

trial." The legislature with such examples of irregular practice in mind, may have been imbued with ideas of the law other than home-made, not unlike those expressed in an old drama: "The law is a sort of hocus-pocus science, that smiles in yer face while it picks yer pocket." And therefore the less there was the better.

Pioneer and frontier life is essentially the same everywhere, differing only in degree and according to the heterogeneous elements which influence it. It may be characterized as always rough and ready. Men return proximately to the theoretical state of nature; impatient of set forms of speech, dress or procedure; they are direct, outspoken, summary. At first there is only the *jus gentium*, and every person interprets and executes it for himself, if he can; if opposed, he goes as far as he can. The primitive modes of trial are revived, notably by battle; though they seldom fight all day and until sundown as in olden times. Not infrequently, however, they begin and end after that time.

Such communities under their roughness have a sense of justice. Their police, however, is lax. Personal animosities have free action; no refuge or sanctuary can protect against the fierce and angry pursuer. Bad men resort to such communities; and there is wanting the restraints and preventives which in older communities are effectual for their comfort and protection. When these primitive settlements become permanent they naturally improve in manners and morals. The objectionable habits and modes of action are gradually corrected till they fade out and become obsolete. A sincere belief in equal rights and justice between man and man, that self-government is safe, that a benign progress in all that contributes to a better condition and a better manhood, is ingrained in the American mind. It is a characteristic hope of the American people; their guiding faith. If one of them meets others beyond the reach of written laws and the processes of courts, he is a law unto himself; he is ready to coalesce with such others and cooperate with them in rude methods of temporary rule; and he welcomes the early coming of stricter forms, regular and stable government. He easily adapts himself to new surroundings and new conditions; may be one day a tailor and another a president; one day a servant, another a general.

Utah has passed through the rough stage of its pioneer history. It is now a permanent American Commonwealth. It is imbued with the American spirit. It cherishes the common hope that under the benign operation of our National and State institutions man will have perfect human government. It is ready and competent, as a homogeneous factor, to do its part in working out this grand mission and destiny of the Republic.

The members of the legal profession in the United States have prominence, always conceded to ability and fitness, not only in the administration of justice in the courts, but in shaping the monetary system of the country and controlling its financial policies. It takes part in the business activities on which its material prosperity depends; it is prominent in its literature, its legislation, and in its government.

This Association is intended to re-

present the profession in this Territory and State, when it shall become one. Its object as expressed in its fundamental law is, "the elevation of the standard of professional learning and integrity; to inspire the greatest degree of respect for the efforts and influence of the Bar in the administration of justice; and to cultivate fraternal relations among its members."

This is our comprehensive three-plank platform. It is simple, but it is broad and deep.

We would have our ideal lawyer possess this dual excellence of learning and integrity. No comparison of these two elements is intended or necessary. They should go together.

Learning, however, will always be partial, limited, incomplete. In this life our knowledge is only finite. We see as through a glass darkly. One man can master only a part of the learning of the world. But no limitations can be conceded as far as integrity is concerned. That is an indispensable quality. It must be ever active, complete, perfect; it must be always alive, present and practical. It must dominate without parley or compromise.

Only attorneys admitted to practice in the Supreme Court are, or can be, members of our association. We have all passed the ordeal of examination necessary both as to learning and good moral character. A minimum of learning which will suffice for incipient practice may insure admission to the Bar and to this association. But to our ideal of a lawyer's learning this minimum is as a pebble to a mountain. It is hoped that no one has joined us who is content with this minimum, who will willingly remain on the lowest rung of the professional ladder. If any such have done so they are not members for the purposes, nor have they the aspirations which induced this organization.

Our standard is not merely theoretical. Our aim or purpose is actual. In it we earnestly anticipate that every member will practically participate. To no class of persons is universal knowledge more useful than to lawyers. Their practical usefulness depends, of course, on a thorough acquaintance with the law as a primary requisite. They will, moreover, find daily advantage in acknowledgment of the natural sciences, of men, and of the nature of all contemporary relations and concrete things.

Learning, in large measure, associated with a strict integrity and common sense, makes a great counselor. The learning may be indifferent, but a modicum, and still the lawyer be respectable. Irrespective of the amount of the person's learning, however, if he is wanting in perfect integrity, he is odious as a man, detestable and dangerous as a lawyer. It will be no part of the aim or practical work of this association to defend or aid in maintaining the standing of such a lawyer.

The Bar Association would win respect for its efforts and influence in the administration of justice. Respect is the spontaneous homage paid to merit. Respect for lawyers begins with veneration of the law. Hooker, a great English divine, said: "Of the law there can be no less acknowledged than that her seat is in the bosom of God; her voice the harmony of the world; all things in heaven and earth do her homage, the very least as feeling her care, and the

greatest as not exempt from her power."

The world echoes the injunction to lawyers gracefully uttered by Pope the poet, to all men, "Act well your part, there all the honor lies."

Lawyers are necessary to the practical operation and administration of the law. Their office and function are in exercise universally and are as old as the law. Every man can no more be his own lawyer than his own doctor, or his own tailor. He needs a man learned in the law to explain his rights and champion them when they are disputed. The lawyer professes to qualify himself for this service, and when he is called upon to act he assumes duties to the client. These are consistent with his other duties; they neither involve nor permit mendacity in words nor in acts. The ordinary championship of civil rights in litigation is a faithful and persistent study and labor to advance a cause, believed to be meritorious in fact and in law. He is instrumental in proving the facts by testimony, and he expounds the law which is applicable.

In the consultation room the client meets the attorney face to face; explains his private affairs, reposes confidence. When the lawyer brings to the aid of his clients average professional learning, diligence and skill; when he faithfully keeps their confidences inviolate and uses the knowledge thus gained only for his clients' benefit, he is entitled to the respect due to every honest man; the same respect due to a witness who tells the truth and nothing but the truth; the respect, in short, in which men generally are held who fulfil their obligations.

Neither the legal nor any other profession or calling need ever strive for greater honor than to have this title to universal respect, that all its members fulfil their obligations. No matter how humble is a man's pursuit, how limited his ability or his learning, if he has the modesty to undertake only what is within his capacity, and he does what he agrees, he is entitled to respect.

If an association were to be formed consisting only of those admitted and retained by this standard, though it include the workers in every field of industry, whether brain or muscle, it would be the best association and the most honorable men on earth. It follows that all associations and all professions whose members fail most conspicuously and generally will have the least title to respect. The reproach will be greater or less according to the gravity of the interests sacrificed or put in jeopardy by their neglect, incompetency or perfidy.

It would be a vain boast that lawyers are more correct in their professional lives than any other men, but it may be practicable to constitute and maintain a Bar Association with a membership of faithful lawyers who will justify the purpose declared in our constitution: "To win respect for our efforts in the administration of justice."

Lawyers having transcendent talent and learning may win more than the respect due to honesty and mediocrity; but even genius will never have a more valid and enduring claim to respect and admiration than the counselor by whose address disputes are brought to a peaceable settlement, and who advises litigation only in the last resort.

A lawyer who is unmindful of his own