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The Chicago-Kent Bulletin

PUBLISHED IN THE INTEREST OF THE STUDENTS AND ALUMNI OF
CHICAGO-KENT COLLEGE OF LAW, CHICAGO, ILLINOIS.

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Chicago-Kent Bulletin

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THE CHICAGO-KENT BULLETIN ASSOCIATION
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OCTOBER, 1916

THE BULLETIN

With this issue we start the school year, and from now on, the Bulletin will be teeming with items of interest to both students and Alumni. We are striving to gather all the items relating to the activities of the students and also those who have passed beyond the portals of Kent; this is a huge task and hence we ask co-operation. If you have anything which you think would look good in the Bulletin and which would be interesting to our 2,500 readers, send it in and we will be only too glad to publish it. Another thing, to keep this paper on its feet we must have the necessary subscriptions, so now, you that have not obeyed that impulse to mail us that check or send in that subscription, **DO IT NOW**. In the near future we intend to review the earlier classes in the history of Kent and find out what has become of the "old timers" and the progress they have made. You will be interested we know. This publication is entirely in the hands of the Alumni and students and everyone should feel vitally interested in its success. Send along your subscriptions. We need them.

Mrs. Mary Belle Spencer, wife of Dr. Richmond Van Spencer of 1445 Fifth Avenue, Chicago Heights, hung up a new record for herself at the Chicago Kent College of Law. She won first honors in the freshman class with an average of 98½.

This is the first instance of a married woman winning highest honors in any class in the school.

AS A JUNIOR VIEWS "KENT."

Our college course consists of three meals—first, second and third years. We have had our breakfast and dinner is almost ready. The banquet hall of legal learning will soon be thrown open and we shall enter and partake of our noon-day feast, some of us with lusty appetites, and others without hunger. There will be those who will voraciously consume each course down to the last crumb, and who, when the repast is over, will go home sleek and plump. There will be others who will merely mince over the viands, partaking of a morsel here and there, and who, when the dining halls are silenced, will go home as lean and lank as when they came. The foods will be served impartially, and those who care to be so, may be well filled. Each diner will pay for the full menu whether or not he eats it. It is there. He can eat it or leave it. Let us hope there will be few who will leave it.

J. Albert Califf, Jr., '18.

CLASS ELECTIONS

As we go to press there is nightly talk in the corridor of the coming class elections, the woods are full of dark horses and the "politicians" are playing every game possible to advance the interests of their particular candidate. At any rate, whoever be elected, the factions and organizations should be forgotten and all get together and work in harmony. Last year's Freshman Class will go down in the history of Kent as a class organization that "did something."

POST GRADUATE COURSE

On Friday evening, October 6th, the work of the Post Graduate Class will open and from all reports the class will be much larger than in previous years. This course is conducted practically in its entirety by the Dean with the exception of the course in Advanced Real Property, given by Prof. Boddinhouse. On the opening evening work for the various students will be assigned. The cost of this course for the full term is \$45.00.

ALUMNI NOTES

Michael Igoe and Guy Guernsey are both candidates from the 5th district for the State Legislature. Mike and Guy will make a good team to send to Springfield even though they are from different parties. They will vote for the good things we need in Cook County.

W. W. Wilson and Niels Juul are two Kent men who are in the race for Congress; Wilson in the 3rd and Juul in the 7th.

A. J. Sabath and Gene McGarry are Candidates on the Democratic ticket for Congress, both are former students of Kent.

For the office of Associate Judges of the Municipal Court, Kent offers several men among them being Harry Dolan, Leo V. Roeder, I. Dankowski, Wells M. Cook, Bernard Barassa and Hugh Stewart.

Harry Miller another Kent man is a Candidate for States Attorney. Over in Maclay Hoyne's office are several Kent men, among them James C. O'Brien, Henry Berger and Joe Connerty.

Don't forget to send in your subscription to the Bulletin. We promise to give you value received.

James McCauley, '16, has opened offices in the Harris Trust Building.

Lowell Jackson Thomas was in the city for a few days on his return to Princeton University after spending the summer in Alaska. Mr. Thomas in addition to his work as Instructor in Princeton University lectures on Alaska during the winter months.

Do you know that over half the judges in Cook County are graduates of Chicago Kent?

There was a day when young lawyers just admitted to the bar were expected to lead the way promptly to the barroom.

Eddie Fleming, '15, one of the many Kent men doing service on the border for Uncle Sam has been promoted to the rank of 2nd Lieutenant.

Daniel W. Hoan, the present Mayor of Milwaukee studied law at Kent.

Justin M. Dall, Vice-President of the Chicago Title & Trust Company, is another Kent man who has made good.

(Continued on page 2)

HIGHER BAR REQUIREMENTS.

The Ohio State Bar Association has joined the movement to stop the practice of making short cuts to the legal profession. It proposes a higher standard of requirements and a more rigid enforcement of present requirements. Only graduates of a high school or a higher educational institution will be eligible and the flexible "equivalent of a high school education" will not be accepted. If law is to continue as a profession, and the bar is to rise to its possibilities through the changes of the next decade, the broader outlook which only education can give is essential. In the last analysis, education is not a knowledge of facts, it is a point of view of life. But to that point of view a knowledge which the schools alone can give is a prerequisite, so that any raising of the standard is a step in the right direction—provided always that it is accompanied with an equal elevation of the standard of conduct which is demanded after admission. A more cynical view of the subject was suggested by the Missouri court in passing on the effort of another ancient profession which has fallen lately into disrepute to raise its standards. In *Moler v. Whisman*, 243 Mo. 571, a "barber college" case, it was said: "Possibly some barbers, like some lawyers and other persons who have attained successful and remunerative positions in professional and commercial life, become anxious to shut out competition by 'burning the bridges behind them', so to speak, but such a scheme is entirely un-American, because it is the policy of a free commonwealth to encourage thrift and industry among its citizens and to keep the door of opportunity ajar so that every qualified and deserving person who so desires may enter thereat."

