

Problems new to mankind constantly arise in the effort to preserve liberty, and liberty can only be preserved to civilization through protection by law.

IS THERE AN EXCUSE FOR THE ASSOCIATION'S EXISTENCE  
OR  
THE SPIRIT OF YESTERDAY CONTRASTED WITH THE SPIRIT  
OF TODAY

By A. J. SMALL, Iowa State Law Librarian

The topic assigned to me by the president is one which might appear as a startling challenge and from its tenor may have a questionable aspect. I view it, however, as being for the purpose of bringing out results and determining what has been accomplished. It can not be that we are unmindful of the activities of an organization which has functioned for nearly a quarter of a century; and, in determining whether there is an excuse for its existence, we must first make a retrospective survey, that we may carefully analyze and compare the purposes and aims for which it was organized with what has been accomplished since its beginning. It will be quite impossible in this necessarily short review to do more than to refer to pre-convention days and to consider the problems then confronting law libraries, the necessity of improvement in library management and service, and the advisability of training law librarians for advancement and the higher standards of professional conduct.

Prior to 1906 law libraries were individual institutions, more or less secluded and segregated. So far as personal contact was concerned law librarians had but slight opportunity to make acquaintances or acquire professional knowledge and training; contact by correspondence, if any, was more or less formal; politics reigned supreme; librarians being often chosen by political preferment or friendship rather than by training or qualification; however, most of the selections thus made were fortunate, the greatest objection to such a method being the uncertainty of tenure of office. Law research and law activities, as well as law libraries have increased and developed; comparative study and uniformity of laws are constantly growing and these have been enhanced by the progress and advancement of library management and librarianship.

What has been the factor or impelling influence that has brought about the progress since the days when law libraries were isolated institutions and the interest and cooperation with others more or less formal? Has it been that they like the mythical Topsy, "jes' grewed up" or has this "growing up" process been brought about by the influence of any one thing or persons? Sentiment for organization and cooperation began several years before its accomplishment. Something apparently inspired activity for we have evidences of great achievements in libraries and library science within the last quarter of a century. Librarianship has improved, law libraries have grown in size and importance and have become more efficient, while inter-library cooperation exists now as never before. In these prefatory statements some of the things incident to the past have been related in order that they may be observed in contrast with the evidences of the present. A brief glance into the early history of the association

and its activities is necessary to warrant the conclusions we are seeking. After much correspondence between several law librarians throughout the country, in regard to an organization, it was agreed to meet at the same time and place as the American Library Association when it held its conference at Narragansett Pier, R.I., June 29-July 6, 1906. Consequently on July 1 in a quiet corner of the parlors of Hotel Mathewson at Narragansett Pier, the American Association of Law Libraries had its beginning. Unfortunately the complete records of the first meeting were not published, but a short memorandum note is found in *Public Libraries*, Vol. II, page 459, as follows: "Pursuant to a call in which twenty-four law libraries joined, there was formed at the conference of the American Library Association at Narragansett Pier, in July, 1906, the American Association of Law Libraries. The purpose of this new organization is to develop and increase the usefulness and efficiency of the law libraries of the United States and Canada." From personal memory many incidents and transactions that transpired of those memorable days are recalled and supplied. At the first informal meeting there were but four law librarians present, namely, Franklin O. Poole, Dr. George E. Wire, George S. Godard and A. J. Small. Several other law librarians arrived afterwards. Preliminary matters were considered, and meetings were held during our four day conference. The charter members in attendance at Narragansett Pier were Franklin O. Poole, librarian, Association of the Bar, New York City; Frederick W. Schenk, librarian, University of Chicago Law School; A. J. Small, state law librarian, Iowa State Library; George S. Godard, state librarian, Connecticut State Library; George E. Wire, librarian, Worcester County Law Library; Frederic B. Crossley, librarian, Northwestern University Law School Library; John H. Arnold, librarian, Harvard University Law School; Frank B. Gilbert, law librarian, New York State Library; Andrew H. Mettee, librarian, Baltimore Bar Library and E. W. Emery, librarian, Maine State Library. Other law librarians not present but who signed the call and became charter members were: W. J. C. Berry, librarian, Mutual Life Insurance Company Library, New York City; J. Harry Bongartz, law librarian, Rhode Island State Library; Wm. G. Eakins, librarian, Osgoode Hall, Toronto; Gilson G. Glasier, librarian, Wisconsin State Library; E. A. Feazel, librarian, Cleveland Law Library Association; John E. King, librarian, Minnesota State Library; C. H. Gould, librarian, Wisconsin State Library; Thomas Hawkins, librarian, Missouri State Library; Luther E. Hewitt, librarian, Philadelphia Bar Association; William H. Holden, librarian, Chicago Law Institute; Ralph K. Jones, librarian, University of Maine Law School; Mrs. Margaret C. Klingelsmith, librarian, Biddle Law Library, Philadelphia; Omar O'Harrow, law librarian, Indiana State Library; Edward H. Ryan, librarian, St. Paul Building, New York City; and Charles P. Sherman, librarian, Yale Law School Library. Our coming together was voluntary; there was no address of welcome, hence no response, and the meetings were informal. The organizers present were a group of enthusiastic law librarians whose sole purpose was to form an association to be mutually beneficial. After several conferences as to whether the organization should be a section of the American Library Association or an independent association, it was finally agreed that an independent organization should be formed. Difficulties arose, however, as under the then existing laws of the American Library Association it was not possible to form a separate as-

