

IX.

THE FOUNDING OF THE AMERICAN BAR
ASSOCIATION.

BY

SIMEON E. BALDWIN.

The first bar associations in the United States were naturally formed where it was easiest for lawyers to gather together, that is, in cities.

The Galveston Bar Association was organized in 1868; the "Association of the Bar of the City of New York" in 1870; and the Bar Association of St. Louis in 1874.

In 1874 (May 14) was also formed the Iowa State Bar Association, followed in 1875 (June 2) by the Connecticut State Bar Association.

The American Social Science Association, which had been founded in 1865, met in 1877, in Saratoga, New York. It had long had a Section or "department" of jurisprudence. A paper, that year, was read before it by Simeon E. Baldwin of Connecticut on "Graduate Courses in Law Schools." This led to some discussion, in which David Dudley Field, Chancellor William G. Hammond, General Alexander R. Lawton and William P. Wells took part, and, on motion of Carleton Hunt of the New Orleans Bar, the following resolution was adopted:

"Resolved, That the influence of schools of law in promoting legal education in the United States has proved most beneficial; and the Association of Social Science commend the care, future encouragement, and future development of the schools to the members of the legal profession and to the friends of learning in general."

Another Louisiana lawyer who was attending the sessions of the department was F. P. Poché, and in a casual conversation between him and Mr. Baldwin, one of them remarked that it would be a good thing for the legal profession, if there were a special organization, to deal with the subject of jurisprudence in a broader way, in the shape of a national bar association. The other warmly approved the suggestion.

Mr. Baldwin was a member of the Connecticut State Bar Association, and brought the matter up for consideration at its next session, in January, 1878, at which, on his motion, it was voted "that a committee of three be appointed to consider the propriety of organizing an association of American lawyers; with the power to issue a circular on the subject." The president of the Association appointed as such committee Richard D. Hubbard, then Governor of Connecticut, Simeon E. Baldwin, and William Hamersley. Governor Hubbard was named Chairman and Simeon E. Baldwin was made Secretary.

The committee was unanimous in thinking it feasible and desirable to create a national bar association. As the best form of overture to bring the project to the attention of the Bar, they determined to endeavor to obtain its approval by a small number of leading lawyers in different parts of the country, who should be asked to sign a circular recommending the matter to the favorable consideration of the profession. Such a circular was prepared by the committee under date of "April, 1878," and a few signatures secured. This was then followed up by a letter (not printed) to a larger number, under date of April 29, 1878, of the following form:

HARTFORD, CONN., April 29, 1878.

DEAR SIR:

The State Bar Association of Connecticut, at a recent meeting, appointed a committee to consider the feasibility of establishing a National Bar Association, and to confer with gentlemen in other States on this subject.

It is our belief that an annual gathering of representative American lawyers to review the legislative work of the year, in this and other countries, and discuss matters of common interest, might lead to important results, in assimilating the legislation of different States, and giving all the benefit of the experience of each; while it would hardly fail to extend the opportunities, always too few, for kindly intercourse between professional brethren from distant States.

The only way to bring such a project before the Bar of the country seems to be for some of those who are favorably impressed by it, to name a time and place for an informal meeting of those interested, at which it can be fully considered. With this view we have prepared the enclosed circular, to be sent to a few of the leading lawyers in

each State; and by a letter similar to this have requested the following gentlemen to allow us to sign their names to it:

Charles Devens	Massachusetts
Richard D. Hubbard	Connecticut
Charles O'Connor	New York
William M. Evarts	New York
S. Teakle Wallis	Maryland
Charles R. Buckalew	Pennsylvania
Alexander R. Lawton	Georgia
Carlton Hunt	Louisiana
John B. Henderson	Missouri
Lyman Trumbull	Illinois
George Hoadley	Ohio
Thomas M. Cooley	Michigan

An early reply, stating what you think of the matter, and whether you are willing that your name should be attached to the call, will much oblige,

Yours very truly,

R. D. HUBBARD

SIMEON E. BALDWIN

WM. HAMERSLEY.

The circular thus referred to as enclosed was that dated April, 1878. It was in manuscript (not printed) and without any signatures, reading as follows:

DEAR SIR:

It is proposed to have an informal meeting at Saratoga, N. Y., on Wednesday morning, August 21st, 1878, to consider the feasibility and expediency of establishing an American Bar Association. The suggestion came from one of the State Bar Associations, in January last, and the undersigned have been favorably impressed by it. A body of delegates, representing the profession in all parts of the country, which should meet annually, for a comparison of views and friendly intercourse, might be not only a pleasant thing for those taking part in it, but of great service in helping to assimilate the laws of the different States, in extending the benefit of true reform, and in publishing the failure of unsuccessful experiments in legislation.

This circular will be sent to a few members of the Bar in each State,—whom, it is thought, such a project might interest.

If possible, we hope you will be present at the day named at Saratoga; but, in any event, please communicate your views on the subject of the proposed organization to Simeon E. Baldwin, New Haven, Conn., who will report to the meeting the substance of the responses received.

April, 1878

It will be noted that Governor Hubbard of Connecticut, the chairman of the committee of the Connecticut State Bar Association, was also one of those asked by the committee to sign the circular of invitation. His associates insisted on his inclusion in the group of "representative lawyers," and no one who ever heard him speak in court would doubt the fitness of the choice. He had a genuine and heartfelt respect for his profession and the work it has done in the world. This was feelingly expressed in an address which he delivered at Hartford in 1873, at a meeting of the Bar held at Hartford in memory of one of the oldest and ablest of the lawyers of the state (William Hungerford, LL. D.) who had recently passed away. He had spoken of Mr. Hungerford's learning and character, and then proceeded thus:

"And now when I consider this long life closed—these many years ended of eminent labor in the highest ranks of the forum—and nothing left of it all but a tolling bell, a handful of earth and a passing tradition—a tradition already half past—I am reminded of the infelicity which attends the reputation of a great lawyer. To my thinking, the most vigorous work of the world is done in the ranks of our profession. And then our work concerns the highest of all temporal interests, property, reputation, the peace of families, liberty, life even, the foundations of society, the jurisprudence of the world, and as a recent event has shown, the arbitrations and peace of nations. The world accepts the work, but forgets the workers. The waste hours of Lord Bacon and Sergeant Talfourd were devoted to letters, and each is infinitely better remembered for his mere literary diversions than for his whole long and laborious professional life-work. The cheap caricatures of Dickens on the profession will outlive, I fear, in the popular memory, the judgments of Chief Justice Marshall, for the latter were not clownish burlesques, but only masterpieces of reason and jurisprudence. The victory gained by the counsel of the seven bishops was worth infinitely more to the people of England than all the triumphs of the Crimean war. But one, Lord Cardigan, led a foolishly brilliant charge against a Russian battery at Balaklava, and became immortal. Who led the great charge of the seven great confessors of the English church against the English crown at Westminster Hall? You must go to your books to answer. They were not on horseback. They wore gowns instead of epaulettes. The truth is, we are like the little insects that in the unseen depths of the ocean lay the coral foundations of uprising islands. In the end come the solid land, the olive and the vine, the habitations of man, the arts and industries of life, the havens of the sea and ships riding at anchor.

But the busy toilers which laid the beams of a continent in a dreary waste, are entombed in their work and forgotten in their tombs.

Yet the infelicity to which I have alluded is not without its compensations. . . . We may justly console ourselves with the reflection, that we belong to a profession which above all others shapes and fashions the institutions in which we live, and which, in the language of a great statesman, 'is as ancient as the magistracy, as noble as virtue, as necessary as justice'—a profession, I venture to add, which is generous and fraternal above all others, and in which living merit is appreciated in its day, according to its deserts, and by none so quickly and so ungrudgingly as by those who are professional contemporaries and competitors in the same field. We have our rivalries—who else has more?—but they seldom produce jealousies. We have our contentions—who else has so many?—but they seldom produce enmities. The old Saxons used to cover their fires on every hearth at the sound of the evening curfew. In like manner, but to a better purpose, we also cover at each nightfall the embers of each day's struggle and strife. We never defer our amnesties till after death, and have less occasion therefore than some others to deal in *post mortem* bronzes and marbles. So much we may say, without arrogance, of ourselves—so much of our noble profession." *

The first responses to the invitation sent out on April 29, 1878, were from the Attorney General and the Secretary of State of the United States.

Judge Devens answered the invitation thus:

DEPARTMENT OF JUSTICE,
WASHINGTON.

May 11, '78.

MY DEAR SIR:

Your note recd. It will be practically impossible for me to be at Saratoga on the day proposed for a conference as to forming an American Bar Association. I would therefore prefer not to join in the call. To be effective it should be signed by those prepared to take an active interest in the object proposed.