ALUMNI NOTES

(Continued from page 1)

James H. Scott, class orator of '13 and post graduate of '14 has been signally honored by the Democracy of Kane County, Illinois, with the nomination for the office of State's Attorney.

Harry Tiffany is spending the month of September visiting his parents in Virginia.

John W. Rainey, a Kent man—a good Democrat and a splendid career as Circuit Court Clerk. He should be returned.

The many friends and old school-mates of J. Giese will be glad to learn that he is now in charge of the Illinois Book Exchange in the Lakeside Building.

George Ziska and Wm. J. Sheridan, both of '15, have formed a partnership and opened offices in the Fort Dearborn Building.

Al. Newman, '16, joined the ranks of the Benedicts last month.

"As a vessel is known by the sound, whether it be cracked or not, so men are proved, by their speeches, whether they be wise or foolish."—Demosthenes.

Guy Guernsey is a candidate for State Representative in the 5th District. Here's wishing you lots of good luck, Guy.

Phi Delta Phi now have quarters in the same building with the College, having fitted out rooms on the 15th floor.

Phi Alpha Delts held a very successful outing at Antioch last month.

Jos. Connerty, Assistant State's Attorney, a Kent man, has a host of friends and is one of Hoyne's able assistants.

Meyer M. Rosin has left the Credit Department of Farwell & Co. and entered the law firm of Arnold M. Ehrlich, former partner of the late Judge Richard E. Burke.

F. J. Wachter, '18, is down on the border with the boys in khaki. He is a musician in the 1st Illinois Infantry, Co. G. He writes that there are five "Kent" men in his Company—Wm. Scherwat, '12; Wm. Rokos, Wm. Young, '18; Lieut. Hackett, '12, and Mr. Wachter himself. Major John V. Climmin, '10, is another Kent man down on the border. They all send their best regards to the "Bulletin."

John W. Yeager, '13, whom many men remember at Kent, writes the Editor a very interesting letter from Omaha, Nebr., where he is practicing law. As Mr. Yeager writes:

I went out of the halls of Chicago-Kent into the world to try and conquer my part of it. I never went out as many do—deluded into the notion that all a young lawyer has to do is to open an office and hold open his pockets for his clients to fill with golden eagles. Neither did I have the idea that the Courts were waiting eagerly to welcome my approach and that Judge and jury were waiting to sit with bated breath listening to my eloquent and profound arguments. I had had enough of cold-blooded experience to realize that a young man with no wealth and no position, such as I was, for I was a farmer boy, must needs labor hard to reach the first rung of the ladder which leads to eminence in the legal profession and equally hard to climb to each of the successive rungs as he mounts to its summits round by round.

Mr. Yeager is located in the Paxton Building, Omaha, and extends an invitation to all Kent men to pay him a visit when in Omaha.

THE FUNCTIONS OF THE LAWYER.

The director of the Beacon Vocational Bureau of Boston is reported to have said that we could have good representative government in America if it were not for the kind of lawyers we have. Commenting on this statement, a metropolitan daily remarks:

"The lawyer is a social hang-over from the time when some official and authoritative individual was a necessity to stand between the tribal chief and the mass of the community. His function was twofold—to shield the chief from some rough questions by absorbing the worst of the shock himself, but better still he could compel all and sundry who had tribal grievances to submit them to him for transmission to the chief. When tribes were merged and the chief grew even into a tribal king, this individual grew with him. In time he came to be the 'big noise' among the courtiers of a barbaric or semi-civilized community. The conclusion of Director Puffer would make it appear that the modern lawyer, even in a free country, stands as successfully between the people and their rights now as in the days of attenuated tribes so far back that the twentieth century mind can hardly travel far enough to get a good look at him."

All of which is a curious perversion of the part which the legal profession has played in the development of civilization. Magna Charta and the Declaration of Independence were the outgrowth of the lawyer's view point; the English common law and the American Constitution with their guaranties of individual freedom were the lawyer's handwork. In every civilization there are two contending forces, nobles and commons, capitalists and laborers, militarists and civilians. Between these there must be either war or an equilibrium producer by a third element, and this the law maker and the law administrator supplies. Contemned at times by both factions, for it is a check on both, it is none the less possible and civilization secure. Perfect? Certainly not, any more than the merchant, the laborer, the doctor or the clergyman is perfect. But when all is said and done, there is no single member of civilized society more useful than the lawyer and none that sustains his responsibilities more worthily.

THE JUNIOR PRESIDENTIAL CAMPAIGN

The Junior Primaries are over and now the big fight is on. There are two candidates in the field for President, Isaac D. Budd, serene, meditative and determined, and William Marxon, calm, diligent and well-poised. These gentlemen hail from the first and second sections respectively, but the campaign is not so nearly a sectional fight as it was last year, as each candidate has his supporters in both sections.

