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THE EARLY DAYS OF THE HOWARD LAW ALUMNI ASSOCIATION

By

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Washington, D.C.

I am deeply honored to address the monthly meeting of the Howard Law Alumni Association of the Greater Washington Area on this, my 119th day as dean of the Howard University School of Law. I cherish the award that the Association bestowed on me on April 11, 1979, as one of the "Outstanding Alumni" of the Howard University School of Law.

For nearly two decades, I have been interested in the history of black lawyers in America. Hence, for a few moments, I would like to share with you some of the information that I have discovered about the Howard Law Alumni Association.

According to the Resident Vice Dean, Dr. Charles Hamilton Houston, the first efforts to organize a law alumni association occurred in 1928, fifty-six years after the first students were graduated. Houston reported that, "At the [May] 1928 commencement a separate law alumni association, as distinct from the general university alumni association, was launched and formally organized." See Houston, Personal Observations on the Summary of Studies in Legal Education as Applied to the Howard University School of Law, May 29, 1929, at 21.

Dean Houston did not believe that a law alumni association "would ... be of much financial assistance" to the Law School; however, he believed that an association had "great moral possibilities." Ibid. His belief was based

*Before the Howard Law Alumni Association of the Greater Washington Area, September 10, 1986, in the James A. Cobb Moot Court Room, Ms. Valerie Daye, outgoing president, and incoming president Henry M. Terrell, presiding. This speech is dedicated to the memory of Nathan Anthony Dobbins, a native of Charlotte, N.C., the first president of the Howard Law Alumni Association, and a 1929 graduate of the Howard University School of Law.

on the fact that in 1929, black lawyers were still struggling for financial success in law as a field of labor and thus he concluded that "the margin which Negro lawyers have been able to set aside for philanthropy has been very small." Id. at 21-22.

The Alumni Association may have been inspired by a law faculty committee which, on May 24, 1928, under the signature of Louis Rothschild Mehlinger sent out a letter addressed to "Fellow Law Alumnus" urging them "to come back home on June 7th, [1928] and spend one hour in Evarts Hall and join your fellow law alumni in reviving old associations and laying the foundations for new ones." Persons responsible for the 1928 call to the faculty included, Dean Fenton W. Booth, Chief Justice, U.S. Court of Claims; James A. Cobb, Vice-Dean, and Judge on the Municipal Court of the District of Columbia; James C. Waters, Jr., Secretary of the Law School; Professors Charles Hamilton Houston, Louis Rothschild Mehlinger, Charles E. Robinson, President of the Washington Bar Association, U. Grant Tyler, President of the Monumental Bar Association (Baltimore, Maryland) Edward W. Henry, Judge, Magistrate Court, Philadelphia, Pennsylvania, T.B. Dyett, Assistant District Attorney of New York County, with the assistance of Dr. Emmett J. Scott, Secretary-Treasurer of the University.

A press release was issued by the University in May, 1928, announcing the June 7th organizational meeting of the Howard University Law School Association. The press release stated, in part,

... The purpose of this association is to build up a strong organization of law alumni distinct from the general alumni association of the University so that the Law School may be kept in closer contact with its graduates, prospective law students, and with the members of the legal profession generally.

The call for the first meeting reached Lewis J. Umstead, a 1908

graduate of the Law School, living in Hennesy, Oklahoma. On October 4, 1928, he acknowledged receipt of the May 24, 1928, invitation to attend the organizational meeting of the Association. Because he had moved from El Reno, Oklahoma, he had not received the notice in time to attend the meeting.

In his letter, Mr. Umstead made inquiries about his teachers. He asked:

Where is James Waters? Is he still Secretary [of the Law School?] What about Professor [William H.H.] Hart? Does he still live?... I know [James F.] Bundy is dead, but I am very anxious about persons ... like Bee Longwood, Sylvester G. McLaurin, and others of my day in Washington.

Umstead closed his letter supplying personal information indicating that he owned his home, had "rental property, a wife, a son, a good car, \$50,000 in paid-up life insurance, though I went broke to the last penny [in 1923]."

The Howard University Law School Alumni Association moved forward in the 1930's with various activities. On February 19, 1931, the Association presented the Law School with a portrait of Dean Fenton W. Booth. With the Honorable James A. Cobb presiding, speakers on this occasion included Thurman L. Dodson, Professor Charles V. Imlay and Howard University president, Mordecai Johnson. Louis Rothschild Mehlinger, the last remaining living person of that group, [Smith, Louis Rothschild Mehlinger: The First One Hundred Years, 26 How. L.J. 359 (1983)], presented Dean Booth's portrait to Vice Dean Houston. At the time, Dean Booth was the Chief Justice of the United States Court of Claims.

By June 4, 1929, Nathan A. Dobbins had been succeeded as president of the Alumni Association by Judge James A. Cobb, its second president. President Cobb called for "The Second Annual Meeting of the Howard University Law Alumni Association for June 6, 1929, at the law school building." At

At this meeting, Herman J. Galloway, Assistant Attorney General of the United States, in charge of the Bureau of Defense of Suits Against the United States was the principal speaker.