If it were feasible to form such an Association which could be in the hands or under the control of lawyers of standing from various sections of the Union it might be an agency of much good. Whether it is feasible cannot perhaps be determined except by actual experiment and if those who assemble should be of opinion that the experi-

* Reported in 39 Conn., 615.

ment should be made I should be glad to cooperate with them to the extent of my ability.

Yours very respy

CHAS DEVENS.

PROF. SIMEON E. BALDWIN.

Mr. Evarts gave the project his unqualified adhesion, by this brief note:

DEPARTMENT OF STATE,
WASHINGTON.

May 11, 1878.

MY DEAR SIR:

I am in receipt of your communication with enclosures, bringing to my attention the project for the establishment of a national Bar Association.

I shall be pleased to comply with your request that I should join in signing the circular calling an informal meeting for the consideration of the subject, at Saratoga, in August next.

Very truly yours,

WM. M. EVARTS.

SIMEON E. BALDWIN, ESQ.
New Haven,
Conn.

The next was this, from Charles O'Connor of the same state:

NEW YORK, May 14th, 1878.

MY DEAR SIR:

I am favored with your circular letter suggesting the formation of a society which might express the general sentiment of the American Bar through an annual gathering of its representative men.

To this I can name no objection: much good might flow from it and certainly no evil results ought to be apprehended.

I wish, however, to be excused from any thing like an official participation in measures of this public nature. Uniformly declining to do so I merely follow my habit in this instance. Instead of an answer to the intended meeting through Mr. Baldwin I presume upon our personal relations and address my declination to you with this request: Please to erase my name from the list which is given in your circular. My omission to give a formal reply will thus escape notice and possible misinterpretation will be avoided.

Probably you are not aware that we of New York have a State Bar Association. It is not of very ancient date and probably has not been much advertized beyond our limits. From these causes I presume it has not come under the observation of your self or your associates. Its President is Hon. John K. Porter formerly a judge of our Appeals Court, now a leading lawyer in this city, a learned jurist, an eloquent pleader and a gentleman. You may think that the place made vacant

by omitting mine would be well supplied by inserting his name. My object in giving you this information is simply to advise you of the facts, so that you may have an opportunity of exercising your judgment.

I am, Dear Sir, with great respect,

Yours faithfully,

CH. O'CONOR.

To

His Excellency

RICHARD D. HUBBARD,

Hartford,

Conn't.

Then came this cordial and helpful note from General Alexander R. Lawton of Savannah, who had held a high position in the army of the Southern Confederacy during the Civil War:

Henry R. Jackson,

Alex'r R. Lawton,

Wm. S. Basinger.

LAW OFFICE OF JACKSON, LAWTON & BASINGER.

SAVANNAH, GEORGIA, May 18th, 1878.

Simeon E. Baldwin, Esq.,

New Haven, Conn.

DEAR SIR:

I have had the honour to receive your note of the 10th inst, with enclosures; touching the proposed formation of an "American Bar Association." I beg to say that I am most favourably impressed with the project, and will cheerfully join in the call proposed. I can not now indicate my "whereabouts" for the next summer, and therefore cannot promise to be present at the contemplated meeting. But, if I turn my face northward during the summer, it will give me great pleasure to meet you at Saratoga.

I suggest that you send the call to W. S. Chisholm, Geo. A. Mercer, Henry R. Jackson, and T. M. Norwood, Esquires, of Savannah; James S. Hook, Frank H. Miller, Esquires, of Augusta; Hon. L. E. Bleckley, Judge Supreme Ct., N. J. Hammond, Henry Jackson, and George Hillyer, Esquires, of Atlanta; L. N. Whittle, and R. F. Lyon, Esquires, of Macon.

In time I will furnish you with other names.

Yours very truly,

A. R. LAWTON.

Another of the leading Southern lawyers, and one especially interested in Comparative Jurisprudence, and Roman law, who has already been named as a member of the American Social

Science Association, Carleton Hunt of Louisiana, also gave his hearty adhesion to the plan.

A new circular was now issued by the committee of the Connecticut State Bar Association—also in manuscript (not printed) of which the following is a sample:

NEW HAVEN, May 23d, 1878.

Hon. Chas. R. Train,

DEAR SIR:

At a recent meeting of our State Bar Association a committee was appointed, (of which I am Secretary,) to take steps towards proposing the formation of a National Bar Association. On talking the matter over, we thought the best, and only way, to bring the matter up for consideration, was to call an informal meeting of gentlemen likely to take an interest in it, sometime during the Summer vacation. We have therefore written to a few gentlemen representing different sections of the country, enclosing a copy of the proposed call such as I here enclose, and requesting them to give their consent to the use of their names as signers of the call. We shall then print it and send it to the leading lawyers in each State.

Among the proposed signers are several who have already expressed their readiness to co-operate in the movement, including Mr. Evarts, Gen. Lawton of Georgia, and Carleton Hunt of New Orleans.

This circular will be sent to a few members of the Bar in each State,—whom, it is thought, such a project might interest.

If possible, we hope you will be present at the day named at Saratoga; but, in any event, please communicate your views on the subject of the proposed organization to Simeon E. Baldwin, New Haven, Conn., who will report to the meeting the substance of the responses received.

SIMEON E. BALDWIN.

May, 1878.

Enclosed in each of these was the following proposal, ready for signature:

DEAR SIR:

It is proposed to have an informal meeting at Saratoga, N. Y. on Wednesday morning August 21st, 1878, to consider the feasibility and expediency of establishing an American Bar Association. The suggestion came from one of the State Bar Associations in January last, and the undersigned have been favorably impressed by it. A body of delegates, representing the profession in all parts of the country, which should meet annually, for a comparison of views and friendly intercourse, might be not only a pleasant thing for those taking part in it, but of great service in helping to assimilate the laws of the different States, in extending the benefit of true reforms, and in publishing the failure of unsuccessful experiments in legislation,

These letters were sent to several prominent members of the profession who had not been previously addressed on the subject. Mr. Train was one of these, and responded as follows:

COMMONWEALTH OF MASSACHUSETTS.

ATTORNEY GENERAL'S OFFICE

BOSTON, 7 Court Square, May 25, 1878.

DEAR SIR:

I have your favor of the 23d inst, and am happy to comply with your request. If official duties, or ill health, do not interfere, I shall attend the meeting.

Yours very truly,

CHAS. R. TRAIN.

HON. SIMEON E. BALDWIN.

A couple of days later the following letter was received from Senator Lyman Trumbull of Illinois:

SAYBROOK POINT, CONN.

May 27 - 1878.

Messrs Hubbard & others

GENTS

Yours suggesting a meeting of members of the Bar of different States with a view of forming an American Bar Association was recd just as I was leaving home. Such an organization would certainly afford an opportunity for agreeable intercourse and I doubt not be followed by benefits both to the Profession & the country. You are at liberty to attach my name to the call, & if practicable it will afford me pleasure to be at Saratoga at the time mentioned.

Yours truly,

LYMAN TRUMBULL.

Governor Hubbard had asked Senator Eaton of Connecticut to hand one of the circular notes to Senator Mathews of Ohio, who early in June responded thus:

UNITED STATES SENATE CHAMBER,

WASHINGTON, June 3, 1878.

MY DEAR SIR:

My valued friend Senator Eaton has this morning placed in my hands the circular of the State Bar Association of Connecticut in reference to the formation of a National Bar Association and inviting a preliminary meeting to consider it at Saratoga on the 21st of August.

I beg to say in reply to your inquiry, that I approve the project and authorize you to sign my name to the call.

Very truly

STANLEY MATTHEWS

HON. R. D. HUBBARD

Hartford Conn.

Founding of the American Bar Association 667

This letter from Hon. J. Randolph Tucker of Virginia came next:

HOUSE OF REPRESENTATIVES,
WASHINGTON, D. C., June 6th, 1878.

Hon. Simeon E. Baldwin

DEAR SIR

I have received the letter for a call of the legal fraternity to form an American Bar Association.

I concur in the general purpose—and am willing to have my name signed to the call, if you suppose it will be proper to take my name, though I could give you many names from Va, more appropriate than my own.

In great haste

Very respectfully

Yours &c

J. R. TUCKER.

To several of those whose signatures were asked, a member of the committee having some acquaintance with them wrote, in a number of instances, a personal letter; each member doing his share.

Among the responses to such letters was one of those subjoined from Hon. Edward J. Phelps of Vermont, afterwards our Minister to the Court of St. James.