The atmosphere of class politics, however, is still opaque. Marxon, the leading candidate in the primaries, had a narrow margin over Budd, and Budd's lead over Halpin, the third aspirant in the primary, was so small that things were extremely interesting until the last vote was counted. Now the problem for speculation is, where will Halpin's following go? Before this reaches the readers' eyes the election will probably have settled the whole question.

We are confident either candidate will make an excellent president who will carry the class of '18 through a prosperous Junior year, and we expect co-operation between victor and vanquished, duplicating the policy of the Freshman year in a constructive effort towards a grand success.

As we go to press we learn of the success of a number of Chicago Kent boys who took the recent Bar Exam. at Springfield, and take this opportunity to congratulate them.

SENIOR NOTES

Henry Heart, who was unable to attend school the first two weeks after his return from LaSalle and Ottawa, has now joined his class and is proving himself the shining star as of old.

Hargrave Long is too much taken up with marital bliss to be seen at school very much. However, he promises to do better in the future.

It Makes a Difference

Mr. Council—If I should run for Treasurer would I receive the support of any of you students?

Students—We will consider the matter.

Mr. Council—But if I should have my lady friend do the campaign managing would I then receive your support?

Students—We would then support you for anything.

Have you noticed the poster near the entrance of the first section of the third year class on which there appears the picture of a steam roller, which has been suddenly stopped by the large head of one of the nominees for President—namely, Mr. Cohn? If not, stop and take a look. It is worth your while. Mr. Cohn has made the remark that it will be a H— of a long while before that roller will pass. What does he mean?

On account of Prof. Buckingham being called out of the city last Wednesday evening, Judge Iles taught the Constitutional Law Class and kept most of us, if not all, awake, but we refrain from publishing the names of the spleeping beauties, this being only the one-hundredth offense.

From our association with the majority of the members of the second section we must say that "we never thought it of them."

To correct any possible misunderstanding that may have arisen we are requested to announce that "Jimmy" Bristol's hat is still in the ring, and his friends insist that he is the desirable timber needed to carry the class along the right path the coming year.

Mr. Whittle and his friends are out for the Presidency of the Senior Class. Go to it and "whittle" them up.

Our eminent Professor in Conflict of Laws says he is doing much better angling during his classes at Kent than he did all summer in the Northern woods. We resent the intimation that we are of the finny tribe.

Among the candidates for election to the Superior and Municipal Court bench are many former Kent students, namely, Sabath, Hebel, Caverly, Dolan, Baird, Cook, Dankowski, Maher, Power, Roeder, Stewart, Sissman, Swanson, Zeman, Barassa and McIntyre.

Lewis Baker, recently returned from Springfield, where he had taken the members of his Quiz Class for the Bar Examination. As usual he had good results.

Some one has been telling us that Frank Murnighan is picking out a cozy little apartment on the North Side, and fitting it out. He's going to join the ranks of the Benedicts soon.

Don't forget after reading this issue to mail in your subscription.

FRESHMAN NOTES

When we consider the newness of the Freshman Class it is making a great record for itself. It met Tuesday night and elected a corps of officers that stand out for individuality and forcefulness. With Edwin Burke at the head we are expecting this class to be one of the greatest in the history of Kent.

As we well know, the President cannot make a class, but with the support that our President will receive from all sections, we are very optimistic in our view.

Doctor Artz and "Prof." Handleman are game losers and their first-class exhibition makes one feel that it is a pity that we cannot all win. There is only one thing better than winning, and that is being able to lose like a true sportsman.

Messrs. Russell Locke and David Murphy are very popular men, but only after an arduous campaign did we succeed in electing them as Bailiffs of the second section. They lend dignity to the office and reflect credit upon our ability to discover and reward merit.

Among upper classmen much comment was occasioned by the orderliness with which the entire election was conducted. Though it was a bit stormy in spots, the real, old-fashioned battles of the years gone by were missing. We've got the "pep," however, and intend to hang up a record for future classes to envy.

Vice-President Peregrine drew the unanimous vote of the suffragists.

Chairman Todd was one of the bright and shining "spots" at the meeting for class officers.

JUNIOR NOTES

Duke, though seemingly mild-mannered, can at times be forceful in his expressions.

Henceforth it will be appropriate to refer to Ferguson as ex-President.

The cares of committee work no longer trouble Weisman. The Entertainment Committee did well under his leadership, and he can rest assured of the well-merited approval of his classmates.

We urge upon all law students the assimilation of all the good things they can learn about the legal profession. Keep all the worthy traits of the lawyer uppermost in mind. Rabelais harks back almost to the Dark Ages, but his character of Bridlegoose apparently is not overdrawn, for even in this day unscrupulous lawyers (happily in a small minority) constantly break into print and leave an impression

with the public at large and with the law student himself that is difficult to overcome.

Miss Barelay may not be an astute politician, but she certainly can get into office without difficulty.

Caesar claimed to know the name of each of his soldiers, some feat, perhaps, but Caesar spent three seasons in Gaul with his legions before he made the remark, while "Judge" Pickett was calling us familiarly by name before the echoes of the first roll call had died away.

The work goes on so smoothly we scarcely realize there was an interval of three month's vacation.

At first we missed Mrs. Spencer, but a second look revealed her in a new location, as alert as ever.

No Cloak Room this year, the "light of the east" has been diffused over the whole first section.

Junkerman wants credit given where credit is due.

