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Editorials

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The academic year of nineteen hundred twenty-eight and twenty-nine marks an addition to the faculty of the College of Law. Professor Frank H. Randall, formerly of the College of Law of the University of Iowa, has been appointed to the faculty, and will have charge of the procedural courses. Professor Randall has spent several years in the active practice, and received his Doctor's degree in law at Harvard University last year. Professor Lyman Chaikley has been granted his sabbatical leave of absence for the year, and at present is doing research work at Harvard.

Of the seventy-five students now enrolled in the Law College, exclusive of special students and those enrolled in other colleges and departments, over thirty per cent have degrees. Of those who do not have degrees, twenty per cent have had three full years of college work, and one is a special student.

The following is a table which presents statistics compiled from registration records from the time of the organization of the College of Law in 1908, up to and including the present academic year:
Of the students enrolled in other colleges who are taking work in the College of Law, twenty-eight are from the College of Arts and Science, three from the College of Commerce, and four from the Graduate School.

Among the students regularly enrolled in the Law College who have received their degrees there are fourteen from the University of Kentucky, two from Kentucky Wesleyan College, two from Berea College, and one each from the University of Louisville, the University of Cincinnati, Centre College, Transylvania College, Marquette College, and Union College.

THE RESTATEMENT OF THE LAW AND ITS BEARING ON KENTUCKY LAW

About six years ago a fairly considerable sum of money was appropriated amounting, as the Editor remembers it, to a hundred thousand dollars, for use in the preparation of the restatement of the law in this country. Certain subjects were
chosen with which to begin the restatement; namely, contracts and conflict of laws. To these two subjects were shortly added torts, agency, criminal law, and criminal procedure, trusts, and property.

It became evident that no restatement of the law for the forty-eight jurisdictions could fail to disagree with the local law of various jurisdictions in at least some particulars. This variation might be caused either by local statutes changing the common law, or by the fact that courts in different jurisdictions had reached different results on the same problem.

A very important question then arises, as to what extent does the local law of any jurisdiction differ from the restatement? Another question arises; assuming that the local court of last resort desires to follow the restatement, as it undoubtedly would be inclined to do, can it do so, either on account of its own previous adverse decisions or on account of the statutes?

It is believed that the differences between the local law and the restatement may be easily magnified. Undoubtedly differences exist, but the number of them is likely to prove comparatively small. It becomes exceedingly desirable to know what differences do necessarily exist.

It would seem to be one of the functions of the modern law school to assist in the investigation of such a problem as this. Such an effort requires first of all a fairly considerable library, but most of all, it requires an interest in the problems of the law and a devoted spirit. The College of Law hopes to be able to cooperate in any way it may be called upon to do by the State Bar Association in creating an interest in the restatement of the law, an understanding of its purposes, and in working out the details of the local law to the extent that they may differ from the restatement.