

THE AMERICAN LAW INSTITUTE.

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PROCEEDINGS

July 1, 1935—June 30, 1936

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IN MEMORIAM.

GEORGE W. WICKERSHAM.

George W. Wickersham, President of the Institute, died on January 25, 1936.

*Meeting of the Council.*

The Council of the Institute met on February 12 in the City of New York. The Chairman, Mr. Pepper, called on the Director to read the minute adopted by the Executive Committee.

*Minute.*

George Woodward Wickersham, the President of the American Law Institute, died on Saturday, the 25th of January. Elected President at the first meeting of the Council in the City of Washington, February 24, 1923, he was each year thereafter unanimously elected. Mr. Wickersham's high position at the bar, his ability and his character supremely fitted him for the office. From the beginning he held a firm belief in the social usefulness of the Institute's work. He discharged the ever-growing duties of its Presidency with wisdom, tact, vigor and a contagious enthusiasm. The wide ambit of his services to the Institute was many times enlarged by those rare qualities of mind and spirit which enriched his every effort. To him we must attribute a signal part in the attainment of the position now held by the Institute in the estimation both of the

public and of the legal profession. The friend of all of us, the intimate companion of many of us, it is impossible adequately to express our sense of loss sustained in the death of one who was both a devoted servant of the public and a charming and lovable gentleman.

George Welwood Murray moved that by a rising vote the above minute be adopted as in some measure an expression of our appreciation and our affection for our late President. The motion was seconded and adopted by rising vote.

*Remarks of the Director.*

Before submitting the record of Institute events since your meeting on May 9, 1935, I would speak of him who for the past thirteen years has presided over your deliberations.

George Woodward Wickersham was a member of the Voluntary Committee organized under the leadership of Elihu Root on May 10, 1922, on the Establishment of a Permanent Organization for the Improvement of the Law. He took an active part in the deliberations of the Committee and in the organization of the Institute which resulted from its deliberations.

On February 24, 1923, the day following the Institute's organization, the first meeting of the Council was held in a room in Continental Memorial Hall, Washington. At the suggestion of Mr. Root, Mr. Wickersham was unanimously elected President. Each year since then has witnessed his re-election.

Of his ability as a lawyer and of his many public services other than those for the Institute I do not speak. Others are better qualified than I am to do so. But it has been my privilege, because of my official position in the Institute, to know as perhaps no one else the full measure of the debt which the Institute owes to him.

The Institute records, your own Minutes among them, will always tell one examining them that in him we had a President who performed meticulously the duties of his office. In the thirteen years since the Institute was organ-

ized there have been thirteen meetings of the Association; forty-eight meetings of this Council and sixty-nine meetings of its Executive Committee. Mr. Wickersham was present and presided at all these meetings except those held in the spring of 1925 when he was absent in Europe as the sole representative of the United States on a committee of the Council of the League of Nations for the simplification and improvement of International Law, and in 1934 when for several months he was confined to his house by illness. And was there ever a better presiding officer? Diligent to see that business was dispatched but insistent that matters of real importance should be thoroughly discussed and, most important of all, dealing with the human problem with a tact which came, not merely from a long and varied experience, but from an innate courtesy and liking for his fellow man.

In addition to his duties as presiding officer at many meetings, it was rare that a week passed—indeed at some periods of the year rare that a day passed—that he was not in part engaged in some Institute work, either in consultation in regard to some Institute problem or in the preparation of those articles and addresses on the Institute which did so much to spread a favorable knowledge of our work.

If you ask me to state the principal factor which has enabled the Institute to make the record which it has, I reply that it is the fact that the person whom you placed in executive charge of the work you undertook has had at his right hand one willing to be consulted at any time on matters pertaining to that work no matter how apparently trivial; one who gave to each question presented his undivided attention and a judgment guided by sound intuition.

There was one thing more. Mr. Wickersham was one of the most sympathetic men I have ever known. It was this element in his nature which encouraged in discouragement and increased satisfaction in success. It was this sympathy combined with his charming personality that has made the past thirteen years of cooperation with him the happiest of my life.

*Meeting of the Institute.*

On May 7, in opening the Annual Meeting of the Institute, at Washington, the President, Mr. Pepper, said :

“Hitherto, ladies and gentlemen, the address of the President at the Annual Meetings of the Association has been a notable utterance. Among his many delightful qualities, Mr. Wickersham had the rare capacity of being able to give attractive form to serious thought and if one reads his annual addresses in succession, they will be found to present a pleasing and adequate picture of the progress of the Institute. We shall miss him in many ways, and our meetings can never be the same now that we may no longer assemble under the spell of his genial greeting. All the members of the Institute are familiar with at least the outlines of his remarkable biography. Some of us from memory can fill in details. A few were privileged to be his intimate friends and could, no doubt, were it appropriate, regale you with anecdotes tending to show the wide range of his activities and the extraordinary versatility of the man. He has passed from our midst so recently that a just appraisal of his work is difficult, if not impossible. Some things, of course, are certain. It is certain that history will include his name in the relatively small group of those who have satisfied in every respect the ideals that we associate with the high office of the Attorney General of the United States. It is certain, too, that he will always be remembered as an eminent lawyer and distinguished public servant. Other lawyers of eminence have been as able as he; other public servants have deserved as richly as he the gratitude of his country and of other nations, but I fail to recall any individual who gave himself so freely in both fields of activity and labored so fruitfully in each of them. And, speaking of gratitude, it is a happy circumstance that his services did not go unrecognized. There was the Supreme Court recognition involved in his appointment as Attorney General of the United States; but many, many other honors were his. Among them was his Presidency of the Association of the Bar of the City of New York. Many, many universities and colleges bestowed upon

him well deserved honorary degrees. A delightful memoir of Mr. Wickersham has been prepared by his lifelong friend and partner, Mr. Henry W. Taft, and in it you will find recorded the many activities, national and international in their scope, in connection with which he rendered such distinguished service. But I think that I speak according to the record when I say that of all the honors that were accorded him, none gratified him more than that which came to him because of his work in and through the American Law Institute. I refer, of course, to the award by the American Bar Association of the medal of honor for distinguished service in the field of American jurisprudence."

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### SUMMARY OF YEAR'S WORK.

The action taken on the death of George W. Wickersham is set forth in the Memorial that precedes this summary.

The following minute was adopted by the Council on February 12:

Our Associate, William Irwin Grubb, died on October 27, 1935.

Born on March 8, 1862, and admitted to the bar in 1884, from 1909 until his death he was United States District Judge of the Northern District of Alabama. Elected a member of the Institute in May, 1923, he became a member of this Council on February 24, 1924.

In his work with us he showed those qualities of judgment and legal learning which marked his judicial work and made him one of the most efficient and respected of our Federal judges.

We greatly regret his death and extend to his family our sincere sympathy in their loss.

At the February meeting of the Council, George Wharton Pepper, of Philadelphia, was elected President of the Institute by unanimous vote. Mr. Pepper has been a member of the Council since December, 1930; he was elected a Vice-President in May, 1932.