

This resumé will serve to give an idea of the contents of the work. Wherever the statutes of any of the states have been judicially interpreted, the cases are given and the general effect of their decisions explained. Upon the whole, in view of the recent agitation against certain forms of speculation and gambling, we think that the book is especially timely, and gives one a clear idea of what the statutory law of his own state is on the subject.

F. H. S.

#### NOTES ON RECENT LEADING ARTICLES IN LEGAL PERIODICALS.

##### ALBANY LAW JOURNAL.

*State University Investigation into the Present Condition of Legal Education. The Views of Prominent Lawyers on the Subject of Legal Education.* President Edmund J. James, of the University of Illinois, sent out these questions to the members of the bar in the state of Illinois. He received nearly a thousand answers, and in this paper we are given a synopsis of the answers he received. Study of law in the office of a lawyer is found to be "a thing of the past." Law-firms have no time to devote to the students; the students themselves get no knowledge that is not the property of any bright office boy. Out of the thousand, however, seven were in favor of such study. The rest insisted upon study in the best law-school to be found. It was agreed that all the time, if possible, should be given to study in the school while there, most of the courses being so planned that to thoroughly comprehend them a man needs all his time. The case law system is shown to be growing rapidly in favor; and this not among the profession of the teachers of the law, but among the practising lawyers from whom these answers come. The value of a connection with a university is emphasized, and also the need of a college education before entering upon the work of the law-school proper. Night law-schools are not looked upon with much favor, but there were some replies which were favorable to them. These replies are to be used by the State University as a guide to their future course in the conduct of the law-school.

##### GREEN BAG.—June.

*The Lawyer in Public Affairs.* Hon. Alton B. Parker. Mr. Parker is himself an eminent instance of the lawyer in public affairs, and no one could be better qualified to speak on the topic here chosen. The tendency of the lawyer to take part in the affairs of his city, state, or country is noted as one which showed itself prominently in the earliest years of the Republic. In the days of the Revolution the voice of the lawyer guided the debates, led the councils, and formulated the philosophies of those earnest times. In the making of the Constitution they were the prominent factors, and in the interpretation of that instrument they necessarily have had the most important share. A most interesting part of Mr. Parker's article is devoted to the discussion of the relation of judges to party division. He claims that in favor of their country's interest the "partisan was at once and from the very necessity of the situation merged in the patriot and the jurist." "The example thus early set has been followed. Every chief-justice has come to that high distinction after passing through the lanes,

alleys, streets, or highways of a party." "And in no instance has this system brought to the bench a man who could be called or thought of as a political chief-justice." This is high praise for our Federal judges, and at a time when confidence in their wisdom is not too high. It is not their wisdom Mr. Parker praises, however, for he regrets that the selection of the judges has not always been wise, yet he claims that this fact has not qualified the success of the principle under discussion. The same praise is given to the State courts; partisanship is found not to have entered into the decisions of any case known to Judge Parker, and from this fact he draws encouragement and hope. The same lesson is drawn from the conduct of our ambassadors and consuls, who, partisans though they were at the time of appointment, have become representatives, not of a party, but of the whole country. The lawyer in executive office has been a dominating influence, eighteen of the twenty-four Presidents succeeding Washington having devoted themselves exclusively to the study or practice of the law. "The door of opportunity" has been open to every lawyer, and his training to be ready for that opportunity has developed him into a man ready for the call of his country at any moment, but it has also preserved him from becoming either "the boss or the demagogue;" he stands "for stability, for certainty, and for assured protection to life, liberty, and property." The great privileges and opportunities have brought with them their corresponding obligations, and these are thus set forth by the man who shows by his own conduct his high sense of public duty:

"If at any time it shall become apparent that the sanctity of the ballot is either threatened or assailed; if the administration of the law, whether civil or criminal, becomes either lax or careless; if the evils in any industrial movement manifest such power that they threaten monopoly or put popular rights in peril; if the executive, the legislative, or the judicial branches of our system shall, either by design or accident, tend to trench unduly or dangerously upon the rights of any of the others—the one man who should resent and resist the dangers thus threatened is the American lawyer."

*Legal Rights in the Remains of the Dead.* Frank W. Grinnell. The right of a testator to direct the disposition of his body after death has been generally recognized in this country and in England, although one English judge has expressed a doubt as to the propriety of the disposal of a body by will, since there can be no property in a dead body. The rights of the different members of the family of a deceased person have, however, been quite frequently before the courts for decision. Mr. Grinnell finds that the husband has a right to control the disposition of the wife's body and the wife that of the husband; if the husband and wife are dead, the living children have the same right; next, probably, come the living grandchildren; there being no children or grandchildren, the father, then the mother, would succeed to the right; after them the living brothers and sisters, and so on through the various degrees of kin. Cremation as a denial of the right of Christian burial is discussed, the matter having been brought up in England, where it has now been regulated by statute. The article concludes with instructions as to the form in which directions should be given by one desiring to control the disposition of the body after death.