BURLINGTON, VERMONT,
June 17, 1878

MY DEAR SIR,

I have received your note of 12th inst, with circular enclosed, on the subject of an American Bar Association.

I very cordially approve of the proposal, and I shall be happy to participate in the movement.

My name may be used if of any service. And I shall try to attend the meeting at Saratoga on the 21st Augt.

Meanwhile I write to Mr Baldwin as requested.

Very respy sincerely yours

E. J. PHELPS.

HON. R. D. HUBBARD.

BURLINGTON, VERMONT,
June 17, 1878

MY DEAR SIR,

I have received from Gov. Hubbard a copy of the circular relative to the formation of an American Bar Association.

And write to express my hearty approval of the project. And my willingness to participate so far as may be in my power.

I shall try to attend the meeting at Saratoga on the sldt August.

But if I am unable to be present, I shall be glad to make known through you to the gentlemen there my view of the excellence and usefulness of the proposed organization. I have long perceived the need of some more comprehensive association of the Bar, than can be had within the limits of any single State. It would do much, as it seems to me, to elevate the tone of our profession, and to bring its members together on a common ground now altogether wanting.

I sincerely hope the movement may succeed. And shall be glad if I can do anything to forward it.

Very sincerely yours

E. J. PHELPS.

SIMEON E. BALDWIN, Esq.

Another response to a personal letter was the following from Governor Hoadly of Ohio:

George Hoadly.

Edgar M. Johnson.

Edward Colston.

HOADLY, JOHNSON & COLSTON,
ATTORNEYS AT LAW,

Nos. 1, 3, 5, & 7 Masonic Temple, Cor Third & Walnut Streets.

P. O. Box, 633.

CINCINNATI, June 12, 1878.

MY DEAR SIR,

Your letter of the 10th of May, with enclosures, reached me at a time when I was so much occupied with other cases, that it necessarily received the go-by, and having been once passed, inadvertence has increased the delay.

I am quite willing to sign the call for the preliminary meeting, & you may do so for me, but I suggest as a plan of action preferable to the issuing of any call signed by individuals, that (say) your State Bar Association take the initiative, by circular addressed to the several Bar Associations of the country, and thus evoke discussion before the meeting, a call, if approved, emanating from associations instead of persons, larger attendance at the meeting, and a representative character given to the participants. We have here a City Bar Association in vigorous life, and its signature to the call would be worth much more than mine. Much more interest would, I think be enlisted in this way than by that proposed.

I make the above suggestion only as such. It may be that there are objections to the plan I suggest which I have not foreseen, and therefore am as I said before quite willing to join in the call, if those with whom it originated think my name will be of any service.

Perhaps I ought to add one thing further. I feel by no means certain of the success of the proposed Association. But anything which promises to cultivate the study of jurisprudence in its largest sense and its application in improved methods to the affairs of our com-

munity, everything which *may* tend to reform, I am glad to unite to essay.

Yours very truly,
GEO. HOADLY.

HON. SIMEON BALDWIN,
New Haven, Conn.

Among those who were asked, but declined to sign the call for the Saratoga meeting was Professor Wells of the University of Michigan. His letter follows:

DETROIT, June 22, '78.

DEAR SIR:

I have delayed a reply to your favor of June 1st, on account of illness.

While I cordially approve the movement for the formation of a National Bar Association, the state of my health is such that it is uncertain whether I could attend the meeting proposed, on Aug. 21st, though I may be able to do so. For this reason, I prefer not to sign the preliminary circular.

Very truly yours,
W. P. WELLS.

To

SIMEON E. BALDWIN, ESQ.
New Haven, Conn.

Early this month, Mr. Hamersley of the committee, suggested, as some of those asked to sign the original circular had not been heard from or else had responded unfavorably, a new circular should be addressed to those of them who had agreed to the use of their names; stating the present situation, and that in consequence of it, it was desired to substitute other names. A few copies of a circular drawn by him to this effect were sent out. It ran in the following terms, the whole note, including the signatures, being printed:

HARTFORD, June 15, 1878.

DEAR SIR:

We have not received answers from four of the gentlemen mentioned in our letter to you of April 29th. We shall take the liberty of inviting a few others to add their names to the call authorized by you, and to be issued July 1st, for a meeting at Saratoga, August 21st, unless we hear from you to the contrary.

Very respectfully yours,
R. D. HUBBARD,
SIMEON E. BALDWIN,
WILLIAM HAMERSLEY.

The committee now felt confident of the success of the project, and reported accordingly to the Connecticut State Bar Association. This held its regular semi-annual meeting on June 21, 1878, and the following are extracts from the minutes:

The committee on the formation of an association of American Lawyers, through Mr. Baldwin reported, that responses favorable to such an organization had been received from leading lawyers in other States, and that the committee had decided to issue a circular inviting a meeting of leading lawyers at Saratoga, N. Y., August 21st 1878, to discuss the propriety of forming such an association. Accepted, and on motion of Mr. Baldwin it was

Voted that the president appoint not exceeding twelve delegates from this association to the meeting at Saratoga Aug. 21, 1878, and that the president be chairman of the delegation. . . .

The president * appointed the following named gentlemen as delegates from this Association to the meeting to be held at Saratoga, New York, August 21st 1878, for the purpose of considering the propriety of forming an Association of American Lawyers.

RICHARD D. HUBBARD	WILLIAM T. ELMER
CHARLES R. INGERSOLL	AUGUSTUS BRANDAGEE
CHARLES B. ANDREWS	ROGER AVERILL
LA FAYETTE S. FOSTER	WILLIAM HAMERSLEY
SIMEON E. BALDWIN	GILBERT W. PHILLIPS
HENRY C. ROBINSON	LYMAN D. BREWSTER
CALVIN G. CHILD	

The following letter was received a day or two later:

LAW OFFICES OF
HITCHCOCK, LUBKE & PLAYER,
Rooms, 301, 302 and 303,
Chamber of Commerce.

ST. LOUIS, June 22, 1878.

Simeon E. Baldwin, Esq.

New Haven, Conn.

MY DEAR SIR:

Returning home after some 3 weeks' absence on business, I find your favor of 1st inst. inclosing proposed circular concerning the formation of a National Bar Association with the request that my name may be added as one of the signers thereof to those of the distinguished gentlemen you mention as having authorized the use of theirs.

I have much pleasure in authorizing you to sign my name to such circular, and agree with you that such an Association, properly constituted and conducted, ought to be "a power for good in the land." Regretting the unavoidable delay in my reply, I am

Very truly yours,

HENRY HITCHCOCK.

* Hon. Origen S. Seymour, LL.D., formerly Chief Justice of Connecticut.

The circular letter of invitation which had been sent out under date of April, 1878, was now printed, under date of July 1, 1878, with the names of the signers also printed.

Those who were originally invited to sign it by the letter of April 29, 1878, were

Judge Devens of Massachusetts,
Governor Hubbard of Connecticut,
Charles O'Connor of New York,
Secretary Evarts of New York,
S. Teakle Wallis of Maryland,
Senator Charles R. Buckalew of Pennsylvania,
General Alexander R. Lawton of Georgia,
Carlton Hunt of Louisiana,
Senator John B. Henderson of Missouri,
Senator Lyman Trumbull of Illinois,
Governor Hoadly of Ohio,
Judge Cooley of Michigan,
Senator Stanley Mathews of Ohio.

Of these, all but five (Charles O'Connor, S. Teakle Wallis; Senator Buckalew, Senator Henderson and Judge Cooley) authorized the use of their names.

In lieu of these five were substituted six others, namely, Senator Benjamin H. Bristow of Kentucky, Henry Hitchcock of Missouri, Richard C. McMurtrie of Pennsylvania, Judge John K. Porter of New York, Charles R. Train of Massachusetts, and J. Randolph Tucker of Virginia.

At the same time that the July 1, 1878, call was issued, the following letter was also mailed to all those whose names were signed to it, excepting Governor Hubbard, Secretary Evarts, and Governor Hoadly, with each of whom the committee had had personal correspondence with relation to the subject.

LAW OFFICE
of
SIMEON E. BALDWIN.
Simeon E. Baldwin,
William K. Townsend,
John H. Whiting.

69 Church Street,
NEW HAVEN, CONN., July 5th, 1878.

DEAR SIR,

I send you by this mail some of the printed circulars, calling the preliminary meeting at Saratoga, to consider the matter of a national

Bar Association. I also enclose a list of those gentlemen in your State, to whom a copy of this circular has already been sent. Will you be good enough to distribute those now forwarded to you, among such other members of your State Bar as you may think likely to be interested in the project?

Yours truly,

SIMEON B. BALDWIN.

