake Buffalo as the host city of the 1901 world's fair. He was a good friend of President William McKinley, who stayed at Milburn's Delaware Avenue home during his visit to the Pan-Am. When McKinley was shot by an assassin on September 5, 1901, John Milburn was to his left. McKinley was taken back to the Milburn



GATHER WITH FRIENDS at  
**THE CRAFTSMAN LOUNGE**  
 at The ROYCROFT Inn

Offering hand-crafted beers on tap  
 LIGHT MENU and LIVE MUSIC  
 every Friday night

31 South Grove Street at East Aurora, NY 14052  
 716-652-5552 || [roycroftinn.com](http://roycroftinn.com)

*"We took down a wall and created a whole new experience"*




Get an exclusive look inside some of Buffalo's most beautiful homes.

## 2017 Twilight Tour of Homes Friday, June 16 from 5 pm to 9 pm

Join the Theodore Roosevelt Inaugural Site for a relaxed, go-at-your-own-pace walking tour that features interior access to historic homes on Chapin/Lincoln/Bidwell Parkways. Built in the early part of the 1900s, the homes in this historically significant area display a wide variety of architectural styles, but all have compelling stories to tell.

After the tour, enjoy a wonderful VIP reception in another beautiful, historic place - the Garret Club.

Presented by:



Tickets on sale starting May 1st.  
 Go to [trsitere.org](http://trsitere.org)

In cooperation with:



With the support of:





Rodgers, Bowen & Rodgers moved their offices to this three-story building at 28 Erie Street in 1856 and would remain here for nearly 80 years. COURTESY HODGSON RUSS

house where, despite an initial positive prognosis, he died on September 14.

Throughout the early 1900s, the firm aided in the development of industries and businesses that helped Buffalo become an economic powerhouse. Louis Babcock worked with the Washburn Crosby Company (a predecessor to General Mills), helping to bring a new flour mill to the waterfront in 1903, and paving the way for Buffalo to surpass Minneapolis as the nation's largest flour-milling center. Babcock was also an avid student of Western New York history, penning numerous works on the region's past, particularly on the War of 1812.

A few decades later, George A. Newbury would provide legal counseling in the development of the Peace and Rainbow Bridges, as well as help to create WNED-TV, the state's first educational television station. Newbury was also involved in the merger of Fidelity Trust and Manufacturers & Traders Bank.

Another firm attorney, Chauncey Hamlin, was instrumental in the creation of Allegany State Park in 1921 (a section of cabins in the park still honor his name), in addition to his considerable work with the Buffalo Museum of Science. [For more on Hamlin, see "The Man Behind the Museum: The Life of Chauncey J. Hamlin" in the Spring 2013 issue of *Western New York Heritage*. Copies still available.]

In 1936, the firm (as Rogers, Locke & Babcock) moved its office from the legendary 28 Erie building into the Fidelity Trust Company Building at Main and Swan.

Throughout the first half of the 20th century, the firm would change its name several times, as partners came and went. In the summer of 1925, shortly after George Newbury came on board, the first of the modern firm's two namesakes, Hugh M. Russ, was recruited following his graduation from Harvard Law School. Russ, who would come to be considered one of the finest trial lawyers in the state, would practice until his death in 1971. He became a close friend and colleague of Newbury's, and the two would become general partners in 1938. A year later, Russ' name would make its first appearance in the firm's latest name change: Babcock, Hollister, Newbury & Russ. Upon Evan Hollister's death in 1943, his name was removed from the title.

Two years later, George Newbury was asked to take an executive role with M&T Bank, and so other attorneys were recruited to fill the void left by the two men. These included: Ralph Andrews, Homer Woods, Robert Barrett, Laurence Goodyear – and Patrick Hodgson. Unlike his colleagues, Hodgson had been born and educated in England, but had served his adopted country as special assistant to the



Partner John Milburn was a close friend of President William McKinley. In this photograph, the last taken of the President prior to his assassination, Milburn (at left) rides in McKinley's carriage on the way to the Pan-American Exposition.