Jones finds the atmosphere of the first section quite agreeable.

Fisher's activities are more pronounced than ever; with the roll book under his protection, his influence is constantly increasing.

The return of Olshan, Junkerman, Mueller, et. al., assures plenty of material for post prandial oratory.

We thought last year that we had lost our old friend Prof. Higgins when he went to California, but was mighty glad to hear that he was back at the college this fall.

THE FRESHMAN ELECTION

The Freshman Class of 1916-17 assembled in the class rooms on the third floor on the evening of October 3, 1916, for the purpose of organizing and electing officers for the organization, as a result of which the following officers were elected:

President—Mr. Burke.

Vice-President—Mr. Peregrine.

Secretary—Miss Lindstrom.

Treasurer—Mr. Eser.

The meeting was opened by Mr. Todd, who was appointed or chosen on the belief that he had no prejudice against any one or more of the factions which were reported to have existed. After Mr. Todd stated the purpose of the meeting for the benefit of those not cognizant thereof, the usual temporary secretary and temporary chairman were elected. Messrs. Lindstrand and Murphy were elected to the offices of temporary secretary and temporary chairman, respectively.

Mr. Murphy is to be commended for the manner in which he conducted the meeting, since no property damage resulted and no injury

was sustained by any of those present.

The nominees for the office of President were Mr. Burke and Dr. Artz, the former being elected by a 59 to 37 vote. Mr. Burke thereupon relieved Mr. Murphy of the chair and called for nominations for the office of Vice-President. Mr. Peregrine was elected to assume the duties of this office. Evidently Mr. Peregrine stands high in the estimation of the fair sex, inasmuch as it is reported that all the ladies unhesitatingly cast their votes for this gentleman.

Miss Lindstrom was unanimously elected to the office of Secretary and this fact should prove an added attraction at all future meetings of the class organization.

Mr. Eser received the election to the office of Treasurer, since it was the belief of the class that he possessed the necessary qualities to satisfactorily handle large sums of money.

SPEEDING LEADEN-FOOTED JUSTICE.

Reformers of our systems of judicial procedure have had an uphill fight against the let-alone policy of those who cling to the old simply because it is old and their fathers and grandfathers managed to exist under it. To be consistent, those who oppose such reforms should cling also to the tallow dip and old oaken bucket of their ancestors and refuse to use a telephone. If what was good enough for our fathers in judicial red tape is good enough for us, the same rule should hold good all along the line of modern invention and convenience. Fortunately the people of some of the states are awakening to the fact that we have as good cause to improve upon our grandfathers' judicial machinery as upon anything else which they used and thought good enough for them. If it is not the best that human wisdom can devise it is not good enough for us.

Several of the states already permit three-fourths or five-sixths of a jury to render a verdict in civil cases, and Ohio goes a step further and gives this power to a majority.

The object of such laws, naturally, is to make justice more speedy by clipping the wings of the solitary jurymen who has heretofore been able to have things his own way. Sometimes he has used his power conscientiously, no doubt. Often he has used it corruptly. That the temptation is too great for the average man is abundantly shown by the records of the courts. We shall not

be in great danger of doing injustice to any man when seven, eight, nine or ten "good men and true" are permitted to render a verdict in civil and minor criminal cases.

Such reforms, as a matter of course, must always meet the opposition of those who profit by whatever makes court procedure slow, costly and uncertain.

The passing of the unanimous verdict is merely an entering wedge. Unless we greatly mistake the temper of the people, other reforms will gradually follow.

Henry Berger is another Kent man who is gaining considerable favorable publicity as Assistant States Attorney.

Well M. Cook, an old Kent man, is a candidate for Judge of the Municipal Court on the Republican ticket.

MAXIMS OF TWO LATE JUSTICES

The following maxims laid down by the late Lord Russell of Killowen in a letter to his son, reproduced in Mr. Barry O'Brien's biography of the late Lord Chief Justice, may be very usefully contrasted with the maxims entered in his diary by John Scott, Earl of Clonmell, who was Lord Chief Justice of Ireland from 1784 till his death in 1798. A comparison of the maxims of the two Chief Justices will, we think, prove the progress in moral principles of which the century which intervened between them may justly boast. "1. Begin," writes Lord Russell, "each day's work with a memo. of what is to be done, in order of urgency. 2. Do one thing only at a time. 3. In any business interviews note in your diary the substance of what takes place,—for corroboration in any future difficulty. 4. Arrange any case, whether for brief or for your own judgment, in the order of time. 5. Be scrupulously exact down to the smallest item in money matters, etc., in your account of them. 6. Be careful to keep your papers in neat and orderly fashion. 7. There is no need to confess ignorance to a client, but never be above asking for advice from those competent to give it in any matter of doubt, and never affect to understand when you do not understand thoroughly. 8. Get to the bottom of any affair intrusted to you—even the simplest—and do each piece of work as if you were a tradesman turning out a best sample of his manufacture by which he wishes to be judged. 9. Do not be content with being merely an ex-

pert master of form and detail, but strive to be a lawyer. 10. Always be straightforward and sincere. 11. Never fail in an engagement made, and observe rigid punctuality. Therefore, be slow to promise unless it is clear that you can punctually fulfill."

Let us now turn to the private diary of Lord Clonmel, which has escaped the flames which he desired to be the fate of all his papers, and was published some years ago by the late Mr. W. I. Fitzpatrick.

