

**REPORT OF PROCEEDINGS
OF THE BAR
ASSOCIATION OF
THE CITY OF NEW YORK**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649318650

Report of Proceedings of the Bar Association of the City of New York by Various

Except for use in any review, the reproduction or utilisation of this work in whole or in part in any form by any electronic, mechanical or other means, now known or hereafter invented, including xerography, photocopying and recording, or in any information storage or retrieval system, is forbidden without the permission of the publisher, Trieste Publishing Pty Ltd, PO Box 1576 Collingwood, Victoria 3066 Australia.

All rights reserved.

Edited by Trieste Publishing Pty Ltd.
Cover @ 2017

This book is sold subject to the condition that it shall not, by way of trade or otherwise, be lent, re-sold, hired out, or otherwise circulated without the publisher's prior consent in any form or binding or cover other than that in which it is published and without a similar condition including this condition being imposed on the subsequent purchaser.

www.triestepublishing.com

VARIOUS

**REPORT OF PROCEEDINGS
OF THE BAR
ASSOCIATION OF
THE CITY OF NEW YORK**

PH
C 5
N 83

Report of Proceedings

OF THE

BAR ASSOCIATION

OF THE

CITY OF NEW YORK.



NEW YORK: PRINTED AND SOLD BY
DOUGLAS TAYLOR'S COMMERCIAL PRINTING HOUSE,
COR. FULTON AND NASSAU STREETS.

New York:

DOUGLAS TAYLOR'S COMMERCIAL PRINTING HOUSE,
COR. FULTON AND NASSAU STREETS.

1870.

7-1
C
N

TO THE MEMBERS OF THE BAR OF THE
CITY OF NEW YORK.

Some of our number who were strongly impressed with the importance in many ways of having our profession in this city organized into an association, having conferred together at intervals during the past year, resolved to make a beginning towards accomplishing this object. A short form of pledge was prepared and sent to a number of gentlemen for signature. When about two hundred names had been secured, it was thought proper to call the signers together for conference, and the result of their meeting was the appointment of committees to draft a constitution and to nominate officers. The constitution has been adopted, and the officers provided for in it have been chosen, and what has so far been done is now submitted to the profession at large, with the earnest hope that the project will receive the approval of every lawyer who has the dignity and honor of his calling at heart, and who feels the necessity of the harmonious co-operation of an upright Bar and a pure judiciary in the administration of justice.

It may be asked, why was not the whole body of the profession consulted? Our answer is that such a course seemed impracticable. No one had authority to convene a general meeting of the Bar. Had such a meeting been called,

those who might have assembled would have had no more authority than any self-constituted committee. It is always necessary in such enterprises for a few to take the first steps. They naturally, in so doing, expose themselves to criticism, and must rely upon the integrity of their motives and the wisdom of their plans for their justification. The circular was sent to many besides those who signed it. Some delayed, others were absent, but we wish to assure all that there was no intentional avoidance of those who it was thought would unite with us. It is hoped, therefore, that any who may feel that they were justly entitled to be consulted, will consider the labor of seeing personally a large number of individuals, and explaining to each the details of unmaturing plans, and will generously overlook any apparent assumption of authority on our part in view of the importance of the object proposed, and of the obvious difficulties of any plan.

In this spirit it is also hoped that they will accept for the present the constitution now submitted. It is the result of much discussion and consideration, and yet may seem to many quite defective. When the Association shall embrace a larger proportion of the profession, a review of the work will naturally take place.

It may seem invidious to require that any member of the Bar should submit to scrutiny his claims to membership in such an association, but as some selection is indispensable, no other plan seemed on the whole so unobjectionable as to constitute a committee to pass upon all applications. It is hoped that the character of the gentlemen who compose this committee, and the large number of negative votes

required to exclude an applicant, will furnish an assurance against any caprice or injustice in their action.

The question has been frequently asked, what do you propose, what is to be gained by joining this association? We answer that our immediate object is simply organization.

It seems like an abdication of its legitimate position, that the Bar of the City of New York, numbering its members by thousands, should have absolutely no organization whatever; that its influence in all matters affecting either its own dignity and interests as a profession, or the general good as connected with the advancement of jurisprudence or reforms in the administration of justice, should be only that divided and dispersed influence of its members, which from being divided and dispersed, goes for nothing. When its members were fewer and a longer probation was required for admission to its ranks, the traditions of the profession served, to some extent, to answer the purpose of a corporate organization. But since 1846, the era of our present State Constitution, events affecting, not the Bar only, but the whole fabric of public and social life, have succeeded each other with unparalleled rapidity. The barriers to admission to the Bar have been substantially removed; the distinctions between attorney, solicitor and counsellor, have been obliterated; the judges have been made elective by the popular voice for a short term only, and a system thus introduced which has necessarily exposed them to partizan influences.

During the same period has come into operation a new system of procedure, which gives to the judges so elected larger discretionary powers than ever before, and a patronage in the appointment of receivers and referees, and in the

granting of commissions and allowances, the exercise of which is at least dangerous.

With these changes, more immediately affecting our profession, have come during the same period the discovery of new gold fields, the immense issues of paper currency during our civil war, the excitements, the social vicissitudes produced by that conflict, the changes in measures of value, the growth of corporate enterprise, the increase of luxury and the social demoralization which confront us on every side.

What has been the effect of all these things on the Bar? Many say, its glory and dignity are gone, that it has ceased to be a noble profession and is merely a trade with the rest. We do not admit this charge. But we mean to come together as a body, to look the question fairly in the face, and if we find that we have been tainted by the influence of the times to undertake ourselves the work of purification, to revive a past renown, and give new life to traditions which we believe to be only dormant, not extinct. What specially is to be undertaken ought not to be determined by the few who have taken the lead in the enterprise. The association will itself, after mature consideration, decide upon its own action; but lest the feeling which has prompted the present movement should, after its first impulse, flicker and die out, it is proposed to make our association a permanent institution, to procure a commodious building up town, and to establish in it a well-appointed law library. Having, besides this, rooms for consultation and social intercourse, we feel that we shall offer, especially to the younger members of the Bar, an equivalent at least for the expense of membership. The larger our numbers, the more readily and speedily will our purposes be accomplished. With five hundred members our

pecuniary success would be assured, and we have encouragements that voluntary donations will at once enable us to lay the foundation of a library that will soon become the pride of our Bar. We work not for ourselves only, but for those who are to come after us, and we are confident that the spirit of our profession once aroused, we can do all that we require.

We have not been unmindful of our brethren in the other portions of the State. We could not imperil our own immediate objects by undertaking a more general organization, but we look forward to the forming of similar associations in other cities and counties, with which we hope to be affiliated, and if from them may grow an Association of the Bar of the State of New York, worthy of the past history of that Bar, powerful by its intelligence and learning, and influential by its integrity and patriotism, the benefits of such an association, not only to ourselves, but to the entire commonwealth, can hardly be overestimated.

WILLIAM M. EVARTS,
HENRY NICOLL,
HAMILTON W. ROBINSON,
AUGUSTUS F. SMITH,
WILLIAM E. CURTIS,
WILLIAM C. BARRETT,
JAMES EMOTT,
CHARLES A. RAPALLO,

HENRY A. TAILER,
STEPHEN P. NASH,
SAMUEL E. GARVIN,
SIDNEY WEBSTER,
JAMES C. CARTER,
JOHN E. PARSONS,
WILLIAM G. CHOATE,
FRANCIS C. BARLOW,

Executive Committee.

