

**SECOND ANNUAL REPORT OF THE  
MASSACHUSETTS BAR ASSOCIATION.  
CONTAINING THE CHARTER AND  
BY-LAWS, A LIST OF OFFICERS AND  
MEMBERS AND THE PROCEEDINGS AT  
THE SECOND ANNUAL MEETING. 1912**

Published @ 2017 Trieste Publishing Pty Ltd

ISBN 9780649057856

Second Annual Report of the Massachusetts Bar Association. Containing the Charter and By-Laws, A List of Officers and Members and the Proceedings at the Second Annual Meeting. 1912  
by Massachusetts Bar Association

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](http://www.triestepublishing.com)

# **MASSACHUSETTS BAR ASSOCIATION**

**SECOND ANNUAL REPORT OF THE  
MASSACHUSETTS BAR ASSOCIATION.  
CONTAINING THE CHARTER AND  
BY-LAWS, A LIST OF OFFICERS AND  
MEMBERS AND THE PROCEEDINGS AT  
THE SECOND ANNUAL MEETING. 1912**



SECOND  
ANNUAL REPORT

OF THE

**Massachusetts Bar Association**

CONTAINING

THE CHARTER AND BY-LAWS,  
A LIST OF OFFICERS AND MEMBERS

AND

THE PROCEEDINGS AT THE  
SECOND ANNUAL MEETING.

---

1912.

---

BOSTON:  
THE ROCKWELL & CHURCHILL PRESS.  
1912.

Massachusetts Bar Association.

---

OFFICERS, 1912.

---

*President.*

CHARLES W. CLIFFORD.

*Vice-Presidents.*

WILLIAM H. BROOKS.	SAMUEL K. HAMILTON.
JAMES E. COTTER.	JOHN C. HAMMOND.
JAMES R. DUNBAR.	HERBERT PARKER.

*Secretary.*

ROBERT HOMANS.

*Treasurer.*

CHARLES E. WARE.

*Executive Committee.*

HOLLIS R. BAILEY.	HENRY F. HURLBURT.
HENRY H. BAKER.	ANDREW J. JENNINGS.
PAUL R. BLACKMUR.	ROBERT A. KNIGHT.
LOYED E. CHAMBERLAIN.	JOHN W. MASON.
ROBERT G. DODGE.	WILLIAM H. NILES.
WILLIAM H. DUNBAR.	JAMES M. SWIFT.
LEE M. FRIEDMAN.	GEORGE S. TAFT.
T. HOVEY GAGE.	JAMES H. VAHEY.
FREDERICK L. GREENE.	JOSEPH B. WARNER.
CHARLES E. HIBBARD.	ALDEN P. WHITE.

FREDERICK N. WIER.

4 MASSACHUSETTS BAR ASSOCIATION.

[In 1911 the Massachusetts Bar Association, which had been organized as a voluntary association, was incorporated.]

CHARTER.

*The Commonwealth of Massachusetts.*

It is known that whereas ALFRED HEMENWAY, CHARLES E. WARE, ROBERT HOMANS, WILLIAM H. NILES, ROBERT A. KNIGHT, WILLIAM H. DUNBAR, HOLLIS R. BAILEY, LEE M. FRIEDMAN, FREDERICK N. WIER, PAUL R. BLACKMUR, T. HOVEY GAGE, HENRY H. BAKER, ROBERT G. DODGE, JAMES R. DUNBAR, JAMES H. VAHEY, PATRICK M. KEATING, JAMES M. SWIFT, JOSEPH B. WARNER, JAMES E. COTTER, SAMUEL K. HAMILTON, HERBERT PARKER, ALDEN P. WHITE, JOHN C. HAMMOND, WILLIAM H. BROOKS, CHARLES E. HIBBARD, RICHARD W. IRWIN and FREDERICK L. GREENE have associated themselves with the intention of forming a corporation under the name of the