"Save," writes Lord Clonmel, "every moment for employment. Use everybody for your own purpose. All men will injure or deceive you. Watch the whole world—at this moment your friends, the very next your enemies. Offend none, serve others sparingly; conceal your dislike universally. Flatter all through. Every moment affords an opportunity of serving yourself, and act up to it. Use your actual situation, and never speculate or muse. Look intently at what is before you. Look on; listen forever when you are not speaking, and, when you are, strive every instant to excell. Let your discipline be inflexible in pursuit of your own advantage, entertainment, and praise, and so ever do your business in comedy. Keep an unalterable coolness, smile, and presence of mind. Never, never suffer any man or anything to put you off your guard, out of humor, out of spirits. Make yourself pleasing by flattering all. Make every man your dupe by flattery."—Fitzpatrick's Ireland before the Union, pp. 24, 25.

SOMETHING WORTH SEEING

Jake Jackson, a native of Georgia, was summoned to court on an assault charge. The state brought into court the weapons used—a huge pole, a dagger, a pair of shears, a saw, and a gun. Jackson's counsel produced as the complainant's weapons an ax, a shovel, a scythe, a hoe, and a pair of tongs.

The jury was out but a short while and returned with this verdict: "Resolved, That we, the jury, would have given \$5 to see the fight."

THE "COME BACK"

A year ago, I hunted Michigan Boulevard, and finally found it. The damp, misty, air didn't help my attitude toward things in general. Once to the door, I slipped in. The hallway was a crowded place and the elevator front was a jam. I looked at the crowd and then out through the glass-paned door at the rain. The choice seemed about equal, so on I started dragging one

foot after the other as I reluctantly pushed myself forward to make my first appearance at Kent.

Once on the third floor I found another mob larger than the first and hubbub enough for a Chinese school. What it was all about was beyond me. A big, tall, brainless gink tried to stick himself in the same air space which I considered it my divine right to occupy. He didn't even say "excuse me," he was in such hurry, and consequently he didn't hear what I thought. He was heading toward another of his kind, whose hand he grabbed and pumped it vigorously. Perhaps a person could have named his voice as a heavy one when he said, "Well, old man, your back for the old grind." And perhaps the answer, "You bet I am," could have been called cheerful.

Of course the year sped just as all years are bound to do. Kent had opened again. I strolled down Michigan Boulevard one fine, crisp evening and breezed through the doorway of the Lake View Building. The elevator was too slow for me and I took to the stairs, mounting it in big, springy jumps. In a few seconds I was there on the third floor. The old "campus" was a buzz with noise. A joyous chorus of voices greeted my ears; nearly all were familiar faces. "Hello, hello." Across the way I spied one of my best friends. I bolted for him, and in my hurry squarely hit some slow-moving individual. I caught a fleeting glance of sour, indignant expression but I had no time to apologize.

My friend and I shook vigorously. With hearty voice he greeted me, "Well, old man, I see you're back for the old grind."

And with the cheeriest of voice, I returned, "You bet I am."

Suddenly I thought of something, and with an excuse me, I'll be back in a minute—wait for me, I hurried in search of the sour-looking individual.

A SUITABLE REBUKE

Judge Kavanaugh, of Chicago, the story goes, while trying a case was disturbed by a young man who kept moving about in the rear of the court room, lifting chairs and looking under things. "Young man," Judge Kavanaugh called out, "you are making a good deal of unnecessary noise. What are you about?" "Your honor," replied the young man, "I have lost my overcoat, and am trying to find it." "Well," said the judge, "people often lose whole suits in here without making all that disturbance."

A TEST CASE

When the jury's idly staring,
And you know the court's no friend;

When the other side is glaring,
And you wish the thing would end,
It isn't hard to smile.

When a doubting client's talking,
And he hints of crooked games;
Or some caller's simply shocking
With the way he calls you names,
It isn't hard to smile.

When you have for days been working
On a most illusive thing,
And some one suggests you're shirking,
And of course you feel the sting,
It isn't hard to smile.

When that combination locking,
On the drawers in your desk,
Fails to open and keeps balking
In a fashion picturesque,—
How about the smile?

W. J. AIKEN.

THE JOY OF THE THINKER

No man has earned the right to intellectual ambition until he has learned to lay his course by a star which he has never seen,—to dig by the divining rod of springs which he may never reach. In saying this, I point to that which will make your study heroic. For I say to you in all sadness of conviction, that to think great thoughts you must be heroes as well as idealists. Only when you have worked alone,—when you have felt around you a black gulf of solitude more isolating than that which surrounds the dying man, and in hope and in despair have trusted to your own unshaken will,—then only will you have achieved. Thus only can you gain the secret isolated joy of the thinker, who knows that, a hundred years after he is dead and forgotten, men who never heard of him will be moving to the measure of his thought,—the subtle rapture of a postponed power, which the world knows not because it has no external trappings, but which to his prophetic vision is more real than that which commands an army. And if this joy should not be yours, still it is only thus that you can know that you have done what it lay in you to do,—can say that you have lived, and be ready for the end.—Hon. Oliver Wendell Holmes.

Don't forget after reading this issue to mail in your subscription.

THE VIGOR OF DEMOCRACY

Recently President Wilson spoke at Hodgenville, Kentucky, the occasion being the dedication of the Lincoln Monument at the birthplace of Lincoln.

