



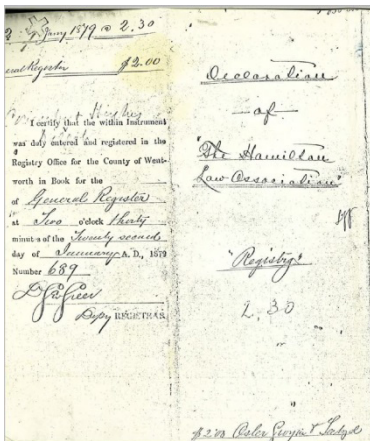
Memory Book Update

Marica Piedigrossi

From the Beginning...1879

The Hamilton Law Association's Memory Book project is well underway with new historical treasures uncovered on a weekly basis. Collecting, documenting and preserving over 150 years of Hamilton's legal history can be a daunting task; however, a little patience, perseverance and enthusiasm can go a long way. Our digitized Memory Book can be found at <http://www.hamiltonlaw.on.ca/about-the-hla/hla-memory-book> on the HLA Website and contributions from members are regularly accepted. In order to understand what the Hamilton Law Association seeks to achieve with this project, we would like to share with you some of the unique treasures we have found, pre-dating the turn of the 20th century. Let us start from the beginning...

Declaration of "The Hamilton Law Association" c. January 22nd 1879



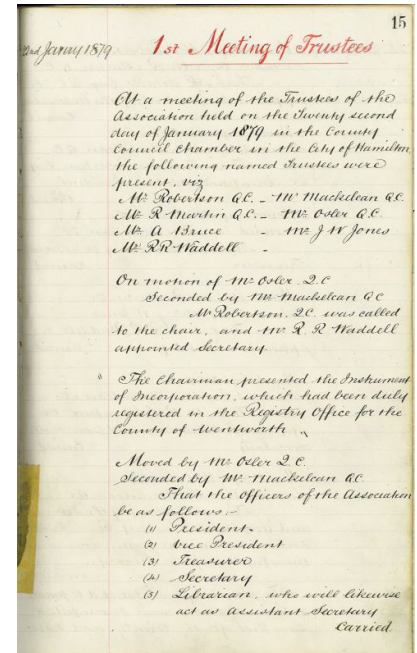
"We the undersigned having subscribed for a sum exceeding one hundred dollars for the use of "The Hamilton Law Association" hereinafter described, and hereby intended to be incorporated. Do hereby declare that it is our intention to establish a Library Association at the city of Hamilton in the County of Wentworth..."

In order to declare a local library association, members of the Hamilton bar had to comply with the Library Associations and Mechanics' Institutes Act [(1877) 168 R.S.O 1564] which stated "Any number of persons, not less than ten...holding together not less than one hundred dollars in monies" could establish a library association. There were in fact sixty Hamilton lawyers who signed the declaration, and accumulated a staggering one thousand, four hundred thirty five dollars to establish the Association.

The Declaration clearly states the purpose of the Hamilton Law Association which was "the formation and support of a Law Library for the use of its members to be kept and maintained in the Court House in the said city of Hamilton and to promote the general interests of the Profession, and good feeling and harmony owing its members." The Declaration also includes the names of the first Board of Trustees (nine in total) and their appointments, the mode with which new members can join (on condition

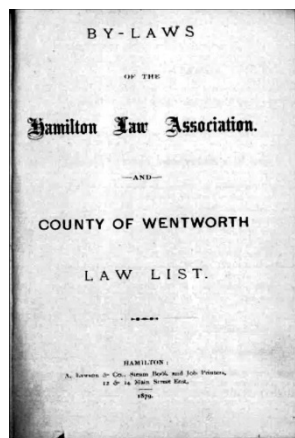
that they pay a five dollar membership fee), and the discretion of the Board of Trustees to allow law students and out of town attorneys join the Association (provided that they were licensed in Ontario). The mandate of the Association has changed numerous times over its one hundred and thirty-seven year history, but the current purpose still echoes some of the original goals of the founding members – "to strive to enable its members to become successful, respected and fulfilled in their profession."

1st Meeting of Trustees c. January 22nd, 1879



There was no time to waste for the first members of the Board of Trustees to enact the business of their newly formed Association. The first meeting of the Board of Trustees, held on January 22nd, 1879, had seven of the nine original Trustees present who read the declaration of the newly formed Association, as well as moved to elect the President (A.E. Irving, Esq., Q.C.), Vice-President (T. Robertson, Esq.), Treasurer (A. Bruce, Esq.), Secretary (R.R. Waddell), and the first Librarian (R. Dampier) whose annual salary was one hundred dollars.

By-Laws of “The Hamilton Law Association” c. January 31st, 1879



There were thirty-five original by-laws (compared to today's forty-eight) that outlined the rules of general management for the Board of Trustees, the duties of the Treasurer, Secretary and Librarian, the rules and regulations of the Library, election rules of officers and trustees, and how to become a member. The by-laws are an invaluable source of knowledge as they clearly list the original sixty members of The Hamilton Law Association (plus ten members outside Hamilton) and their respective firms. It is interesting to note that membership fees were due on or before the first day of October each year (compared to today, the last day of January each year) and that the Annual General Meeting was to take place on the last Monday in January (compared to today, on the first day of May or June or as the Board may direct). These by-laws were presented and accepted during one of the first meetings of members on January 31st, 1879. In 1880, a 36th by-law was ratified outlining a succession plan should the Association fold as mandated by the Law Society of Upper Canada.

The original by-laws of the Hamilton Law Association give great insight not only to the priorities and needs of this new Association and its members, but also the simplicity of what the origi-

nal members wanted to accomplish. The lawyers of the Hamilton bar simply wanted a law library which would house the invaluable knowledge necessary for the benefit of their profession. The by-laws were ratified to ensure that the lawyers of the Hamilton bar would always have a place to call their own.

Wentworth County Courthouse c. 1879-1956



Located on Main Street East, this courthouse was an important link between the county of Wentworth and the City of Hamilton as the county seat, as well as the original home of The Hamilton Law Association. The former Wentworth County Courthouse was one of the original buildings in Hamilton. The two acre site was donated by George Hamilton to build a courthouse and jail for the new District of Gore in 1816. Charles Mulligan was a Hamilton based architect with a few works outside of the city. For more than 150 years Wentworth, as in Wentworth County, was the centre of political life in the area. It was the government umbrella around Ancaster, Barton, Beverly, Binbrook, Dundas, Flamborough, Glanford, Stoney Creek as well as Hamilton. Wentworth County was named after Sir John Wentworth (1737-1820). He was said to have been a close friend of William Jarvis, the provincial secretary of Upper Canada, which led to his name being chosen for the newly formed Wentworth County.

In 1816, Wentworth County was formed as part of Gore District that was part of Upper Canada. It consisted of the townships of Saltfleet, Barton, Binbrook, Glanford, Ancaster and parts of Haldimand. In 1850 Wentworth and Halton County were joined and known as the United Counties of Wentworth and Halton. In 1854 Wentworth County was back on its own and included Hamilton, which was chosen as the county seat. That meant the Wentworth County courthouse was put in Hamilton, along with the property registry office. A 1945 consultant's report stated "it is not a modern building but it has spirit and tradition and I feel it would be wrong to remove it." However the building was demolished in 1956 to make way for a new courthouse. More information and pictures of the old courthouse can be found in *Memories of Wentworth* by Gary Evans. (Source: 1878 – Wentworth County Court House, Hamilton Ontario Web article produced by www.archiseek.com) ■

Family Law Matters



The Hon.
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Mediation,
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