MASSACHUSETTS BAR ASSOCIATION,

for the purpose of cultivating the science of jurisprudence, of promoting reform in the law, of facilitating the administration of justice, of furthering uniformity of legislation throughout the Union, of upholding the honor of the profession of law, and encouraging cordial intercourse among the members of the Massachusetts Bar; and have complied with the provisions of the statutes of this Commonwealth in such case made and provided, as appears from the certificate of the President, Treasurer, Clerk or Secretary, and Executive Committee of said corporation, duly approved by the Commissioner of Corporations and recorded in this office:

Now, Therefore, I, ALBERT P. LANGTRY, Secretary of the Commonwealth of Massachusetts, *Do hereby Certify* that said ALFRED HEMENWAY, CHARLES E. WARE, ROBERT HOMANS, WILLIAM H. NILES, ROBERT A. KNIGHT, WILLIAM H. DUNBAR, HOLLIS R. BAILEY, LEE M. FRIEDMAN, FREDERICK N. WIER, PAUL R. BLACKMUR, T. HOVEY GAGE, HENRY H. BAKER, ROBERT G. DODGE, JAMES R. DUNBAR, JAMES H. VAHEY, PATRICK M. KEATING, JAMES M. SWIFT, JOSEPH B. WARNER, JAMES E. COTTER, SAMUEL K. HAMILTON, HERBERT PARKER, ALDEN P. WHITE, JOHN C. HAMMOND, WILLIAM H. BROOKS, CHARLES E. HIBBARD, RICHARD W. IRWIN and FREDERICK L. GREENE, their associates and successors, are legally organized and established as, and are hereby made, an existing corporation under the name of the

MASSACHUSETTS BAR ASSOCIATION,

with the powers, rights and privileges, and subject to the limitations, duties and restrictions, which by law appertain thereto.

Witness my official signature hereunto subscribed, and the Great Seal of the Commonwealth of Massachusetts hereunto affixed, this twenty-first day of June in the year of our Lord one thousand nine hundred and eleven.

ALBERT P. LANGTRY,

*Secretary of the Commonwealth.*



Massachusetts Bar Association.

---

BY-LAWS.

---

I. — *Membership.*

The present members of the Association are hereby made and declared to be members of the Association as a corporate body, and shall be enrolled as such by the Secretary.

Such membership shall continue until death, expulsion for non-payment of dues or otherwise, or resignation in writing signed by the member and sent to the Secretary or Treasurer.

Any member of the legal profession in good standing, practising in the Commonwealth of Massachusetts, who shall have been at the Bar of this State at least five years, may become a member by vote of the Association (or of the Executive Committee), upon recommendation of the Committee on Membership, and upon paying the annual dues of the current year within the period limited herein.

The Judges of the United States Courts residing in this State, the Justices of the Supreme Judicial Court, the Justices of the Superior Court and the Judges of the Land Court shall, during their respective terms of office, be honorary members of this Association, and exempt from dues.

Other honorary members may be elected by the Association.

Candidates for membership must be proposed in writing by two members of the Association. Nominations shall be sent to the Secretary, and by him referred to the Committee on Membership. This Committee shall report to the Executive Committee or to the Association the names of all candidates recommended for membership. Five negative votes in the Executive Committee, or fifteen negative votes in the Association, shall suffice to defeat an election.

II. — *Officers.*

The officers of the Association shall be a President, three or more Vice-Presidents, a Secretary, a Treasurer, and an Executive Committee, which shall consist of the President, the last ex-Presi-



6 MASSACHUSETTS BAR ASSOCIATION.

dent, the Secretary, and the Treasurer, all of whom shall be *ex officio* members, together with twenty-one other members to be chosen by the Association.

No member shall be eligible for the office of President for more than one year in succession. No member shall be eligible for election to the Executive Committee, or appointment to any other standing Committee, for more than three years in succession. The President shall be chairman of the Executive Committee. There shall be upon the Executive Committee one member at least representing each county.

There shall be the following standing committees appointed annually by the President:

- Committee on Membership.
- Committee on Legislation.
- Committee on Legal Education.
- Committee on Judicial Appointments.
- Committee on Grievances.
- Committee on Nominations.