Mr. Wilson's address points to the log cabin, now preserved as a permanent memorial, as symbolizing the vigor of democracy:

"There is nowhere in the land any home so remote, so humble, that it may not contain the power of mind and heart and conscience to which nations yield and history submits its processes. Nature pays no tribute to aristocracy, subscribes to no creed of caste, renders fealty to no monarch or master of any name or kind. Genius is no snob. It does not run after titles or seek by preference the high circles of society. It affects humble company as well as great. It pays no special tribute to universities or learned societies or conventional standards of greatness, but serenely chooses its own comrades, its own haunts, its own cradle even, and its own life of adventure and of training. Here is proof of it. This little hut was the cradle of one of the great sons of men, a man of singular, delightful, vital genius who presently emerged upon the great stage of the nation's history, gaunt, shy, ungainly, but dominant and majestic, a natural ruler of men, himself inevitably the central figure of the great plot. No man can explain this, but every man can see how it demonstrates the vigor of democracy, where every door is open, in every hamlet and country-side, in city and wilderness alike, for the ruler to emerge when he will and claim his leadership in the free life. Such are the authentic proofs of the validity and vitality of democracy."

NIFTY WORK

An attorney, angered because of an adverse ruling by the judge, left the court-room, remarking to another lawyer that "the judge was an ass and shouldn't be on the bench."

Before the case ended the judge heard of the remark and called the attorney before him.

"I hear," he said, "that you called me an ass and said I ought not be on the bench."

"Sure," replied the quick-witted attorney. "Anybody with your profound knowledge of law is an ass to be on the bench. You ought to be practicing before the bar, where your talents could be cashed into big money."—Puck.

CHANGEABLE LAW

Elihu Root says there are too many lawyers in this country who know too little law. And at times there seem to be too many lawyers who know too much law and as a consequence justice is often defeated.—Exchange.

Some people might think this remark foolish, but it is not, because there is so much bad law, and knowing much of it tends to its supremacy. Law is a fashion that changes with human conditions. What it was ten years ago it is not now. It grows with the world. It is part of the evolution of mankind, and every man should understand it so, especially if he is a law-maker. Law is simply human desire put into form and hence is not constant; and the precedent of yesterday is error today. So the lawyer of the cidevant sort is a sure sign that there are too many lawyers. A case lawyer becomes a stand-patter as soon as he wants an office. He gets conservative and antique. They are fine fellows, but they are in the ambulance while the march is in progress.

HIS CHOICE

"Where is your lawyer?" inquired the Judge.

"I have none," responded the prisoner; "haven't any money."

"Do you want a lawyer?" asked the Judge.

"Yes, your Honor."

"There is Mr. Smith, Mr. Brown and Mr. Green," said the Judge, pointing to the young attorneys waiting, briefless and breathless for something to turn up, "and Mr. Alexander is out in the corridor."

The prisoner eyed the budding attorneys and, after a critical survey, said, "Well, I guess I'll take Mr. Alexander."—Tit-Bits.

SUFFRAGE

A negro woman in Denver went to the polls to register. After giving her name and address, the clerk asked:

"With which party are you affiliated?"

"Suh?"

"With which party are you affiliated?"

"Is Ah got to tell you whut pahty Ah is 'filiated with?"

"You certainly have, if you vote."

"Well, jes scratch mah name off dat list. The pahty Ah is 'filiated with ain't got his devo'ee yet. I sho' ain't goin' to tell no white man who he is."

TRY IT YOURSELF

Smith died leaving seventeen mules and three sons. In his will he left one-half to the eldest son, one-third to the next, and one-ninth to the youngest.

The administrator rode a mule out to the farm to divide the property, but when he went to divide the seventeen into halves, thirds, and ninths he found it was impossible with live mules; he unhitched his own, putting it with the other seventeen, making eighteen, when he proceeded to divide as follows: One-half, or nine, to the eldest, one-third or six, to the next son, and one-ninth, or two, to the youngest. Adding up nine, six, two, he found that it made seventeen, so he hitched up his mule and went home rejoicing.

REASON, THE BASIS OF LAW

Law, in the last analysis, is reason applied to the conditions of life. Unless it be that it does not deserve to be called law.

A legal decision which cannot be submitted to scrutiny and discussion does not deserve respect.

All that is arbitrary, that is not based on reason, on expediency and service to the people, for whom the law acts, should be put aside.—R. F. Lozier.

A law school does not undertake to teach success. That combination of tact and will which gives a man immediate prominence among his fellows comes from nature, not from instruction; and if it can be helped at all by advice, such advice is not offered here. It might be expected that I should say, by way of natural antithesis, that what a law school does undertake to teach is law. But I am not ready to say even that, without a qualification. It seems to me that nearly all the education which men can get from others is moral, not intellectual. The main part of intellectual education is not the acquisition of facts, but learning how to make facts live. So I say the business of a law school is not sufficiently described when you merely say that it is to teach law, or to make lawyers. It is to teach law in the grand manner, and to make great lawyers. * * * **Justice Holmes.**

Phi Delta Phis announce their annual initiation and banquet to be held at Kunz-Remmlers on Saturday, November 11, starting at noon. The banquet will start at 7 and covers will be laid for one hundred and fifty. There will be twelve initiates.

Don't forget after reading this issue to mail in your subscription.

PUBLIC SPEAKING

The class in Public Speaking started off the year with the biggest enrollment the school has ever had, over one hundred and twenty having signified their intentions of taking the course. On Friday evenings the fourth floor is given over to the class and members are called upon to make speeches upon topics previously assigned. Politics has been the main line of talk so far and the class seems evenly balanced between the two National parties, while the Prohibitionists and Socialists are always there to be heard from.

