

## ...and Thanks from Augustus Hand

*John Q. Barrett\**

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In a previous post, I recounted Justice Robert H. Jackson's December 13, 1951, speech at the New York County Lawyers' Association's annual dinner at the Waldorf=Astoria Hotel in New York City. On that occasion, the Association, Justice Jackson and 1,000 other guests honored longtime United States Circuit Judges (and first cousins) Learned Hand (age 79, and a federal judge since 1909) and Augustus Noble Hand (age 82 and a federal judge since 1914).

In Justice Jackson's speech, he paid tribute to Judges Learned and Augustus Hand by drawing an analogy between an excellent judge and a baseball umpire. Jackson also spoke the line—probably not original to him, but probably never previously uttered at a large public gathering or with Learned Hand and Augustus Hand both present—that “a prescription for becoming the perfect district judge ... would be always to quote Learned and always to follow Gus.”<sup>1</sup>

The NYCLA dinner program that evening included numerous speakers praising very effusively each of the Judges Hand. At home (11 East 68<sup>th</sup> Street, just east of Fifth Avenue and Central Park) the next morning, Judge Augustus Hand recounted the evening to his wife of 52 years, Susan Train Hand.

Later that day, perhaps at his chambers in the federal courthouse downtown, Judge A.N. Hand penned this note—ironically, he wrote it on

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For a selected archive of Jackson List posts, see my homepage at [www.law.stjohns.edu](http://www.law.stjohns.edu). To subscribe to the Jackson List, which does not display recipient identities or distribute their email addresses, send a note to [barrettj@stjohns.edu](mailto:barrettj@stjohns.edu).

<sup>1</sup> Robert H. Jackson, *Why Learned and Augustus Hand Became Great* (Dec. 13, 1951) at 43, available at [www.roberthjackson.org/documents/Why%20Learned%20and%20Augustus%20Hand%20Became%20Great.pdf](http://www.roberthjackson.org/documents/Why%20Learned%20and%20Augustus%20Hand%20Became%20Great.pdf).

two sheets of his cousin's stationery, engraved "Judge Learned Hand's Chambers"—to Jackson:

Dear Mr. Justice

I can swallow as much fulsome eulogy as anyone, and like it; but I can't let pass without especial thanks ~~the~~ your note of – what shall I say? – antisepsis which redeemed last night from the danger of infectious fermentation. And when this morning I told my wife of your admonition: "Quote L.H. ~~and~~ but follow A.N.H.," her pleasure was manifest. Not that the poor wretch is given to quoting her spouse – there is enough of that in the house from the opposite end of the table anyway – but the justice of the second part of the dictum has long been apparent to her and her welcome of its more general recognition was touching to observe.

It was most kind of you to come in and speak; and you were particularly happy – even for you – in the deft way you saved the occasion.

Sincerely yours,

Augustus N Hand

Dec. 14, 1951<sup>2</sup>

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<sup>2</sup> Augustus N. Hand to Robert H. Jackson, Dec. 14, 1951, in Robert H. Jackson Papers, Library of Congress, Manuscript Division, Washington, D.C., Box 48.