sociation; but after several interviews with the executive officers of the parent organization, the laws were so amended as to comply with our wishes. The first name suggested was "Law Librarians Association" but finally the present title was agreed upon. The preliminary meetings were presided over by A. J. Small, as chairman, and Franklin O. Poole, acting as secretary. The chair appointed a committee to prepare a constitution and by-laws of which Frank B. Gilbert was chairman. Among the various activities proposed were a supplemental volume to Jones Index to Legal Periodicals, the issuing of a quarterly periodical, classification of law books, the better labeling and indexing of text books and the adoption of buckram instead of sheep for law binding. These were mainly the big issues taken up and considered. How well we have succeeded in our hopes and aspirations, and whether our anticipations have been realized, is but to review the pages of more recent history. Succeeding administrations have faithfully carried out and enlarged upon the splendid undertakings of the founders. The result of the election of officers for the first year was as follows: President, A. J. Small, Des Moines; Vice President, Andrew H. Mettee, Baltimore; Secretary-Treasurer, Franklin O. Poole, New York City; Executive Committee, President, Vice President and Secretary-Treasurer, ex-officio, Frank B. Gilbert, Albany, Dr. G. E. Wire, Worcester, Mass.; and Frederick W. Schenk, Chicago.

The second conference was held in Asheville, North Carolina in Battery Park Hotel at the same time and place as the parent association. We had pledged ourselves to do this in order to profit from the long experience of that institution, which also offered us an opportunity for fellowship with librarians of other branches of library work and incidentally gave us the advantage of advertising, programs, rates, etc., all of which have been of untold benefit. A courteous southern gentleman, the Honorable Miles O. Sherrill, state librarian of North Carolina, welcomed us to the beautiful city of Asheville, with its fresh air, pure water, and kind hospitality and to the state which was once called a strip of land between two states and noted for its tar, pitch and turpentine. He said he desired to be more courteous than he was in the early sixties, when he aided and assisted in preventing his northern friends from making a visit to North Carolina. In reviewing the minutes of the second meeting we find that the plan outlined at the first conference was faithfully carried out; meetings and round tables were numerous from early morning till late at night. There were 24 present at the Asheville conference, of whom 19 were law librarians, namely; Charles F. D. Belden, Frederick W. Schenk, Ernest A. Feazel, A. J. Small, Andrew H. Mettee, Franklin O. Poole, Frank B. Gilbert, Luther E. Hewitt, Dr. G. E. Wire, George S. Godard, C. H. Gould, Frederic B. Crossley, John E. King, Claude M. Dean, Harold L. Butler, Mrs. Margaret C. Klingelsmith, Mrs. Maud B. Cobb, Miss Claribel H. Smith and George Kearney; two associate members, T. L. Cole, Statute Law Book Company, Washington and C. Willard Smith, West Publishing Company, St. Paul; and four visitors, Mrs. Frank B. Gilbert, Mrs. G. E. Wire, Mrs. A. J. Small and Mrs. Frederick Schenk. A group picture was taken of those present at that meeting, all of whom are in the picture excepting Franklin O. Poole, Harold L. Butler and George Kearney. Mr. Poole was called home on account of the death of his father, and the other two for some reason did not appear. We had no special

assignments, simply set our time, found a corner and proceeded. Many conferences were held. Refreshments were incidental, so busy were we. Weary at times, but always happy, we attracted the attention of the whole American Library Association and heard many comments, such as "There's that bunch of law librarians," etc. Two interesting papers were read on the Author vs. Subject Classification of Law Text Books, Mr. W. J. C. Berry taking the affirmative and Dr. G. E. Wire ably defending the negative. Much discussion followed, with results still unsettled. It was definitely decided that the association should undertake the publication of a quarterly journal and index to legal periodicals. A committee consisting of A. J. Small, Franklin O. Poole, Frederick W. Schenk, Frank B. Gilbert and A. H. Mettee was named by the executive committee to arrange for its publication. In December a conference was held at the office of the University of Chicago Law School Library, when it was decided to begin the publication in January, 1908, with Frederick W. Schenk as managing editor and Karl Ed. Steinmetz as business manager, the issues to appear January, April, July and October, with the January number cumulative for the year. The price agreed upon was \$5.00 including the cumulative number. The justification for the issuing of the Journal and Index is too well known to need further comment, and its publication, if nothing more, warrants the existence of the association. At first the indexing was partially done by the co-operative efforts of the various members but this was not found practicable. The secretary reported a total membership of 77, consisting of 61 librarians, 15 associate members and one honorary member, being Stephen G. Griswold, former law librarian of New York. One member died during the year.