Mr. Voight was up on the platform the other evening and intended to talk on the Tribune, when some one reminded him that The Trib was suing Ford for a million he decided to play "safety first."

Keplinger was on hand the first evening and gave a very good talk. They had some Chautauqua down at Carlinville this summer.

Owen Young is back with us again and with him another disciple from the banks of the Wabash; Taylor is his name and recently he gave a very good talk on the work of Night Law Schools compared with the work in Day Schools.

The Public Speaking Class seems to be a good place for making speeches for class elections. Plenty of advice to be had from Juniors and Seniors.

Ninian H. Welch will be down for a lecture in the near future. No one should miss the opportunity of hearing Prof. Welch and his inspiring lectures.

Junckerman, Randak and Broady were on hand to start things off with a rush.

There is a "small fellow" in the class by the name of Nathan who bids fare to rival Demosthenes if he can only remember his "sides."

Murphy and Sullivan make a team that should help Wilson carry Cook County this November, but then Handleman, Oldsham and Gatenberg have a fashion of lauding Hughes and the Republican party so that it leaves one in doubt.

Mueller and Ferguson are back with us and as deeply interested as ever in the art of speaking. It is a treat to hear either one.

Harry Tiffany the popular Cashier of the Stock Yards Bank is slated for a talk on "Economy" at a near date.

On October 20 we give our first dinner of the year and no doubt the crowd will tax the capacity of the Russian Tea Room where the affair will be held. A six course dinner

will be served after which a number of the members of the class will speak and the evening will close with a talk from a prominent Chicagoan. All are invited to attend and you may bring the ladies. Owing to the limited capacity of the Hall, reservations should be made with Mr. Junckerman or Mr. Young, Junior Year, or Messrs. Wassburg, Burnstein, Koven or Holmes of the freshman year.

Novotny is one of the newcomers and does very well on the platform.

Peregrine spoke last week and the main jist of his talk was to stick to the Bible. How about the law books?

Sedgwick has appeared this season in much better form than his first appearance last season.

Three Petersons grace the class with their presence, two of them being John A's. How do we tell 'em? Why, one blushes.

The world has its fling at lawyers sometimes, but its very denial is an admission. It feels, what I believe to be the truth, that of all secular professions this has the highest standards.

And what a profession it is! No doubt everything is interesting when it is understood and seen in its connection with the rest of things. Every calling is great when greatly pursued. But what other gives such scope to realize the spontaneous energy of one's soul? In what other does one plunge so deep in the stream of life—so share its passions, its battles, its despair, its triumphs, both as witness and actor?

Justice Holmes.

HIS LUCKY ESCAPE.

"Did you get anything?" whispered the burglar on guard as his pal emerged from the window.

"No. The bloke wot lives here is a lawyer," replied the other in disgust.

"That's tough luck!" said the first. "Did you lose anything?"

DILEMMA

The defendant had been duly convicted, when it was seen, on "proving previous convictions," that he had actually been in prison at the time the theft was committed.

"Why didn't you say so?" angrily demanded the judge.

"Your Honor," said the man, "I was afraid of prejudicing the jury against me."—New York Evening Post.

NOT SNOBBISH

"Now, should you honor me with the office of Governor, and come to Little Rock on business, after I am sworn in, and your wife should come along with you to do her shopping, drop in on your Governor; but before you leave home, if your old grip is not too full, pull up some turnips, tops and all, and when you land, I will have my little wife (who only weighs about 190 pounds) to put your name in the dinner-pot. Also bring along your cob pipe and I will furnish the Hillside Navy, and we will sit down and talk about the interest of our State and discuss old times, and plan for the future prosperity of our State, and better understand each other's needs and wants. You know the Good Book tells us in this language, 'He that is greatest among you shall be your servant,' therefore, instead of you taking off your hat to your Governor, he should take his hat off to you, because he is your servant. My time is up, and, in conclusion permit me to state: That I never swear, or use profane language in any form, and I do not like to be in company with a man who is addicted to profanity; but should you honor me with the office of Governor, I will promise you now that you will have one of the damndest best Governors that the State of Arkansas has ever had. Try me one time, fasten my hame-strings, and hook my tugs, give me forty minutes' sleep at the crossroads, a cake of corn bread, and a pint of pot licker, and let me go. I thank you."—From a speech by Judge L. C. Smith, at Holly Grove, Arkansas.

ABRAHAM LINCOLN

—His Standing as a Lawyer—

By JOHN T. RICHARDS

Of the Faculty of Chicago Kent.

The career of Abraham Lincoln has received the attention of many historians, and his marvelous achievements have excited the wonder of mankind. Men of deep learning and profound scholarship have paid tribute to his great wisdom in the affairs of state. During the most trying period in our history, statesmen of vast experience gladly followed his leadership and paid willing homage to his superior judgment in matters which concerned the welfare of the government and its people.

He was born and reared amidst an environment such as to discourage the growth of intellectual force and blot out every aspiration to mental achievement. Without a

systematic training in the rudiments of the knowledge of the schools, through earnest and unremitting toil, he became a leader of men. Many who at colleges and universities had drunk deeply from the fountain of learning listened to his counsels with that respectful attention which is due to those wiser than ourselves. His great wisdom in matters which involved the welfare of the nation has received abundant acknowledgment, but there has been much misapprehension in relation to his standing as a lawyer.