Among the letters received in answer to the circular letter dated July 1, 1878, the following seem especially worth preservation:

FROM SENATOR DAVIS.

BLOOMINGTON, ILL.

July 9, 1878.

*Hon. Simeon E. Baldwin,
New Haven
Ct.*

D^R SIR.

• An American Bar Association, representing the profession in all parts of the country, with annual meetings, at some convenient place, must be of great service.

And I rejoice that initiatory steps are about being taken to organize such an association. Be good enough to express to the gentlemen who meet at Saratoga, in August, my thanks for their invitation, with my regrets that I am unable to accept it.

Most truly

DAVID DAVIS

U. S. S.

FROM JOHN C. ROPES.

BOSTON:

40 State Street:

9 July, 1878.

MY DEAR SIR:

I have received your Circular about a meeting to be held at Saratoga to institute an American Bar Association. I am sorry to say that I cannot possibly be present.

I have no doubt that the meetings of such a body of gentlemen would be very pleasant; I doubt, however, their resulting in any practical benefit.

Very truly,

J. C. ROPES.

S. E. BALDWIN, Esq.

FROM PROFESSOR THAYER OF THE HARVARD LAW SCHOOL.

BAR HARBOR, MAINE,
July 10, 1878.

MY DEAR SIR:

A circular relative to the promotion of an American Bar Association has been forwarded to me here. If it is possible, I shall be present at the meeting proposed, for it seems to me quite possible that important advantages might be secured through the agency proposed, in improving the law and legislation of our country.

Yours with much respect,
J. B. THAYER.

HON. SIMEON E. BALDWIN
New Haven, Conn.

FROM HON. MATTHEW HALE, LL. D.

LAW OFFICES OF
MATTHEW HALE, LATE
HAND, HALE & SWARTZ,
25 N. Pearl Street,
Albany, N. Y.

July 11th, 1878.

Simeon E. Baldwin, Esq. New Haven, Conn.

DEAR SIR.

I have received the circular signed by Hon. B. H. Bristow and others, suggesting an informal meeting to be held at Saratoga Springs on the 21st. prox. to consider the propriety of organizing an "American Bar Association."

The suggestion impresses me favorably, as tending to an interchange of views, among the members of the profession in different States, on subjects of general interest from which much good might come.

The greater part of the practice of most lawyers is in the courts of their own State. The Supreme Court of the United States is the only common ground on which counsellors from different States meet and but few are often called there. An association which will bring the profession more together and promote an interest in the legislation and decisions of other States as well as a personal acquaintance of lawyers of one State with those of another, cannot fail to enlarge the views and widen the range of knowledge of the profession. The only question of doubt, as it seems to me, is the feasibility of the project, and that of course will depend altogether on the members of the American Bar. It can be made a success if a sufficient number of leading lawyers throughout the country so will.

I hope to be able to attend the meeting at Saratoga, and in any event shall be glad to unite in the proposed attempt.

Yours very truly
MATTHEW HALE.

FROM JUDGE EMOTT OF NEW YORK.

James Emott,
H. L. Burnett,
Henry B. Hammond,
Chas. C. Emott.

Room 90, Pine St. Wing.

LAW OFFICES OF EMOTT, BURNETT & HAMMOND,
Equitable Building, 120 Broadway,

NEW YORK, July 12, 1878.

Simeon E. Baldwin, Esq.

DEAR SIR:

In reply to the circular letter of Messrs Bristow, Evarts & others, I beg to say that I cordially concur in the views it expresses. I can see how an American Bar Association may be made of great service to the profession and to the country, and I am ready to cooperate in its formation. I fear that I shall not be able to be personally present at Saratoga on the 21st of August, but if it shall be in my power I will certainly attend.

Very respectfully yours

JAMES EMOTT.

FROM HON. N. J. HAMMOND, LL. D.

OFFICE OF
N. J. HAMMOND,
ATTORNEY AT LAW

ATLANTA, GA. 12th July, 1878

Simeon E. Baldwin, Esq.

New Haven Conn.

DEAR SIR

Doubtless very much good will spring from the organization of an "American Bar Association" having for its object such things as are set forth in the circular letter of July 1st 1878.

My engagement are such that I cannot promise to be in Saratoga on the day therein mentioned.

Allow me to say however that I deem the plan both feasible and expedient and am confident that the force of such names as support the circular letter will give a mighty impulse to the reforms hinted at and so much needed. Hoping success for the enterprise I am

Yr obdt Servt

N. J. HAMMOND.

Founding of the American Bar Association 675

FROM GOVERNOR VAN ZANDT OF RHODE ISLAND.

EXECUTIVE DEPARTMENT,
NEWPORT, R. I.

July 15, 1878.

The Honorable

Simeon E. Baldwin

DEAR SIR

I cordially approve the proposed American Bar Association. I expect that I cannot be at Saratoga—but I shall be pleased to have my name enrolled among the members—

With best wishes

Most Truly yrs

CHAS C. VAN ZANDT.

FROM CHIEF JUSTICE MARCUS P. KNOWLTON.

SPRINGFIELD, MASS. July 16, 1878.

Hon. Simeon E. Baldwin

DEAR SIR

Your circular inviting me to be present at a meeting of lawyers at Saratoga Aug 21st was duly received. I regret that I shall not probably be able to attend and I wish now to express my hearty approval of the purposes of the meeting and my hope that the plan will meet with favor among leading members of the profession throughout the country.

The science of legislation in matters of internal policy has received too little public attention & has been left too much to the local thought of particular neighborhoods & I cannot but think great advantages will result from a general study of the subject and a comparison of views by men who bring experiences from every portion of the field. If in my own neighborhood I can at any time render service to my brethren of the profession or to the public in so good a cause I shall most cheerfully do it.

Very truly yours

M. P. KNOWLTON.

FROM HON. EDWARD L. PIERCE, LL. D.

Boston 18 July 1878

82 Devonshire

MY DEAR SIR.

I have delayed answering the invitation to the Saratoga conference, being uncertain what to answer.

I am inclined to attend if some family arrangements, which are now uncertain, allow, and will let you know more definitely as the time approaches.

I should think the Conference might be of service to the profession, but of course all depends on the wisdom of the arrangements.

Can anything be done to stop these multitudinous reports which are being issued? They have become an intolerable burden,—and it is becoming heavier with every year. The western book makers are the greatest sinners, but our reporters this way are nearly as bad.

Yours truly

EDWARD L. PIERCE

To

SIMEON E. BALDWIN ESQ.

FROM HON. DORMAN B. EATON, LL. D.

2 East Twenty-ninth St.

NEW YORK

July 20, 1878

DEAR SIR,

I have rec^d a printed circular, dated July 1, relative to the formation of a national Bar-Association; in which I am requested to state my views on the policy of such a movement; and to communicate the same through you.

The movement has my most hearty approval, as it will have my support.

Having been one of those originally engaged in the formation of the N. Y. City Bar Assⁿ (which, I believe, was the first of the kind in this country,) I was led to investigate the English precedents, in the same direction, which present striking examples of utility; and our experience here in New York, has shown that no less good may be secured, in the same way on this side of the Atlantic.

In addition to the benefits suggested in the circular, I think a national association, may be made to advance professional learning & character, and to raise the lawyer's sense of the duty & dignity of his profession, and (not least) to improve the administration of justice in our courts.

I cannot think a great profession should forbear efforts for its own improvement, so long as its members are not more generally proud of its fellowship, & more generally respected, because they are lawyers, than is now the case, in this country.

And I am, Sir,

Your obt Servt

D. B. EATON.

S. E. BALDWIN, ESQ.

I very much regret that the prospect is so poor of my being able to attend at Saratoga on the 21 August.

Founding of the American Bar Association 677

FROM PROFESSOR BENNETT OF THE LAW SCHOOL OF BOSTON
UNIVERSITY.

TAUNTON, MASS.

July 22^d 1878

MY DEAR SIR,

I have rec^d through our Attorney General,—the circular in regard to the American Bar Association—I hope to be present at Saratoga, on the 21st August, & take part in the deliberations of the Bar on that occasion; and certainly hope it may be successful in accomplishing some desirable end. There may be some difficulties in organizing a general association more formidable than in mere State organizations, and the end and object may not be exactly the same; but I see no reason why there is not sufficient common ground on which the Bar of different States may unite, and measures in which all may sympathise, to make the effort at union feasible and expedient—Hoping for the pleasure of your personal acquaintance, I remain

Very respectfully Yours

EDWARD H. BENNETT.

HON. SIMEON E. BALDWIN.
New Haven
Conn.

