

Cody & Neely

Founded: 1854

Location: 42 State Street, New Albany (1854, 1868); 108 Pearl Street (1882); 9 East Main (1890); 3, 4, and 5 Doerhoefer Block (1903); rooms 204–207 Hadden Block (1911, 1915); 522–526 Elsby Building (later designated 525 American Bank Building), 117 East Spring Street (1929, 1975); 318 Pearl Street (1980)

John H. Stotsenburg and Thomas M. Brown founded a law firm in Floyd County that would later include a future United States Supreme Court justice, a state senator, and a few federal judges. Almost from the start the firm became embroiled in Democratic party politics, with many of its partners becoming local, state, and even federal officials. Members of the firm in the twentieth century acted as the state's attorney in several matters and drew up several constitutional amendments.

Stotsenburg, a native of Wilmington, Delaware, was a well-respected legal scholar and a staunch Democrat. He and his partner, Brown, graduated from Trinity College before moving to New Albany. During the 1850s Stotsenburg served three terms as the city's attorney. He also sat on the city council for twenty-two years. After the Civil War, when so many former party members had turned to the Republican party, Stotsenburg remained true to the Democrats and won a statehouse seat on the party's ticket in 1865. He was such a respected scholar that the Indiana Supreme Court chose him and two others to revise and compile Indiana's legal code in 1879.

Brown's death in 1872 marked the beginning of a period in which Stotsenburg worked alone. In 1886 the practice changed names to Stotsenburg & Stotsenburg. Evan B. Stotsenburg joined his father's firm. Evan shared his father's passion for politics and eclipsed his father's achievements in that field. Evan attended Kenyon College before returning home to graduate

from the New Albany Business College. After studying law with his father, he was admitted to the Indiana Bar in 1886, at the age of twenty-one. Evan served one term in the Indiana House of Representatives, sat as a state senator from 1907 until 1915, and was appointed by Gov. Samuel Ralston to fill the vacated post of Indiana's attorney general in 1915. He lost reelection in 1916. Evan attended the Democratic national conventions as a delegate in 1924 and 1932. When the Democratic party was swept into power in 1932, Gov. Paul McNutt placed Stotsenburg on the state's highway commission.

In 1892 John Stotsenburg retired, and after the inclusion of George H. Voight, the firm changed its name to Stotsenburg & Voight. Voight left the firm within a decade, and John H. Weathers took his place in 1901. Evan Stotsenburg remained both politically active and legally involved in state affairs. In 1911 he represented the state in its defense of the Marshall Constitution. After the idea of a constitution by referendum was defeated in *Ellingham v. Dye* in 1912, Stotsenburg crafted twenty-two amendments that were adopted by the Indiana General Assembly. The Indiana Supreme Court later nullified these amendments to Indiana's constitution. In 1915 Stotsenburg attended the Panama-Pacific International Exposition in San Francisco and defended Indiana's primary election law.

With the addition of Weathers, the firm experienced a period of Stability, productivity, and popularity. In 1923 Stotsenburg and Weathers accepted Sherman Minton as a partner. The 1930s brought tremendous change and excitement to the law firm. Minton continued as a working partner in the practice until 1935, when he left to take a seat in the United States Senate. Roger Phillips joined the partnership in the same year.

Minton was a native of Floyd County and the son of an impoverished family. After graduating from Indiana University, in the same year as McNutt, he matriculated at Yale Law

School. The future Supreme Court justice went on to work for Franklin D. Roosevelt after being defeated for reelection to the Senate in 1940. In the same year, Roosevelt appointed him Judge of the Seventh Circuit Court. When a vacancy occurred on the nation's highest court, Minton's Senate seatmate, Harry S. Truman, was president. Truman, who had become familiar with Minton's legal opinions during their time in the Senate, appointed him to the high court in 1949.

The flux Minton's old firm experienced in the mid-1930s continued in the 1940s. In 1941 Weathers died, Phillips left the partnership, and John A. Cody, Jr., joined the practice. By the end of World War II, Cody was practicing alone. The firm's political and legal influence continued, though. Cody began serving as United States magistrate judge for the Southern District of Indiana in 1956 and continued in that capacity until 1996. He ran the business alone until his son J. Terrence Cody became his partner in 1977. The addition of R. Gregory Neely in 1992 brought the firm its current designation, Cody & Neely. John Cody, Jr., retired in 1996 and died two years later, leaving the firm without the wise counsel that had guided the business for more than fifty years.

J. Terrence Cody and R. Gregory Neely graduated together from the Indiana University School of Law at Indianapolis in 1977. In 1998 the firm handled general civil and trial suits. The partners specialized in probate, real estate, and corporation law. The firm was the agent for several prominent businesses and acted as the attorney for several others.