He was admitted to the bar of Illinois, March 1st, 1837. At that time neither the laws of that state nor the rules of court required the applicant for admission to the bar to pursue any course of study or submit to an examination as to his qualifications, but notwithstanding this fact Mr. Lincoln began a systematic study of the standard text books in the year 1834. He had just been elected a member of the legislature of Illinois from Sangamon county. John T. Stuart, then a member of the Springfield bar, who was elected to the legislature at the same time, had, during the canvass, advised Lincoln to study law, and loaned him the necessary law books. Lincoln took the books to his home at New Salem, and there, when not employed in his work as a surveyor, devoted himself to their study until the time came for him to enter upon his legislative duties. They were then laid aside until the adjournment of the legislature, when their study was resumed, and this method was pursued until he considered himself fitted to enter upon the practice of his chosen profession.

A story has been current for many years to the effect that Mr. Lincoln received his inspiration to study law from having become possessed of a delapidated set of Blackstone's Commentaries, which had been cast aside by some one as waste paper somewhere in the neighborhood of New Salem, where he resided at that time, but the story appears to be without foundation, for he himself said that Stuart advised him to study law during his first campaign for the legislature, and at the same time offered to lend him the necessary books; that the offer was accepted and the books taken to his home for study. Had he been supplied with Blackstone's Commentaries in any other way, he would have said something about it. His great thirst for knowledge had induced him to begin the study of English grammar when he was twenty-three years of age, which affords evidence of his determination to use every means with-

in his power to acquire such an education as would fit him for a career of influence. That he was endowed with a great intellect is beyond question. He was always ambitious to win the approval of his fellowmen, but his ambition to get on in the world never prompted him to seek his personal advancement at the expense of a principle. He stood for those measures, only, which were approved by his conscience and judgment, and refused to climb to place or power through a disregard of human rights. He declined to support any measures which he did not believe to be just. The applause of men was pleasing to his ear, but he scorned to win it in any other way than by adherence to sound and enduring principles of right. This element of his character is shown by his expression of admiration for the fame of Douglas, while at the same time he did not hesitate to condemn the means by which it was acquired. Said he:

"Twenty-two years ago Judge Douglas and I first became acquainted. We were both young then,—he a trifle younger than I. Even then we were both ambitious, I perhaps quite as much so as he. With me the race of ambition has been a failure,—a flat failure,—with him it has been one of splendid success. His name fills the nation, and is not unknown even in foreign lands. I affect no contempt for the high eminence he has reached. So reached that the oppressed of my species might have shared with me in the elevation. I would rather stand on that eminence than wear the richest crown that ever pressed a monarch's brow."

This pronouncement was a true index to his character. He held fast to the right as he saw it, whether in private or public life, regardless of consequences personal to himself. He despised injustice and chicanery. He was so constituted that he could not employ his great talents in the support of an unjust cause. His professional ideals were above adverse criticism. He became one of the great lawyers of his generation, and was known and recognized as such throughout the state of Illinois. His practice in the state and Federal courts involved many important cases, and in the volume of business which passed through his hands he stood second to none. His successes were remarkable, for out of his 175 cases reported in the Illinois Reports he won the majority. That he was equally successful in the Federal courts is probable, but, owing to the loss or destruction of the records of these courts by the Chicago fire of 1871, it is impossible to ascertain the facts. He tried cases of every class, both at law and in chancery, and also many criminal cases; but it is a singular fact that no criminal case with which his name is connected is to be

found in the Illinois Reports. This would seem to confirm the statement often made, that he refused to undertake the defense of a person whom he believed to be guilty of the crime charged against him, and that his clients, in such cases, were usually acquitted by the jury. He had few equals as an advocate. His powers of analysis and discrimination were of a very high order. By reason of this he never failed to make clear the most complicated situation, and the court never failed to grasp his meaning, whether the case was one involving questions of law or of fact. The law, as he understood it, was "the perfection of reason."

A former judge, who presided in the supreme court of Illinois during the years of his greatest activities at the bar, has said of Mr. Lincoln: "He learned the law as a science. Nature endowed him with a philosophical mind, and he learned and appreciated the elementary principles of the law and the reasons why they became established as such." The truth of this statement is amply proved by the reports of cases with which he was identified. He cited few authorities, but relied chiefly upon principles. It must not be supposed that his opponents were low-grade lawyers, or uneducated men, for the contrary is true. Many of them were graduates of such institutions of learning as the University of Virginia, Yale, Brown, and other schools of equal standing, and while none surpassed him in ability they were worthy adversaries in any cause.

Mr. Lincoln was also a great constitutional lawyer. He has had few equals in his knowledge of the formation, the history, and the limitations of the Federal Constitution. His speeches and state papers afford abundant proof of this. While President, he was as careful to guard the rights of the states under the Constitution as he was to enforce obedience to the national authority. His reverence for the Constitution and laws of his country was due to his thorough understanding of the reasons which brought about their enactment. His career at the bar was the school in which he became fitted to serve his country as its chief magistrate. The Constitution was the chart by which he guided the Ship of State through the years of the Civil War. Had he lived to finish his second term as President, it cannot be doubted that the record of his achievements would have added greatly to his renown as a constitutional lawyer, as well as to his fame as a wise and accomplished statesman.—**Case and Comment.**