The third conference was held in the club room of the Casino, located in a beautiful wooded spot on Lake Minnetonka, Minnesota, June 22-June 24, 1908, where we were generously welcomed by our good friend John E. King, then state librarian of Minnesota, and royally entertained by the West Publishing Company at a dinner and sight seeing trip through their great publishing establishment. Valuable papers were read by Miss Edna D. Bullock, Roger W. Cooley, James DeWitt Andrews and John B. West. Mr. Schenk was given a vote of thanks for his services as editor of the Index and Journal and commended for the splendid appearance of the quarterly. Each day was filled with activities; round tables were held where interesting discussions were had on law and library topics, and one day was spent at the state library in St. Paul indexing periodical articles for the new Index and Journal just founded. The printed proceedings record the detailed program of this conference.

The fourth conference was held at Bretton Woods, a delightful place in the heart of the White Mountains near Mt. Washington. Each year brought new faces and some new issues; matters in common were considered; librarianship was advanced and libraries were made better. So year after year we have met in conference from the rock-ribbed shores of the Atlantic to the Golden Gate of the Pacific. The results and accomplishments are varied and many. The question of material for law binding has been transferred from the general use of sheep to a substantial fabric. Dr. George E. Wire has given us valuable suggestions on the binding question. The Index and Law Library Journal is a success. Treasures of legal literature have been unlocked and made available. The importance of bar proceedings is now becoming more and more appreciated;

and a check list has been prepared, thereby revealing the proceedings that have been published. Librarianship has been made a profession rather than an occupation and law libraries are more than mere store houses. Contact with other librarians has become informal; cooperation and exchanges are now a matter of friendly courtesy and service. Through the untiring effort of Mr. Luther E. Hewitt and the influence of the association, Congress has recently been induced to appropriate funds for the preparation and publication of a digest of state legislation. We have been honored with the membership of a valiant group of law librarians whose sole purposes and aims have been to render a better public service and whose unselfish efforts have not been in vain. Our conferences have stimulated acquaintanceships which through the succeeding years have grown into life long friendships. We have been favored with the presence of many distinguished law book writers, such as John B. West, founder of the West System; Frank B. Gilbert, compiler of many New York law text books and statutes; Roger W. Cooley, author of Cooley's Briefs on Insurance; James DeWitt Andrews, writer of Andrews' American Law and other works; John R. Rood, author of Rood's Treatise on Wills; Frederick C. Hicks, whose recent writings are too well known to need enumeration; Mrs. Margaret Klingelsmith, translator of Statham's Abridgement of the Law, 2 vols.; and our good friend T. L. Cole, who has devoted his life to "A Bibliography of the American Statute Laws," which, when completed, will be a boon to law library science, and a lasting memorial, more enduring than bronze or stone, to the author. The success of our association is due to the untiring efforts of those members who have served so faithfully since its organization in official capacity or otherwise, and in addition to those already named, mention should be made of the valuable pioneer services rendered by Franklin O. Poole, secretary for the first seven years; Andrew H. Mettee, first vice president; George S. Godard, Gilson G. Glasier, Ernest A. Feazel, Harold L. Butler, Gertrude E. Woodward, and many others of more recent membership. In passing, we honor the memory of the venerable Stephen B. Griswold, the late law librarian of the Empire State and Harold L. Butler, late of the American Law Library Association; also the splendid record of John H. Arnold, that princely gentleman, who served the Harvard Law School for forty-one years as its able librarian, from Sept. 1, 1872 to Sept. 1, 1913, and who now is living in retirement at Winnetka, Ill.

The foregoing is a brief synopsis of the heretofore published and unpublished records of the first annual and subsequent conferences of an organization which has since become a permanent and well established international association, founded and organized for the advancement of legal literature and library science and the betterment of librarianship. Progress has not ceased, activities have increased; the structure begun has continued to the present time, and now flourishes as never before under the guidance and leadership of John T. Fitzpatrick, our able president, and Miss Lucile Vernon, who has been our faithful secretary for a number of years. Almost a generation has passed since its beginning; a few of the first members are yet living and active. The association is still going strong and never during its existence has there been a chronic state of uncertainty nor even a "flat tire."