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Obituaries

William Kirby; headed MacArthur Foundation

By Kenan Heise

William T. Kirby, 79, a Chicago lawyer, was vice chairman and former chairman of the John D. and Catherine T. MacArthur Foundation. Mr. Kirby, personal attorney for many years for the late billionaire John D. MacArthur, helped set up the foundation, one of the largest in the world.

A resident of Lake Shore Drive, Mr. Kirby died Monday in West Bend, Wis.

Born in Chicago and raised in Waukegan, he was graduated from the University of Notre Dame and its law school. He served as a federal referee in bankruptcy court from 1936 to 1940. He was an officer in the Army Corps of Engineers from 1942 to 1946, working in its real estate division. In the late 1940s, he was an assistant attorney general for the State of Illinois.

The MacArthur Foundation gives large grants in the areas of conservation, education, peace and international security, population and health. In Chicago and Palm Beach, it has made major awards to grass-roots community groups and to cultural organizations.

In 1950, Mr. Kirby defended and gave the closing argument in the trial of automotive inventor Preston Tucker and several other defendants charged with fraud and conspiracy. With an emotional argument in defense of Tucker and the other clients, Mr. Kirby helped them win an acquittal.

From 1965 to 1980, he was a partner in the firm of Hubachek, Kelly, Rauch & Kirby, retiring in 1980 to concentrate on his work for the MacArthur Foundation.

For more than 25 years, he was John D. MacArthur's personal attorney and was general counsel for many of the insurance tycoon's enterprises, including Bankers Life and Casualty Co. and Citizen's Bank and Trust Co.

Mr. Kirby was also president of the John D. MacArthur Conservation Corp., a cooperative venture among conservation groups in Florida. Working with Florida state officials, the group oversaw the construction of an environmentally protected state park on one of the last undeveloped beaches on the barrier islands of Florida.

He was chairman of the foundation's asset management committee. In this position, he was involved in the divestiture of its active business assets, an action required by the courts. The foundation's \$3.2 billion portfolio once included not only the insurance company but also more than \$1 billion in New York residential and commercial real estate. In the last year, he was overseeing the divestiture of 40,000 acres of Florida land, primarily in Palm Beach County.

Mr. Kirby was on the board of the foundation since it became active in 1978. He has been vice chairman, except for from 1988 to May of 1990, when he was chairman.

One of his main focuses was the support of independent filmmakers and public television.

Survivors include a son, James; three daughters, Catherine Legier, Mary and Judy; a sister; and four granddaughters.

Plans for services are pending.