FROM JUDGE E. W. STANLEY.

MANCHESTER, N. H.

July 24, 1878.

MY DEAR SIR

I am in receipt of a circular dated July 1, inst signed by Benjamin H. Bristow and others proposing an informal meeting at Saratoga Aug 21 prox, to consider the feasibility and expediency of forming an American Bar Association. I regret that my official duties as a member of our Supreme Court will prevent my attendance at the meeting. I desire therefore to say that I heartily concur in the objects and purposes proposed. I believe that the meetings of such an association would be not only pleasant to those attending but that they would be conducive of much good, both in keeping up the standard of the profession throughout the country and in inaugurating and carrying forward such true reforms as are in harmony with the progressive spirit of the age. Should such an association be decided upon I shall be glad to aid it in any way that I can.

I am my dear Sir

Very truly Yours

E. W. STANLEY

HON SIMEON E. BALDWIN.

FROM HON. CLARKSON N. POTTER, LL. D.

61 Wall street

NEW YORK, July 31/78

SIR:

I have the honor to acknowledge a circular inviting me to be present at a meeting of lawyers, at Saratoga on the 21st of August, "to consider the advisability of establishing an American Bar Association."

I am favorably impressed with the suggestion. The unity of the country and of its business seems to require a greater unification of its laws and of their determination.

I shall take pleasure in being present on the occasion if practicable and remain

Truly,

Your obedient servant

CLARKSON N. POTTER.

His Excellency

HON. R. D. HUBBARD

Governor of Connecticut.

FROM SENATOR O. H. BROWNING.

QUINCY, ILLINOIS, August 1 1878.

Simeon E. Baldwin, Esq.;

New Haven, Ct.;

DEAR SIR:

I am in receipt of a circular signed by the Hon. Benjamin H. Bristow, of Kentucky, and others, requesting my presence at a meeting of members of the bar to be held at Saratoga, New York, on the 21st instant, to consider the feasibility and expediency of establishing an American Bar Association; and am requested, in the event that I cannot be present, to communicate my views, on the subject of the proposed organization, to you.

Approving of the object of the meeting, and believing it "feasible and expedient," and very desirable to accomplish the end in view, I regret my inability to attend at the time and place named, and to participate in the deliberations of the meeting.

That such an organization can be made extensively useful in perfecting and assimilating the laws of the several states; in improving and reforming our systems of jurisprudence; in advancing political science, and in giving higher character, and wider usefulness to the legal profession, ought not to be doubted. But to give it efficiency, it will have to be a representative body of limited numbers. If open to the admission of all the lawyers of the United States, whose talents, attainments and moral worth would entitle them to membership, it would become too unwieldy for easy and efficient action.

This difficulty can be avoided by providing that the National Association shall consist of members to be elected by the State associations in numbers corresponding to the number of Senators and Representatives in Congress to which the states are respectively entitled. The members thus selected, would, doubtless, be the most learned and eminent of the profession in their respective States. They should be elected to hold for a period of not less than six years, and should, at the first meeting of the Association, be divided into three classes, so that one-third of the entire number should be elected every two years.

The meetings should, of course, be annual, and it is worthy of consideration whether a permanent place of meeting shall be fixed, or whether at each successive meeting, the place for the next meeting shall be designated. These seem to me to be some of the leading features of such an organization, and they are submitted, not without diffidence, for such consideration as they may be deemed entitled to.

Others occur to me, but I forbear to enlarge upon the subject. It is possible that the opinions I have expressed might undergo material modifications by an interchange of views with others.

Again expressing regret that I cannot be present at the meeting,
I am, Respectfully Yours,

O. H. BROWNING.

FROM CHIEF JUDGE WILLIAM C. RUGER.

SYRACUSE, Aug 1, 1878.

S. E. Baldwin, Esq.,

DEAR SIR

The circular inviting certain members of the Bar to meet at Saratoga the 21st inst to form a National Bar association was received by me and I most cordially approve the effort. The benefits to be derived from such an association meeting annually and indulging in a free interchange of views to the various members of the Association can hardly be overestimated.

I should feel much obliged if you would furnish me a list of the members of the Bar from this State who have been invited to participate in this preliminary organization.

Inasmuch as it would be impracticable for such a society to exercise any disciplinary measures over its members it should be limited in numbers and high standing in the profession should be required as the condition of membership. An indiscriminate admission would lower its character and paralyze its influence by making deliberation impracticable.

I shall take great pleasure in attending the meeting at Saratoga.

I am truly Yours

WM. C. RUGER.

FROM JUDGE GUSTAVE KOERNER.

BELLEVILLE, Aug. 3, 1878
ILLINOIS

Simeon E. Baldwin, Esqr.
New Haven, Conn.

DEAR SIR.

I have received circular signed by the Hon. Benj. Bristow and others proposing an informal meeting at Saratoga, on Aug. 21, 1878 to consider the feasibility and expediency of establishing an American Bar Association and inviting me to participate in that meeting.

I much regret that circumstances beyond my control prevent me from being present at this interesting assemblage, which will undoubtedly initiate a General Bar Association of the United States.

I am really glad of this movement, for several years ago I have agitated such a national association and have published my views in the *Chicago Legal News*, suggesting that the Chicago Bar Association should take the matter in hand. I suggested at the same time that the annual meetings of such a national Bar association held in turn at different places adopt the character not only of social meetings, but of *scientific conferences of Jurists*, working in sections and preparing at each session material to be discussed at subsequent sessions. Judges, law writers and members of the Bar, forming the association proper, should all participate in such discussion and assist in laying practical measures of reform before the National and State Legislatures. While in our diversified States an entire uniformity of the laws would be hardly attainable, if even desirable, yet no lawyer of any experience can have failed to regret the great diversity existing in our commercial law, and laws of contract generally in the different States. To assimilate the laws of the States particularly in that regard is highly desirable, and perhaps nothing would promote this object better than a National Bar Association.

It is obvious also that such an association and its meetings would have a most powerful tendency to weaken mutual prejudices, to produce harmonious and fraternal feelings amongst an influential and leading class of men, and would be a means of cementing our Union, so lately disrupted. On that account alone the undertaking proposed in the circular would meet with my heartiest approval and I hope that success may crown the labors of the meeting, and bring about what I have earnestly wished, and what I have in a feeble manner agitated for years past.

Very respectfully Yours
GUSTAVE KOERNER.

FROM JUDGE RICHARD S. TAYLOR.

R. S. Taylor.

S. L. Morris.

TAYLOR & MORRIS,
34 East Berry St.,

FORT WAYNE, IND., Aug 5, 1878

Simeon E. Baldwin, Esq.,
New Haven, Conn.

DEAR SIR: I have received a circular calling a meeting of lawyers at Saratoga on the 21st inst to consider the formation of an American Bar Association, and requesting correspondence with you on the subject.

I will say that I approve heartily of the proposition, and will try to attend; but whether present or not, I trust the Association will be organized. In matters of this kind, lawyers (in the *west* at least) are far behind other professions; whereas, upon every consideration of convenience, pleasure, or utility, they ought to take the lead.

Yours truly

R. S. TAYLOR.

FROM SENATOR CHARLES W. JONES, LL. D.

PENSACOLA FLA

August 10th 1878.

Simeon E. Baldwin Esq

DEAR SIR.

I regret that my engagements will not permit me to be present at Saratoga on the 21st inst to meet those of my professional brethren who contemplate assembling there with the view of organizing an American Bar Association. I consider the object of the proposed meeting worthy the encouragement of the profession throughout the Union, and I sincerely hope that the gentlemen who originated the movement may meet with the success which their wise and thoughtful action deserves. When we reflect upon the weight and influence of the Bar in a country like ours, and the closeness of the ties which unite the judicial with the political departments of government, nothing can be more important than the cultivation of a liberal and constitutional jurisprudence. So long as the members of our profession are true to the great trust which has been confided to them,—so long as they shall continue to follow the example of the great lawyers of the Revolutionary Era and study the laws, not alone for profit and riches, but the better to guard the Constitution and liberties of their Country, little fear need be entertained for the safety and endurance of the Republic. Occasional interchanges of opinion between members of the Bar from different States and sections of the Union, would not only tend to elevate and broaden the professional mind, but would be a step in the direction of more perfect harmony and concord

among the people of our common country. The chief cause of much of the bitterness and sectionalism which have too long prevailed among us, has been mutual misapprehension of the character and motives of each other. If it were possible for any considerable number of the citizens of the different sections of the Union to mingle together at stated periods, and contemplate the diversified circumstances and situations in which a Kind Providence has placed them, it would be found that all our essential differences of character, habits, pursuits and opinions, are only the natural result of a wise distribution of advantages intended to render more prosperous and happy all classes and conditions of our people. Perhaps there never was a time in our history when it was more important for thoughtful men to cultivate friendly intercourse and draw close the bonds of social union than the present. Living under a government founded upon the popular will, and at a time when the distress of the people is attributed to unwise legislation—when innovation and change are demanded in every quarter, there ought to be found somewhere in our system a calm conservative power which can expose fallacies, point out abuses, and suggest reforms without violence or shock to our government.

