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Report of the Committee on Award of Medal

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AWARD OF MEDAL.

The committee think that it would not be inappropriate for this Association to pass a resolution urging the Senate to act at its present session; and they submit herewith such a resolution.

HENRY HITCHCOCK,
EDW'D OTIS HINKLEY,
FRANCIS RAWLE,
WALTER B. HILL,
Committee.

REPORT
OF THE
COMMITTEE ON AWARD OF MEDAL.

To the American Bar Association:

Your special committee raised to consider the advisability of providing for the annual award of a gold medal respectfully report thereon as follows:

The Executive Committee of the Association in 1888 (Reports, Vol. XI., p. 81) recommended the adoption of this new by-law:

"A gold medal may be annually awarded to such person in any country as the Association, on the recommendation and nomination of the Committee on Award of Medal, may deem to have merited it by services in advancing the science of jurisprudence or the administration of justice; provided that no such award shall be recommended by the committee in any year, unless they shall be of opinion that it has been merited by distinguished services of permanent value."

Other changes of detail in the Constitution were also recommended to carry out the plan, and the matter was made the special order for the next annual meeting.
At the meeting in 1889, the Executive Committee recommended that the whole matter be referred to a special committee of seven, to report at a future meeting, and such a reference was ordered.

Your committee, having given the matter due consideration, are of opinion that the establishment of a medal, to be the subject of an annual award in the manner contemplated by the proposed by-law, would be a judicious step for the Association to take in furtherance of the objects for which it is constituted.

Most of the great societies of the world, of a national character, formed to promote the advance of science and original research, award such medals annually for distinction in their respective fields.

The Royal Society of London has done it since 1753, when the foundation of the Copley medal was established. The whole income of the fund is but little over four pounds, but the medal has been received as a distinction of high honor by the leading scientists of the world for a century and a half. In the list we find the names of Franklin (1753), Arago (1825), Berzelius (1836), Liebig (1840), LeVerrier (1846), von Humboldt (1852), and, among other Americans, Professor Agassiz, of Harvard (1861), and Professor Dana, of Yale (1877).

The Royal Society also awards the Rumford, the Royal and the Davy medals (the latter having a value of over £30), and appends to its list of officers and fellows, annually published, a list of the recipients of these various medals from the foundation of each.

The leading objects of this Association are "to advance the science of jurisprudence, promote the administration of justice and uniformity of legislation throughout the Union," and "uphold the honor of the profession of the law." Our organization, as well as the terms of our Constitution, is a protest against regarding our profession as that of anything less than a science, its aims as anything else that the administration of justice and equal laws in a spirit of honor and of fidelity to the court among whose officers we may be. The public recognition
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of distinguished merit, which kindred societies in this and other lands for the advancement of other sciences have found useful to them, we ought to find useful to us.

In former times, in the days when the Roman empire dominated the world, jurisprudence was almost the only science of practical application to human affairs that was thought worth cultivation. England and America, in rejecting the Roman law, have necessarily given their jurisprudence a less scientific and philosophical cast than that of Europe generally; but it is a difference of form only. The lawyer and jurist of every country is working in the same field, advancing on the same lines. Their leaders should be recognized wherever the principles of legislation and the rules of justice are studied, and the brotherhood of the bar ought to be confined within no narrow limits of locality.

Seeking in this spirit to advance the science of jurisprudence, our Association, it seems to your committee, may be of essential service in calling public attention to services to that science of distinguished merit wherever rendered, in our own country or any other. They may have come in the shape of a statute—like Fox's Libel Act, or Lord Tenterden's Shipping Act, or our own Judiciary Act of 1789, or the first American legislation to allow interested witnesses to testify. They may have been rendered by contributions to its literature—by some book like Pothier on Obligations, Benjamin on Sales, or Maine's Ancient Law. They may be the fruit of long years spent on the bench in giving form and color to the jurisprudence of a State—years such as those of Mansfield or Holt, of Marshall or Story, of Kent or Gibson.

The annual award of such a medal does not, of course, import that it is a recognition of services rendered in the year preceding. They may be such, or they may be the work of a lifetime.

The recommendation of the Executive Committee was that the committee to award the medal should be, like other committees, appointed annually by the President. It seems to us that it
would be wiser to make all those who have been Presidents of the Association members, and the President of the year its chairman, requiring the report of the award to be signed by at least five of the members.

The value of such a medal must depend on the good judgment of those who award it, and it is to be presumed that our Presidents will always be among the best of our members. While their number, now ten, will increase, it is not likely ever to exceed a number suitable for deliberation, nor is it probable that all will ever be present at any meeting of the committee; while, on the other hand, under our By-Laws, those who are present will constitute a quorum. The provision that at least five shall sign the report is intended to meet the possible contingency of a meeting attended by less than that number, or a selection concurred in by less. It seems proper to make the President of the year chairman, because he is certain to be present at the annual meeting, and likely to be most conversant with the business that is to come before it.

Your committee therefore recommend the addition to the By-Laws of By-Law XIV., in the terms above recited, as recommended by the Executive Committee in 1888, and also the addition to Article III. of the Constitution, at the foot of the list of standing committees, of the following:

"There shall also be a standing committee on Award of Medal, consisting of the President, who shall be its chairman, and all former Presidents of the Association; which shall meet annually at the place where the Association meets, on the day before the first session of the Association. All reports of said committee recommending the award of a medal shall be signed by at least five of its members."

Your committee would also recommend the adoption of the following resolution:

"Voted, That the Executive Committee provide a suitable die for the medal contemplated by the XIVth By-Law, and
have the medals struck, when awarded, at an expense not exceeding $100 each."

All of which is respectfully submitted.

SIMEON E. BALDWIN,
T. L. BAYNE,
R. S. TAYLOR,
ALFRED HEMENWAY,
Committee.

July 17, 1890.

REPORT

OF

SPECIAL COMMITTEE ON FEDERAL JUDICIAL SALARIES.

To the American Bar Association:

The undersigned, your special committee on Salaries of Federal Judges, respectfully submit their report as follows:

Action looking to the increase of the salaries of the Federal judiciary has been taken by various associations of the bar, and among others by the New York Bar Association. Your committee has co-operated with such associations.

In January of the present year your committee made a formal request to the Committee on the Judiciary of the House of Representatives to hear its chairman upon the subject. Hon. Ezra B. Taylor, of Ohio, the chairman of the committee, procured an opportunity for such a hearing, and accordingly, on January 23d, the chairman of your committee, as the representative of this Association, appeared before the committee and presented the various resolutions heretofore passed upon the subject, and urged legislation providing for the increase of the judicial salaries. That committee heard your chairman with courtesy and respect, and at the close of his address informed