The first Constitution of the Association was drafted in the early 1930's by a Committee headed by George F. Collins, a 1901 graduate, who practiced law at 494 Louisiana Avenue, N.W., Washington, D.C. The Constitution of the Association stated the following as its objects:

The objects of this Association shall be the cultivation of friendly fellowship among its members and their intellectual advancement; together with the promotion of right human relations through such activities as may be found practicable.

The Constitution of the Association could not have been approved prior to 1932 because it is clear from my research that Nathan A. Dobbins, the first president of the Howard Law Alumni Association and Vice-Dean Charles Hamilton Houston had different ideas about the role of the Law Faculty in Association affairs. President Dobbins desired to limit the participation and the influence of the Law Faculty in Association affairs. This policy was made clear to Vice-Dean Houston by a letter from Dobbins to Houston regarding a constitutional proposal submitted by Houston to the Association. On March 3, 1932, Dobbins responding to a February 29, 1932 letter from Houston stated,

I wish to assure you under my administration that I welcome the cooperation of the Law Faculty in any matter which has for its purpose the constructive advancement of the School of Law. However, may it be understood in unmistakable language that I, as President of the Law Alumni Association, do not take the position that my views or convictions are to be forced upon the association, but on the other hand, I must subscribe to the doctrine of the "majority rule."

Vice-Dean Houston felt that the Association would prove ineffectual to

the School of Law unless there was a "mutual helpfulness between it and the Law Faculty." However, Houston's proposal to allow any faculty member to join the Association whether they were graduated from the Law School or not was not favorably received by the Association. As you know, Vice-Dean Houston was a 1922 graduate (cum laude) of the Harvard Law School. See Letter from Houston to Dobbins, March 3, 1932; Letter from Houston to Dobbins, February 24, 1932.

Howard University President Mordecai W. Johnson addressed the inaugural organization meeting of the Association. At this time the Law School was located at 420 Fifth Street, N.W., Washington, D.C.

Vice-Dean Houston remained interested in the progress of the Alumni Association. On November 10, 1930, Vice-Dean Houston inquired as to the number of dues-paying members of the Association. On November 11, 1930, Louis Rothschild Mehlinger listed nearly 60 dues-paying members; namely,

1. Jesse H. Mitchell (D.C.)
2. L.G. Koger (Md.)
3. Geo. E.C. Hayes (D.C.)
4. Ray A. Clark (D.C.)
5. Judge Edward W. Henry (Philadelphia)
6. Emory B. Smith (D.C.)
7. William L. Houston (D.C.)
8. J. Franklin Wilson (D.C.)
9. Arthur E. Briscoe (Md.)
10. Emory R. Cole (Md.)
11. Lewis Doby (D.C.)
12. Augustus W. Gray (D.C.)

13. James A. Cobb (D.C.)
14. Theo. A. Brown (D.C.)
15. Henry A. Brown (D.C.)
16. Fairfax Jackson (?)
17. Victor J. Thompson (D.C.)
18. J. H. Monroe (?)
19. Fred R. Ramer (?)
20. Geo. W. Peterson (D.C.)
21. C.W. Tignor (D.C.)
22. Paul E. Murray (D.C.)
23. William H. Lewis (D.C.)
24. U. Grant Tyler (Md.)
25. John C. Payne (D.C.)
26. Mrs. M.B. Marshall (D.C.)
27. Mrs. Isadore A. Letcher (D.C.)
28. Ms. A. Roberta Hooper (Md.)
29. Ollie May Cooper (D.C.)
30. Josiah A. Henry (Md.)
31. George W. Lewis (D.C.)
32. Frank W. Adams (D.C.)
33. Louis Rothschild Mehlinger (D.C.)
34. Ashby W. Hawkins (Md.)
35. Lazarus Kerr (?)
36. Reginald Jackson (?)
37. Peter Richardson (D.C.)
38. Harry Jones (?)

39. B.W. Claytor (D.C.)
40. Allen Mercer Daniel (D.C.)
41. Nathan A. Dobbins (D.C.)
42. L. M. Hershaw (D.C.)
43. E. L. Winters (D.C.)
44. Edward H. Fisher (?)
45. R.H. Halley (D.C.)
46. Domingo Lananze (D.C.)
47. Roy A. Bond (D.C.)
48. James C. Walters (?)
49. Ms. L. Marion Poe (Newport News, Va.)
50. F. D. Wilkerson (D.C.)
51. Richard R. Atkinson (D.C.)
52. Carl A. Cowan (D.C.)
53. Robert L. Witherspoon (D.C.)
54. William H. Hopkins (D.C.)
55. Henry McK. Rowan (?)
56. John H. Lewis (?)
57. Ms. Kathleen D. Romer (D.C.)
58. Samuel M. Tyson (?)
59. Alexander A. Maney (D.C.)