Again regretting my inability to be with you

I am Most Respectfully

Your Obt Servant,

CHAS. W. JONES.

FROM HON. F. P. POCHÉ.

F. P. POCHÉ,
ATTORNEY AT LAW,
Convent P. O.

ST. JAMES, Aug 10 1878

Simeon E. Baldwin,
New Haven.

MY DEAR SIR.

I am in receipt of the circular signed by B. H. Bristow and others, inviting me to be present at an informal meeting to be held at Saratoga on the 21st inst. for the purpose of establishing an American Bar Association.

I shall make every possible effort to be present at that meeting, but I fear that the prevalence of yellow fever in New Orleans may disarrange my programme, and possibly I may not reach Saratoga before the last days of this month. It would be to my great regret, for I would be anxious and proud to participate in the establishment of an association, so eminently useful to our profession, and calculated to do so much good to our whole country. I therefore request that you register me as a member of the American Bar Association.

Very truly

F. P. POCHÉ.

FROM JUDGE JAMES T. MITCHELL, LL. D.

AMERICAN LAW REGISTER,

D. B. CANFIELD & Co.,

No. 229 South Sixth Street, Philadelphia.

CUSHING'S ISLAND, PORTLAND, ME.

Aug. 10th, 1878.

MY DEAR SIR

Some weeks ago I received a circular invitation to meet a number of prominent members of the bar at Saratoga on Aug. 21st and have been in hopes that I should be able to be present on such an interesting occasion, but I find that my plans for my summer vacation will not permit me, and I write now to say that two members of the Philadelphia Bar eminently qualified to represent it at such a meeting will be at Saratoga at that time—Hon. Henry M. Phillips and David W. Sellers Esq.—and to suggest that circulars of invitation be sent to them. Mr. Sellers will be at the United States Hotel. Mr. Phillips' hotel I do not know but as he is a regular *habitué* of Saratoga I have no doubt a letter addressed to him at the general Post Office there will reach him.

Mr. Phillips is somewhat withdrawn from active practice but takes great interest in public matters. Has been in Congress and is known in Philadelphia as the brains behind the conventions of the Democratic party. Mr. Sellers is the unquestioned leader of the junior bar—if indeed he can any longer be called a junior. Both are learned, accurate and able lawyers, and both have a largeness of view that fits them peculiarly for usefulness in a meeting of the kind proposed. I need not say that their personal and professional characters are of the highest.

I shall be very glad to hear that the meeting has been successful and were it not for previous arrangements not easily altered, I should certainly be present.

Yours very respectfully

JAMES T. MITCHELL.

FROM ASA IGLEHART.

OFFICE

OF ASA & J. E. IGLEHART,
ATTORNEYS AT LAW,

EVANSVILLE, IND., August 14th, 1878

DEAR SIR:

I have the honor to receive an invitation by a number of the leaders of my chosen and much beloved profession to a meeting at Saratoga N. Y. on the 21st to consider the feasibility and expediency of establishing an American bar association.

My engagements forbid my enjoying the pleasure of being present at the meeting, which I greatly regret, and therefore address you as requested.

The suggestion contained in the circular of invitation is, that in addition to the pleasure arising from the friendly intercourse of the members growing out of such an association, it might be of service in assimilating the laws of the different states and extending the benefits of true reform.

I very heartily concur in the view suggested. I cannot doubt that anything which will bring the leading lawyers of the different states into more frequent communication and more intimate relations will tend to a better understanding of our various systems of laws.

Our professional employment is necessarily exacting and the majority even of our leaders have little time or inclination to examine the peculiarities of the laws of other states except as the necessities of their practice require it.

A very striking illustration of the want of familiarity of the lawyers of one state with the laws of neighboring states is found in those states where the common law forms of practice still prevail, in reference to the effect of code reform. Thus we see one of the *Nestors* of the profession, one who has graced the supreme bench of his state and been the chief law officer of the Federal government, in an exhaustive and polished magazine article, declaiming against *all code reforms* and attributing the prostitution of the writ of injunction in the Railroad war in New York to the vice of *code reform*. When in truth as his own argument showed the absence of which he complained grew solely out of the defective state judiciary act giving jurisdiction to all the supreme judges in any part of the state to issue the writ in a case pending in any other part, as well as in his own district.

The whole article was based [on] the fallacy that this provision emanated from the *code* of procedure, with which it did not have the slightest connection. This review by this great lawyer related to the laws of an adjoining state.

More intimate communication between the lawyers of the different states would prevent such misapprehensions.

I hope the Association will be formed and I shall take pleasure in cooperating in any steps tending to the formation and maintenance of the same.

Respectfully yours &c.

ASA IGLEHART.

HON. SIMEON E. BALDWIN
New Haven,
Conn.

FROM JUDGE GEORGE M. DALLAS.

273 So. 4TH ST. PHILADA.

MY DEAR SIR,

I address you in reply to a communication bearing the name of several members of the bar of different States, which was duly rec'd, & which I would have answered more promptly, but that I, until now, have hoped that I might be able to say that I would attend the meeting which it proposes.

I regret that I cannot do so. I am heartily in sympathy with the movement which is contemplated, & which, if persisted in will, I do not doubt, be both pleasant & of service, as stated in the circular.

Very Respectfully Yours

GEO. M. DALLAS.

14 Aug. 1878.

SIMEON E. BALDWIN, ESQ.

FROM CHANCELLOR WILLIAM G. HAMMOND, LL. D.

J. L. PICKARD, LL. D.,

President.

W. G. HAMMOND, LL. D.,

Chancellor Law Department.

JOHN F. DILLON, M. D., LL. D. }

JAMES M. LOVE, LL. D. }

ORLANDO C. HOWE. }

Professors.

STATE UNIVERSITY OF IOWA.

LAW DEPARTMENT.

IOWA CITY, Aug. 15th, 1878.

Prof. Simeon E. Baldwin

New Haven, Conn.

MY DEAR SIR:—I should have written before this, in acknowledgment of the circular sent me inviting me to attend the meeting at Saratoga on the 21st inst. had I not hoped until very lately to be able to accept and be present in person. I am in full sympathy with the movement to organize a National Bar Association, and hope that in the hands of such gentlemen as yourself and the signers of the call generally, it will be a complete success. I am obliged to spend my entire vacation at home this year, to get off my hands some work for the printers that I became pledged to long ago, but which I have found it impossible to do while the school was in session. I am just now completing the notes for an edition of Dr. Lieber's Hermeneutics, out of print almost forty years, and have other work to do that *must* be done before the school opens again, such as a reprint of all my synopses of lectures, used in the daily work of our classes. But for this I would certainly attend.

I have written to Hon. John N. Rogers of Davenport, Iowa (who is spending August in the Adirondacks) urging him to attend. He is President of our State Bar Association, the first one formed in the country, and regarded as the finest legal mind in the State, or at least unexcelled by any. I hope he will be there and that you will form an acquaintance with him which I am sure will be mutually pleasant.

Believe me with very sincere regard

Yours &c. &c. &c.

WM. G. HAMMOND.

FROM SENATOR JOHN W. DANIEL, LL. D.

LYNCHBURG VA Augt 17th 1878.

MY DEAR SIR:

I approve and commend most heartily the idea of an "American Bar Association," believing that such an organization would exert a fine influence in bringing the legal fraternity in closer communion,—and through exchange of views, and social intercourse occasionally, tend to give practical direction, and strength to the best opinions on legal reforms, and kindred measures.

The assimilation of the laws of the different States, beyond the control of the Federal Government, would be stimulated; and it is best, even where such laws come within Federal jurisdiction, that they should be harmonized by the attrition, and guidance of public sentiment, rather than by the dictate of a centralized power.

It is with deep regret that I find myself unable to arrange to meet the gentlemen who propose to inaugurate the proposed movement at Saratoga on the 21st Inst; and with very high appreciation of the compliment implied, that I received the invitation to do so.

I can only send my best wishes to my brethren of the profession, upon whose probity, intelligence, learning, and public spirit, depends in so large a degree the purity, and wisdom of legislation, and the welfare of the country.