LIBRARY OF CONGRESS

under secretary of the Navy and as a general counsel to the Navy Department. For his service, he was awarded the Presidential Medal of Merit by President Harry S. Truman. Newbury played a significant role in enticing these five men to join Babcock, Newbury & Russ, offering them the opportunity to join as principals versus creating a firm of their own. Thus, on December 11, 1945 the firm of Babcock, Newbury & Russ became Hodgson, Russ, Andrews, Woods & Goodyear – a name it would retain until the 21st century.

In the modern era, the firm has continued its legacy of local contributions while



Hascal Taylor commissioned Chicago architects Dankmar Adler and Louis Sullivan to design the Guaranty Building at 140 Pearl Street. Considered one of Sullivan's masterpieces and perhaps the most important of all 19th century American skyscrapers, the building became home to Hodgson, Russ, Andrews, Woods & Goodyear in the early 1980s. LIBRARY OF CONGRESS



adapting to ever-changing business, social and technological needs. In 1945, former partner Charles B. Sears presided over the Nuremberg Trials after World War II. Continuing the work of Fillmore and Hall more than 100 years prior, Laurence R. Goodyear helped the University at Buffalo join the State University of New York system in 1962. Another former partner, Barber Conable, was appointed as the president of the World Bank in 1986. More recently, Dianne Bennett became the first woman to chair an AmLaw250 firm when she assumed the role at Hodgson, Russ, Andrews, Woods & Goodyear in 1998.

The current identity of the firm was established in 2001, when the name was shortened to Hodgson Russ. The addition of offices in Toronto, New York City, Palm Beach and Saratoga Springs over the past three decades have given the firm an international reach and expanded legal expertise for its clients. Following in the footsteps of its predecessors, Hodgson Russ has been a leader in Buffalo's recent renaissance, playing significant roles in the developments of the downtown medical campus and revitalized waterfront.

### Reclaiming an Architectural Gem

There is no more visible link between present-day Hodgson Russ and Buffalo's past than the firm's current headquarters, the Guaranty Building at 140 Pearl Street. The building was commissioned by entrepreneur Hascal L. Taylor, who wanted to build the "finest office building in the country." He enlisted the services of Dankmar Adler and Louis Sullivan, renowned architects and engineers from Chicago. With its forward-thinking design and ornate exterior, the Guaranty Building is considered one of Louis Sullivan's architectural masterpieces. In fact, in 1983 *The New York Times* referred to it as "perhaps the most important" of all the 19th-century American skyscrapers. [For more on Taylor and the Guaranty Building, see "Hascal L. Taylor: The Man Who Commissioned Adler & Sullivan's Buffalo Building," in the Spring 2009 issue of *Western New York Heritage*. Copies still available.]

Books to engage readers  
of all ages & tastes.



Independent & Idiosyncratic Since 1971

837-8554 884-9524  
3158 MAIN 951 ELMWOOD  
BUFFALO AT BIDWELL

[www.tleavesbooks.com](http://www.tleavesbooks.com)

TO ADVERTISE CALL  
716-893-4011

## BUILDING THE NEW BUFFALO SINCE 1817

For 200 years, the attorneys of Hodgson Russ have worked tirelessly on behalf of our clients and our community. As we enter our third century, our focus – as it has always been – is on serving the needs of individuals and businesses that are creating opportunities and shaping the new Buffalo.

We are honored to celebrate our bicentennial with the community we proudly call home.

Learn more at [HodgsonRuss.com](http://HodgsonRuss.com).

Attorney Advertising

Practice restricted to U.S. law

The Guaranty Building, 140 Pearl Street, Suite 100 | Buffalo, NY 14202-4040 | 716.856.4000 | [HodgsonRuss.com](http://HodgsonRuss.com)  
Albany ■ Buffalo ■ New York ■ Palm Beach ■ Saratoga Springs ■ Toronto





Hodgson Russ embarked upon an extensive renovation of the Guaranty Building beginning in 2006. The project would eventually include the restoration of the building's elaborate terra cotta exterior, and would provide the firm with a breathtaking home for their third century of existence. © 2017 KIM SMITH PHOTO

Sadly, Taylor was unable to see his vision come to fruition, as he passed away the same month the building plans were approved. When completed in March 1896 by the Guaranty Construction Company of Chicago, it was the tallest building in the city at 152 feet. Two years after its opening, the structure was sold and renamed the Prudential Building. Over the next few decades, the combination of the Great Depression, misguided modernization attempts and Buffalo's post-industrial decline left the building practically empty and in decay. A fire in 1974 nearly resulted in the demolition of what was once the city's premier office building. Fortunately, through the efforts of civic leaders and preservationists, a \$12.4-million restoration project was finalized and the building was renamed the Guaranty Building in 1983. After its reopening, Hodgson, Russ, Andrews, Woods & Goodyear became tenants for a handful of years, giving the firm a taste of the building's beauty and potential.