The Law School and the Alumni Association, despite their differences on the membership question remained united on substantive programs. On November 14, 1930, Vice-Dean Houston announced and invited the "Law Alumni Association.... in all places" to attend "a series of four lectures on Constitutional Law by Arthur Garfield Hays of New York City, to be given at the School of Law."

Hays lectured on "The Sweet Case in Detroit" on November 22, 1930; on "The Scopes case in Tennessee" on December 5, 1930; on "Freedom of Speech and Assemblage, The Pennsylvania Coal Fields, The Right of the Reds, Gastonia, Passaic and other cases" on February 28, 1931; and on "Freedom of the Press, The American Mercury Case, The Revolutionary Age Case, Censorship, etc.," on March 21, 1931.

The law alumni was also invited to a series of light lectures commencing "in January, 1931 by Clarence Darrow of Chicago ... and later in the year by Dean [Roscoe] Pound of the Harvard Law School...."

Clarence Darrow gave eight lectures in January 1930; namely,

1. Monday, January 5th - Preparation for Trial
2. Tuesday, January 6th - The Court and Jury
3. Wednesday, January 7th - Examining Witnesses
4. Thursday, January 8th - Argument
5. Friday, January 9th - The Law and the Facts
6. Saturday, January 10th - The Lawyer and Public Service
7. Monday, January 12th - The Constitution
8. Tuesday, January 13th - Law in the Making

By March 27, 1931, Robert Herberton Terrell, an 1889 graduate of the Law School had expired. However, one of our graduates, George G. DeVaughn of Jacksonville, Florida, informed the Law School that "The Colored Bar Association of Jacksonville is planning to hold memorial services for the late Judge Robert H. Terrell...". On April 1, 1931, Mary Church Terrell, wife of Judge Terrell notified Vice-Dean Houston that she was supplying Mr. DeVaughn with the memorial information.

In 1931 a Committee of five members of the Howard Law Alumni Associa-

tion was elected "to study and report on conditions in the Law School and report at the next meeting of the Association." Public hearings were held and several views were advanced on the theory of legal education. Vice-Dean Houston paid \$53.85 for the transcript which exceeded more than 200 pages of hearings. Vice-Dean Houston was and remained at the center of the debate during these days as he tried to secure the accreditation of the Law School. Vice-Dean Houston and the Alumni Association remained at odds over the standards for the School of Law. However, the Law School won accreditation from the American Association of Law Schools (AALS) and the American Bar Association (ABA) in 1930 and 1931, respectively.

The history of the first years of the Alumni Association, lost for years, exist today because of Ollie May Cooper, a 1921 magna cum laude graduate of the Law School, see Ollie May Cooper: The "Real Dean" of Howard University School of Law, 23 How. L.J. 368, 372-74 (1980) (Remarks of the Honorable Spottswood W. Robinson, III), who shared with me some of the information contained in this paper prior to her death. I have been able to piece through these files for facts which enables me to place on the record the parent organization of the residual groups that now constitute the Howard Law Alumni Association of the Greater Washington Area and the National Howard Law Alumni Association.

Over the years, this Association, incorporated in the early 1970's by John Harmon, Henry Halvor Jones (now a Professor of Law on the faculty) and Leroy Nesbitt, Sr., has held many fundraisers for the Law School; many students have benefitted. Your history extends beyond the first president presently listed on your letterhead, James F. Middleton. While the Association was incorporated about 15 years ago, your roots are fifty-eight years deep. More research must be done on the valuable history of the Howard Law

Alumni Association. Hopefully, this paper will spur more interests towards the development of an ongoing and a more comprehensive history of the Association.

What is the philosophy of this Association? I'm sure that your objectives are primarily directed to help the Law School. We need your help; the students need your help; we thank you for your financial assistance of the past. However, we need more money to subsidize our students and as dean, I need money to initiate more programs for the mutual benefit of both the law students and faculty and undergraduates interested in the study of law.

In closing, I agree with Vice-Dean Houston. There is an inextricable connection between the Law Faculty and the Association. There are joint objectives that make us of single purpose in mission. Those objectives include: to increase the number of black lawyers in America; to reduce the number of students who fail the bar examination; to increase our scholarship by the publication of significant articles in the Howard, and other law journals; to support student and faculty research; to accent the positive aspects of the Law School, through effective, dynamic, marketing strategies that present the Law School to the larger community; to shore up the Law School's academic needs; to stake out the values and the principles that constitute who we are and what we are; to give our full effort, time and attention to a national treasure -the Howard University School of Law. If we fail, you fail.

As dean, my obligation is to manage the academic direction and programs of the Law School and to design and chart a path for its future. The faculty

is obligated to teach students on a full time basis, to generate a scholarly scholarly atmosphere, reverence to faculty governance and scholarly productivity. The students are obligated to pursue the study of law with a seriousness of purpose and the imposition of academic rigor; and the Association is obligated to raise funds to support the Law School and to provide the moral support to the School that Dr. Houston spoke of in 1929.

I look forward to working with the Law Alumni Association. I need you, the Law Faculty needs you, and most importantly, the students need you.