

# YALE LAW JOURNAL

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THIS number completes the second volume of the JOURNAL and brings to an end the editorial labors of the present board. If the standard of the magazine has been maintained, and the Law School worthily represented, we shall feel that our efforts have received their best reward. There has been no attempt to make marked departure from the policy and methods inaugurated by our predecessors. On the contrary we have been content that the magazine should increase in reputation with certainty if not with rapidity. We take this occasion to express our thanks to all who have shown an interest in the JOURNAL, especially to those who have contributed to its columns. The success of the magazine is directly dependent upon the continuance of this interest. Do not allow it to flag.

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THE past year has been in every way a prosperous one for Yale Law School. The number of students enrolled has been larger than in any previous year, but still more important in measuring the prosperity of this department of the University, is the strong spirit of loyalty to the school which has grown up among its students. We trust that each succeeding year will show that this spirit has increased in strength, for while it is so seldom to be found in the professional school, it is as much to be desired there as in the college. No change has taken place in the method of instruction employed in the school. Both text books and cases are used, the former as enunciating the principles of

law, the latter as illustrating the application of those principles. Naturally the methods of the different professors are as unlike as are the men themselves, yet from each professor the thoughtful student gains not only knowledge of the law, but something of love and respect for the profession, of appreciation of its dignity and importance. No one who has been a student of Yale Law School for the past two years can rightly feel at the time of graduation that his advantages for studying law have been anything short of the best that the times afford. The new building that has been so long contemplated is not yet begun, but we are definitely assured that some action will be taken in that direction in the immediate future. Certainly the condition of affairs demands that something should be done and done speedily.

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THE most absorbing topic to a large proportion of our law students at present is probably their bar examinations. The preparatory study necessary, the preliminary red tape, in the shape of applications and affidavits to be complied with, and above all, the possible perplexities of the examination papers themselves, combine to make this final test of legal knowledge seem one of much difficulty and embarrassment. All this talk of certificates of moral character, citizenship and literary qualifications, if overheard by some of the older lawyers at our bar, would probably bring to their minds memories of far different scenes and experiences, as they look back through the years of legal struggle and attainment, to the time when they too started on their new profession. In some lawyer's office, on an appointed evening, the applicant was asked a few general oral questions, which, if satisfactorily answered, enabled him to hang out his shingle before a trusting public. This was all that sufficed, in the "good old days," to preserve the sanctity and learning of the bar. It would be useless to philosophize, as to whether the present age is more degenerate, or whether the recognized standard of learning necessary for the lawyer is higher, but that the modern system is too rigid few will admit, and certainly none would desire to return to the easy-going method of our fathers. The change required by the force of circumstances then, has been made, and yet, even under this severer code of rules, we still find a few specimens of the genus *pettifogger* with us. This is inevitable. As long as lawyers, like the rest of mankind, are human, the firm of Quirk, Gammon & Snap will be found doing a rushing business, and a bar examination conducted by the recording angel on the strength of the Book of Judgment, is all that can suffice to

entirely exclude them. The qualifications necessary to the lawyer and the man, to keep him from mean and unprofessional conduct, is not to be reached by a certificate of moral character, and yet these after all are of as much importance to his clients and the public, as is his knowledge of torts or contracts. The attorney in his various positions of trust and responsibility, engaged in contests involving great interests, turning perhaps on a single point of evidence or legal construction, is subjected to temptations, greater than those offered to any other profession. Though we may grant that the strength of character needed to withstand them is not learned from law books or reports, but is cultivated by the man himself, in himself, yet there should be a professional feeling, an *esprit de corps* among his brother lawyers, which should aid him in his struggle, and by the very force of sentiment alone, compel him to pursue his business along the paths of duty. The example of the noble lives and characters of jurists and judges of every age should be the finger-posts to point the way to fame, and to arrive by lower and obscurer lanes at notoriety, should be condemned by the bar and public as a degradation of the character of the individual and an insult to a noble calling. This feeling of professional pride and honor, one of the greatest safeguards of legal integrity, must be upheld by the coming army of attorneys, as well as by the veterans that have gone before. It can only be kept alive by each individually living in the light of these, the best traditions of the law, and by showing in his own life and actions the characteristics of the true lawyer and the gentleman. This should be the goal for which all should strive. Riches and distinction will follow. "Character," said Emerson, "is higher than intellect. A great soul will be strong to live as well as to think."