In 1998, the owners of the Guaranty Building went into bankruptcy. It was then

that Hodgson, Russ, Andrews, Woods & Goodyear decided to purchase the building to serve as its headquarters. As James M. Wadsworth, the chairman of the firm at the time, recalls, "We saw it as a rare opportunity to invest in our own building, while also securing a wonderful asset for the community." In 2006, the firm embarked on a two-year renovation project that returned the interior to much of its original splendor, while adding modern conveniences that complemented Sullivan's design. Next, in 2008, the firm painstakingly restored the building's iconic terra cotta exterior. For its extensive efforts, Hodgson Russ received the Excellence in Preservation Award from the Preservation League of New York State. The saving and restoration of the Guaranty Building wasn't just a milestone for the law firm and architecture community, it was a boon to Buffalo's downtown redevelopment. It can be argued that the investment in the building set the stage for today's waterfront renaissance. Wadsworth reflects, "I'm very proud of what the firm did. You can't quantify the importance. I think it demonstrated

that this part of town was viable, and encouraged others to take significant leadership roles."

In conjunction with its 200th anniversary, Hodgson Russ unveiled the Guaranty Building Interpretive Center to the public in January 2017. Located on the first floor of the building, the Interpretive Center is a collaboration with Preservation Buffalo Niagara that features 11 exhibits, models and displays that highlight the people, design and events that created the world-renowned architectural treasure.

From its humble beginnings as a sole proprietorship, Hodgson Russ has grown to more than 200 attorneys, serving clients ranging from local startups to Fortune 1000 companies. As a third-generation partner of the firm, Hugh M. Russ III has a unique perspective of Hodgson Russ' past, present and future, "We have a long legacy of exceptional commitment and impact. With our current talent and comprehensive legal capabilities, guided by the foundational values and ideals of those who came before us, I have no doubt the firm is poised to continue that legacy in our third century."



The Guaranty Building Interpretive Center is located on the first floor of the building and was opened to the public in January 2017. © 2017 KIM SMITH PHOTO

**Immortalizing WNY's History with Narrative and Portrait Sculpture**

**Norman W. Sinclair (1924 - 2011)**  
President, Lockport Savings Bank

Commemorate your history with a permanent sculpture by WNY native, Susan Geissler. Placements across the U.S. and Canada. Call today to discuss your ideas or to arrange a monument or studio visit.

**Susan Geissler Studio**  
433 Main Street, Youngstown, NY 14174  
716-622-8942  
www.susangeissler.com  
susangeissler@yahoo.com

With such a storied history and connection to the City of Buffalo, it seems fitting that Hodgson Russ shares its bicentennial with the start of construction of the Erie Canal. After all, it was “Clinton’s Ditch” that provided the opportunity for a small port town to become “The Queen City of the Great Lakes.” Since that defining moment, Hodgson Russ has proudly helped initiate, accelerate, maintain and rediscover Buffalo’s prosperity. As summed up by James Wadsworth of Hodgson Russ, “This milestone is a testament to the firm’s quality of service, but also to this community for supporting us for two centuries – enabling all of us to grow and thrive.” 🏠

Chris Muldoon is a freelance copywriter. He has worked with numerous clients on projects relating to Buffalo and Western New York history, including Hodgson Russ, the Michigan Street Baptist Church, Columbus McKinnon and Eastman Machine Company.

**ABINOMILLS GLASSWORKS**  
FINE GLASSWARE AND CRYSTAL,  
CUSTOM ETCHING,  
ACCESSORIES

**Thoughtful gifts are a joy to give and receive.**

Choose from our extensive selection of heirloom-quality glass and crystal pieces personalized with your favorite places and things.

255 Delaware Avenue Buffalo, NY 14202  
www.abinomills.com 716.844.8299 glassworks@abinomills.com