With great respect,

I am Sir,

Your Obt Servt

JNO. W. DANIEL.

SIMEON E. BALDWIN ESQR

FROM HON. BENJAMIN H. BREWSTER, LL. D.

PHILADA:

706 Walnut St.

17 Augt. 78

DR SR

Fearing that I shall not be able to be present on the 21st at the proposed meeting to be held at Saratoga I write this note to you

as I have been requested to do to express my hope that an American Bar Association will be established so that friendly intercourse may be promoted between the members of the profession and so that true reforms may be projected in the administration of public justice from a responsible source.

Yours very truly,

BENJAMIN HARRISON BREWSTER

TO SIMEON E. BALDWIN ESQ

New Haven, Conn.

FROM WILLIAM ALLEN BUTLER, LL. D.

HOTEL BRIGHTON

BRESLIN & SWEET PROPRIETORS

GILSEY HOUSE

New York

JAS H. BRESLIN

Propr

HOTEL NETHERWOOD,

Netherwood, N. J.

JAS H. BRESLIN

Propr

BRIGHTON BEACH, C. I. August 20 1878

Hon Simeon E.-Baldwin

DEAR SIR,

The invitation to the proposed meeting of lawyers to be held at Saratoga on the 21st inst did not reach me early enough to enable me to arrange to be present. I am in sympathy with any movement designed to promote union of sentiment and action in our profession throughout the country in aid of the important trusts committed to its special care. I believe that under a simple form of organization a National Bar Association might be formed with a central executive committee or council which in its representative capacity would be of great service in suggesting and promoting legislation, both State and Federal, in aid of more uniform and effective methods of legal administration. The defects of existing statutes become apparent in particular cases as they arise and if the profession in general were in communication with an organ of its own through which these defects might be pointed out and proper remedies suggested, the task of helping forward needed reforms would be greatly aided. In this and other ways I cannot doubt that much good may be accomplished by the establishment of the proposed Association.

I am Yours very truly

WM ALLEN BUTLER,

New York City.

The circular of July 1, 1878, was noticed in the press, and several to whom it had not been sent, communicated with the committee of the Connecticut State Bar Association, indicating a willingness to attend the Saratoga meeting.

Among the letters of this kind was the following from Greene Durbin of Indiana, who at the request of the Secretary afterwards suggested the names of several Indiana lawyers as persons to whom it would be well to send invitations:

GREENE DURBIN,
ATTORNEY AT LAW

VERSAILLES, IND., July 23 1878.

Simeon E. Baldwin Esq.

DR SIR,

In a late number of the *Cent. L. J.* I observe a call has been made for a meeting of members of the Bar throughout the country, at Saratoga on the 21 August inst, preparatory to the organization of an American Bar Association.

It would be a very great pleasure to me to attend this meeting and take part in its proceedings. Have you any suggestions to make as to the mode of selecting delegates, as I see that is suggested. We have no State Bar Association in Indiana; and it is perhaps true, no such association exists in many of the counties of the State; and yet it would seem those who attend the suggested meeting should be accredited in some manner.

There is a wide field, especially in the Western States, for extending the benefits of true reforms; and notably in restrictions upon the admission of persons to practice law. The large proportion of unnecessary and frivolous litigation grows out of the licensing of incompetent practitioners. This is an evil, the magnitude of which, one cannot appreciate, unless brought in actual contact with it. These raters of good moral character have brought a discredit upon the profession, that it will take years to eradicate, even with the help of merited reforms.

The assimilation of laws of the different States, and consideration of the failure of unsuccessful legislation, are subjects of vast importance to this country, whose laws and polity are shaped by so many different legislatures.

The statute law of the different States is hardly more diverse than the statute law of the same State.

An organized effort on the part of the members of the Bar of the whole country, cannot fail to exert a healthy influence upon the organization and material of State legislatures.

Sincerely,

GREENE DURBIN.

In reply to an inquiry from Judge Ruger of New York, the following letter was sent to him, and shows who were invited to the Saratoga meeting from the New York Bar, outside of New York City:

LAW OFFICE
OF
SIMEON E. BALDWIN.
Simeon E. Baldwin,
William K. Townsend,
John H. Whiting.

PROSPECT HOUSE, BLOOMINGDALE, N. Y.,
August 6th, 1878

Wm. C. Ruger, Esq.

DEAR SIR,

I have received your letter of Aug. 1st in which you ask me for the names of the gentlemen from New York, invited to attend the Saratoga meeting of Aug. 21st. Outside of New York city, they are, so far as I know, as follows:

D. B. Beach	Rochester	W. C. Ruger,	Syracuse
W. J. Bacon,	Utica	J. C. Strong,	Buffalo
J. H. Camp,	Lyons	H. Sturges,	Cooperstown
Odle Close	Cr. Falls	M. L. Townsend	Troy
Roscoe Conkling,	Utica	W. A. Wheeler,	Malone
J. W. Covert,	Flushing	W. H. Sawyer,	Canton
C. Frost,	Peekskill	N. H. White,	Syracuse
A. B. James,	Ogdensburgh	M. Hale,	Albany
Fr. Kernan,	Utica	M. J. Greenwood,	Newark
H. S. McCall,	Albany	C. A. Richardson,	Canandaigua
H. A. Nelson,	Po'keepsie	Gov. Robinson	
W. Hunt, Jr.,	Utica	Th. Bacon,	Rochester
C. R. Potter,	N. Rochelle	H. R. Durfee,	Palmyra
I. Hayne,	Buffalo		

Yours truly,

SIMEON E. BALDWIN.

Henry Hitchcock of St. Louis, sent the July 1, 1878 circulars to the following members of the Missouri Bar, outside of that city:

Hon. Abram Comingo	Independence	Mo.
C. C. Rozier	Ste. Genevieve	"
Theo. Bruere	St. Charles	"
T. F. McDearmon	St. Charles	"
Phillips & Vest	Sedalia	"
Heard & Jackson	Sedalia	"
Hon. A. W. Lamb	Hannibal	"
C. H. Mansur	Chillicothe	"
Pollard & Chapman	Chillicothe	"
T. Shackelford	Glasgow	"
Shanklin, Low & McDougal	Trenton	"
Bottsford & Williams	Jefferson City	"
Lay & Belch	Jefferson City	"
Hon. W. P. Hall	St. Joseph	"

Hon. P. Bliss	Columbia	Mo.
Rea & Williams	Savannah	"
Edmund T. Allen	419 Olive	St. Louis
E. B. Adams	5th & Olive	"
Hon. S. M. Breckenridge	6th & Olive	"
Hon. James O. Broadhead	100 N 3d	"
Leverett Bell	14 City Hall	"
Geo. W. Cline *	417 Pine	"
John D. S. Dryden	417 Olive	"
John W. Dryden	417 Olive	"
G. A. Finkelnburg	4th & Market	"
Thos. T. Gantt	219 Chestnut	"
S. T. Glover	300 N 4th	"
Hon. John B. Henderson	Singer Building	"
Horatio M. Jones	5th & Olive	"
Edward C. Kehr	5th & Walnut	"
H. C. McComas	3d & Chestnut	"
John W. Noble	315 Olive	"
John C. Orrick	315 Olive	"
John D. Pope	100 North 4th	"
John R. Shepley	300 North 4th	"
Geo. H. Shields	Singer Building	"
David Wagner	417 Pine	"
James E. Withrow **	City Hall	"

Early in July, the committee sent this further notice to those who had been invited to participate in the Saratoga Conference:

A circular has been sent to you, signed by Benjamin H. Bristow and others, inviting you to be present at a meeting of lawyers from different parts of the country, to be held at Saratoga, August 21st, 1878, to consider the advisability of establishing an American Bar Association. The meeting will open at 10 A. M., August 21st, at the Town Hall; and gentlemen attending it are requested to stop at Congress Hall, where, by a special arrangement, their board will be at the rate of \$3.00 a day.

R. D. HUBBARD,
SIMEON E. BALDWIN.

July 9th, 1878.

They also inserted the following advertisement in the daily *Saratogian* of August 21:

NOTICE.

The meeting of the members of the bar to take action in regard to forming an American Bar Association will be held at ten o'clock Wednesday morning, Aug. 21st, at the Town Hall, on Broadway, in the rooms of the Supreme Court (No. 6) on the ground floor. dit*

* President St. Louis Bar Association.

** Secretary St. Louis Bar Association.

At the time and place thus set about a hundred members of the Bar were present.

Lieutenant Governor Averill of Connecticut called the meeting to order and nominated Hon. John H. B. Latrobe of Baltimore as temporary Chairman, and he was elected. Francis Rawle of Philadelphia and Isaac G. Thompson of Troy were chosen as temporary Secretaries.