Special committees may be appointed by the President on vote of the Executive Committee.

III. — *President.*

The President, or, in his absence, one of the Vice-Presidents, shall preside at all meetings of the Association. He shall appoint all standing committees except the Executive Committee within thirty days after the Annual Meeting and shall fill all vacancies.

IV. — *Executive Committee.*

This Committee shall manage the affairs of the Association, subject to the provisions of the Constitution and By-Laws, and shall have all the powers of directors.

V. — *Treasurer.*

The Treasurer shall collect and, by order of the Executive Committee, disburse the moneys of the Association, and shall keep proper books of account, make reports at the Annual Meeting of the Association, or from time to time to the Executive Committee, if so required, and discharge such other duties as shall be required of him by the Association or the Executive Committee.

He shall, at the expense of the Association, give a surety

company bond for the proper performance of his duties in such sum and in such form as shall be required by the Executive Committee.

The Treasurer's report shall be audited annually, before its presentation to the Association, by two members of the Executive Committee, appointed by the President.

#### VI. — *Secretary.*

The Secretary shall keep a record of the proceedings of the Association, and notify officers and members of committees of their election or appointment; shall issue notices of all meetings, and keep the seal of the Association, and discharge such other duties as shall be required of him by the Association, or by the Executive Committee. The Secretary shall have all the powers of a Clerk.

#### VII. — *Committee on Membership.*

The Committee shall consist of eleven members. They shall consider and pass upon all nominations for membership and shall report thereon to the Executive Committee or to the Association.

#### VIII. — *Committee on Legislation.*

The Committee shall consist of fifteen members. It shall be the duty of this Committee to consider and report to the Association, or to the Executive Committee, such amendments of the law as in its opinion should be adopted; also to scrutinize proposed changes of the law, and, when necessary, report upon the same; also to observe the practical working of the judicial system of the State, and recommend, by written or printed report, from time to time, any changes therein which observation or experience may suggest, and, when authorized by the Association or the Executive Committee, appear before the Legislature or its committees in behalf of the Association, to introduce, advocate, or oppose proposed legislation.

This Committee shall also consider all matters pertaining to uniformity of legislation and shall co-operate with the Commissioners on Uniform Legislation and others to procure the enactment of uniform legislation throughout the United States.

They shall make a report at the Annual Meeting of the Association on all matters of importance pertaining to legislation and law reform.

8 MASSACHUSETTS BAR ASSOCIATION.

IX. — *Committee on Legal Education.*

The Committee shall consist of five members. It shall be the duty of this Committee to consider and report matters pertaining to legal education and admission to the Bar, so that a high standard of legal attainment and character in the profession may be encouraged.

X. — *Committee on Judicial Appointments.*

The Committee shall consist of nine members. It shall be the duty of this Committee to further in all proper ways the appointment of suitable men to judicial office, to the end that the office of Judge may be rendered one of dignity and respect, with proper emolument, and that lawyers of high character, sound learning, wide experience, and judicial temperament may be placed upon the Bench.

XI. — *Committee on Grievances.*

The Committee shall consist of fifteen members. This Committee may receive and hear all complaints preferred against any member of the Bar for misconduct in his profession, provided the same be in writing, plainly and specifically stating the matter complained of, and subscribed by the complainant; and with the approval of the Executive Committee it shall take such action thereon in the name of the Association as may be deemed proper.

It shall have like power in the matter of expelling any member of the Association.

XII. — *Committee on Nominations.*

The Committee shall consist of nine members. The Committee shall meet not less than thirty days before the Annual Meeting, and shall nominate at the Annual Meeting a President, Vice-Presidents, Secretary, Treasurer, and Executive Committee. They shall notify the Secretary of such nominations, so that the notice of the Annual Meeting may contain a list of such nominations.

Other nominations in writing may in like manner be made for any of such offices by not less than nine members of the Association.

XIII. — *Meetings.*

The Annual Meeting of the Association shall be held in the month of December at such time and place as the Executive Committee shall determine.