George Wharton Pepper of Philadelphia accomplished much in his long lifetime. He was a law school professor. He founded the law firm that would eventually be known as Pepper Hamilton (the firm recently with Troutman Sanders to form Troutman Pepper). He would become a U.S. senator. He also was a giant figure in nearly half of the PBA’s history.

Edward P. Allinson, publisher of The Legal Intelligencer, has been credited with bringing the PBA into being. He traveled to all 67 counties to advocate for the formation of a statewide association and he became the PBA’s first secretary. But, Allinson would die suddenly from pneumonia at the age of 49 in 1901.

It was Pepper who was there with Allinson at the beginning, who would guide and serve the PBA for decades and who would outlive all of the other charter members.

In 1890, Pepper joined the Philadelphia practice of Bayard Henry. In the years that followed, Pepper emerged as a leading lawyer in Philadelphia and the nation, and he was prominent in Republican politics.

At the PBA’s first meeting, July 10-11, 1895 in Bedford Springs, Pepper made a report for the Committee on Legal Education. The committee promoted the idea of a Board of Law Examiners and urged for a uniform statewide bar exam and standard law school curriculum. At the time, Pepper was 28 and an instructor at the Law School of the University of Pennsylvania. “Ability already stood out all over him, and his report won almost universal administration,” wrote Henry Thomas Dolan in his 1971 history of the PBA. “The admiration was less than unanimous only because in a comparison of the case method with the lecture system he mentioned a number of leading law schools but failed to refer to Dickinson. For this he was chided by some Dickinson graduates, and accused of advertising the University of Pennsylvania. He (Pepper) apologized gracefully for the oversight …”

Pepper was a professor of law at the University of Pennsylvania from 1894 to 1910 and was a trustee of the university from 1911 to 1961.

He was chair of the Pennsylvania Council of National Defense during the World War I and a lecturer at Yale University 1915.

In January of 1922, Pepper filled the vacancy in the U.S. Senate caused by the death of Boies Penrose. Pepper was elected later that year and served in the Senate until 1927. After an unsuccessful reelection bid, Pepper resumed his law practice in Philadelphia.

The following year, Pepper served as the PBA president.

Meanwhile, his national prominence grew. Pepper’s essays on conflicts of laws were cited by Justice Brandeis in the Erie Railroad v. Tompkins ruling of 1938, a landmark decision by the Supreme Court of the United States in which the Supreme Court held that federal courts did not have the judicial power to create general federal common law when hearing state law claims under diversity jurisdiction. In reaching this holding, the Supreme Court overturned almost a century of federal civil procedure case law, and established the foundation of what remains the modern law of diversity jurisdiction as it applies to United States federal courts. Pepper was also instrumental in Supreme Court arguments that lead to many New Deal provisions being struck down as beyond the federal government’s commerce power.

When the PBA marked its 50th anniversary in 1945, Dolan noted, “No proper observance of the Year of Jubilee could have omitted a call for the reflections of Senator George Wharton Pepper.” The remarks were written to be delivered at the Annual Meeting but the meeting was canceled because of the World War II (The meeting of 1943 also had been canceled). However, his “long look back and onward was a declaration of faith” that was printed in the appendix of the Annual Meeting report. “Pepper couched his 1945 thoughts of the future as advice offered young lawyers, particularly returning servicemen. He wrote charmingly of the contrast in importance between survivorship of the individuals and of an organization, and for the future of the Association, of which his vision had almost no limits …”

In 1950, it was Pepper who made the remarks at the ceremony officially dedicating the original Front Street portion of the Maclay Mansion in Harrisburg for the PBA’s use. PBA members had raised $100,000 for the acquisition, redecoration and ongoing maintenance of the structure.

Pepper’s remarks were printed in the Jan. 6, 1950 issue of The Legal Intelligencer. “Accordingly, in the exercise of the authority entrusted to me, I now dedicate this historic mansion to the use of the Pennsylvania Bar Association, setting it apart from all private or selfish uses, and I now declare that from this time forward this house shall be the home of the association and the radiating center of its influence.”

In 1952, at age 85, the PBA held a testimonial dinner in Pepper’s honor.

He would be honored again for his 90th birthday by a delegation of association officers who visited the ailing Pepper at this home.

“George Wharton Pepper died May 24, 1961, full of years, at 94, and honors … So the question was answered for the association, who would be the last of the original band of its founders; it was Pepper. He had been first, with Allinson, young men talking across a Philadelphia restaurant table, at lunch, and he was last,” Dolan wrote.

The sources for this information are histories written 1995 by the editorial director of The Pennsylvania Lawyer magazine, Donald C. Sarvey, as well as “The Diamond Anniversary History of the Pennsylvania Bar Association” by Henry Thomas Dolan, published in the January 1971 Pennsylvania Bar Association Quarterly.