On taking the chair, Mr. Latrobe made a brief address on the dignity and importance of the legal profession, and the advisability of forming a national association. Such an association, he observed, might do much in the direction of simplifying and making uniform technical proceedings in the various states, and might exert much influence for good on the profession. Statutes were almost invariably drawn up or amended or improved by lawyers, and legislators had to go to lawyers for advice and information. Lawyers were thus really lawmakers, even when they were not in the halls of legislation. Members of such a profession should have a feeling of brotherhood, and should work together in sympathy and harmony for the highest ends.

Simeon E. Baldwin of Connecticut then stated that a register had been prepared for signature by those present who had been invited to attend the Conference. An animated discussion arose on the point whether all the lawyers present should take part in the organization, or only those to whom invitations had been sent. It was finally decided that the list of those in attendance who had received circulars should first be made up, and they should organize the association. Afterwards, it was suggested, other lawyers present might be invited to participate. Seventy-three of those invited, coming from eighteen states and the District of Columbia, then signed the register.

A Committee on Permanent Organization and Credentials was thereupon appointed, and shortly afterwards reported in favor of the passage of the following resolution: "Resolved, that all gentlemen who have signed the register this day are properly accredited and constitute the members of this Conference." It was resolved accordingly, and the committee then reported the nomination of Benjamin H. Bristow of Kentucky as permanent Chairman and the two temporary Secretaries as permanent Secretaries.

This report was accepted and Mr. Bristow took the chair, with the remark that he would not burden the meeting with a speech, but proceed straight to the business on hand.

On the motion of Carleton Hunt of Louisiana, as amended on the motion of Edward J. Phelps of Vermont, it was then voted to proceed to organize a National American Bar Association, and that a committee of nine be appointed by the Chair to frame an appropriate Constitution and By-laws, and report the same at five o'clock the same afternoon.

The following committee was so appointed :

Carleton Hunt, Louisiana.
Simeon E. Baldwin, Connecticut.
Henry Hitchcock, Missouri.
Edward J. Phelps, Vermont.
James S. Pirtle, Kentucky.
Henry Smith, New York.
Rufus King, Ohio.
William Gaston, Massachusetts.
Henry Green, Pennsylvania.

A committee of five was also appointed, consisting of E. F. Bullard of New York, J. H. Ashton of the District of Columbia, R. S. Taylor of Indiana, A. Q. Keasbey of New Jersey, and Charles B. Andrews of Connecticut, to report additional candidates for membership from any members of the Bar then in Saratoga.

A recess to five o'clock was then taken, at which time, on the report of this committee, twenty-five members of the Bar coming from ten states and the District of Columbia were elected.

On motion of Mr. Baldwin, it was also voted that all those who had signed the call for the meeting, but were not present (nine in number), and all those who had been invited to take part in it, and had notified him that they desired to be present in response to the circular of July 1 (eighty-five in number), should be considered as members of the Conference.

The Committee on Constitution and By-laws then reported a form of Constitution.

Rev. Dr. Emmons, a well-known Congregational minister of the eighteenth century, once said that when he was named as one of an ecclesiastical council to be convened, he generally wrote out in advance the "result" and judgment of the council, and

carried it in his pocket, when he went to attend its sessions, as he found that this often saved a good deal of trouble and delay.

For somewhat the same reasons, Mr. Baldwin had prepared, during his previous summer vacation in the Adirondacks, a draft of a Constitution for submission to the Saratoga Conference, and it was this which was reported by the committee, with hardly any change, except for the addition of an article (Art. V) embodying the rules as to membership which had been prescribed at the morning session.

It was adopted, after discussion section by section, with slight alterations, and it was ordered that it be printed before the next session.

On motion of Carleton Hunt of New Orleans, it was then voted that the present meeting be considered the first annual meeting of the Association, and that a General Council should be at once elected. Such an election was accordingly had, and it was directed that a report from the Council on nominations for the officers specified in the Constitution should be made at the opening of the session on the next day, at ten o'clock.

At that hour the printed copies of the Constitution were ready for distribution, and the newly constituted Council reported favorably on thirty-seven applications for membership. These were from lawyers coming from seventeen states and the District of Columbia, who were duly elected. The Council also reported nominations for the officers of the Association. The gentlemen nominated were thereupon elected, and the President, Hon. James O. Broadhead of St. Louis, was escorted to the chair. His brief inaugural address is thus reported in the now rare pamphlet of forty-nine pages, entitled

THE
AMERICAN
BAR ASSOCIATION.
CALL FOR A CONFERENCE; PROCEEDINGS OF CONFERENCE;
FIRST MEETING OF THE ASSOCIATION;
OFFICERS, MEMBERS, ETC.
PHILADELPHIA
JACKSON BROS., PRINTERS, 404 LIBRARY STREET.
1878.

Mr. Broadhead said, on taking the chair, that he deemed it a high honor to be chosen as the presiding officer of a body with so exalted a mission as that of promoting the science of jurisprudence. The

purpose of the Association was a noble one, and he believed that it should seek to avoid becoming an agitator of the law, and rather aim to codify and harmonize, than to revolutionize or reform the law. The Association should watch the progress of events as they occur, and be ready to act on all matters of importance when the need arrives. The Association should not be ephemeral, but address itself honestly and earnestly to the great objects properly within its scope. Such an organization is new here, but is not new in other countries. The Order of Advocates is an organization that has stood for centuries in France, and has done much to promote the science of jurisprudence. So this Association, if faithful, may perform a similar work if all address themselves earnestly to the great work before it.

Further elections to membership were then made and an Executive Committee appointed.

A motion to incorporate the Association was made, discussed at length, and laid upon the table.

Before adjourning *sine die*, a resolution was adopted requesting the Executive Committee to devise and report to the next annual meeting measures for establishing close relations between the American Bar Association and the bar associations of the several states.

On February 12, 1879, the Executive Committee adopted By-laws; and thus the organization of the Association was fully completed.

At the annual meeting of the Connecticut State Bar Association held on January 22, 1879, the MSS. minutes show that the committee on the subject of a national bar association made their final report; and it was thus summarized:

"The committee on the subject of the organization of a National Bar Association reported through Mr. Simeon E. Baldwin, as follows: that the committee caused a circular to be issued, calling for an informal meeting to be held at Saratoga, New York, on the 21st day of August, A. D., 1878, to consider the feasibility and expediency of establishing an American Bar Association; that pursuant to the said call, said meeting was held at Saratoga being attended by members of the profession from several States, including nine of the members of this Association, and that said meeting resulted in the formation of the American Bar Association, with a regular constitution and numerous standing officers and committees. The report was accepted."

Subsequently, when the minutes were printed, the report was more fully given, in these words:

"The Committee on the subject of the organization of a National Bar Association, reported, through Mr. Simeon E. Baldwin, that, deeming it more suitable that the call for a meeting to organize such an association should proceed from gentlemen of the profession from different States, rather than from this State alone, they issued, after correspondence with the persons signing it, the annexed circular, dated July 1, 1878, and mailed copies to several hundred lawyers, in all parts of the country.

The meeting thus called was well attended, nine of the members of this Association being present. Hon. J. H. B. Latrobe of the Baltimore Bar was called to the chair, temporarily, and afterwards was succeeded by Hon. B. H. Bristow of Kentucky. A general feeling was manifested in favor of a permanent organization; and the movement resulted in the formation of an American Bar Association, with a regular Constitution, and numerous standing officers and committees.

A copy of the proceedings of this conference is annexed to this report, from which it will be seen that all members of the Bar of any State, of five years' standing, are eligible as members of the Association, provided they are nominated by a committee of gentlemen from the same State, known as a local council. The council for Connecticut consists of the President of this Association (Judge Seymour), Mr. Woodward of Norwalk, and Mr. Day of Hartford, and all applications for admission to the National Association should be made to one of them.

The declared objects of the American Bar Association are 'to advance the science of jurisprudence, promote the administration of justice and uniformity of legislation throughout the Union, uphold the honor of the profession of the law, and encourage cordial intercourse among the members of the American Bar.'

There is to be an annual meeting, with addresses and discussions, and the character of the gentlemen who have become identified with the organization is such as to warrant the expectation that its objects will be faithfully and judiciously pursued.

Your Committee feel, therefore, that the State Bar Association of Connecticut may justly congratulate itself upon having initiated the movement which has resulted in launching an American Bar Association, under such favorable auspices

In behalf of the Committee,

SIMEON E. BALDWIN,
Secretary.

New Haven, Jan. 20, 1879."

The report was accepted.