1922

Editorials

Kentucky Law Journal

Follow this and additional works at: https://uknowledge.uky.edu/klj
Right click to open a feedback form in a new tab to let us know how this document benefits you.

Recommended Citation
Available at: https://uknowledge.uky.edu/klj/vol10/iss2/5

This Comment is brought to you for free and open access by the Law Journals at UKnowledge. It has been accepted for inclusion in Kentucky Law Journal by an authorized editor of UKnowledge. For more information, please contact UKnowledge@lsvaky.edu.
THE EDUCATIONAL SITUATION.

On last November 8th, the voters of Kentucky were given an opportunity to express their approval or disapproval of two educational amendments submitted for their judgment. These amendments were supported by the Governor of the Commonwealth, the Superintendent of Public Instruction, the Presidents of the different Colleges of the State, the leading newspapers and by practically all the leaders in the fight for an improvement in the educational situation in Kentucky.
Despite this intelligent and enlightened backing the amendments went the way that most amendments usually go, and consequently were buried beneath an avalanche of dissenting votes.

It is hardly possible that this verdict reflects a lack of appreciation of our educational needs. All thinking citizens realize that something should be done at once to relieve a bad situation. The children of Kentucky deserve a more improved system of education. The legislature is now in session and it can win the unstinted praise of the people of this State by applying itself diligently to the task of lifting Kentucky out of an educational rut. This is the most pressing item on the legislative slate.

**LAWYERS.**

According to popular opinion a great many lawyers are not a success. You can hear laymen remark: "Why, Smith is no lawyer, for I have never seen him in court more than two or three times." Upon careful examination it may be found that Smith is the most successful lawyer in town. The best lawyer today keeps his clients out of court. A greater sense of honor and dignity have pervaded the legal profession, and the bar today is doing much to eliminate the unfavorable opinion that evidently prevailed a century or two ago. Shakespeare, Dickens and others considered lawyers a very unnecessary part of our civil organization. In the gravedigger's scene Shakespeare said, "Why may not that be a skull of a lawyer? Where be his quiddites now, his quillets, his cases, his tenures, and his tricks?" Dickens said, "The one great principle of the English law is to make business for itself." Franklin says, "A countryman between two lawyers is like a fish between two cats."

Perhaps a part of this criticism is harsh, but no doubt the conduct of members of the bar warranted a larger part of it. Today the lawyer should realize, if he does not, that, "To torment one's neighbor is worse than stealing his purse," and he should use his talents to prevent litigation in the courts rather than to cause discord and bitterness by urging clients to go to court with their differences.
LYNCHINGS.

According to the New York Tribune there were sixty known lynchings in the United States during the year 1921. The Literary Digest for December 31st, 1921, reminds us that there have been 3,224 lynchings in the United States within the last thirty years, of which number more than one-fifth were white men. It seems very evident that some step should be taken to halt this evil practice—consequently Representative Dyer of Missouri is sponsoring a Federal Anti-Lynching Bill which provides in effect as follows: "(1) That any State or Municipal officer charged with protecting the life of a prisoner, or any officer charged with the duty of apprehending and prosecuting persons participating in mob murder, must make all reasonable efforts towards accomplishing those ends. Failure to do so subjects such officer to imprisonment or heavy fine, or both. (2) Those participating in mob murder to be declared guilty of a felony punishable by imprisonment for life, or for any period not less than five years. (3) The county in which the mob murder occurs is to forfeit $10,000 which goes to the family and relatives of the deceased, or to the United States if he die without such relations." Attorney General Daugherty is of the opinion that such a law, if passed, would be constitutional, while Southern Congressmen claim that the Dyer-bill would encroach upon a State's rights. Without reference to the constitutionality of such a law it is the opinion of the writer that the proper remedy for lynching is not to be found in Federal Legislation.

Lynching is a practice confined primarily to the Southern States and any Federal interference would tend to revive sectional strife and race antipathies. The Dyer bill, put into effect, would doubtless have pronounced tendency to increase the commission of those crimes which result in lynchings. The mob spirit must be broken but the ultimate solution is to be found in each separate State and County. The Governor of each State should be empowered to remove from office any official who fails to make all reasonable efforts to prevent mob murder. In addition, the law should subject the offending officer to heavy fine and imprisonment. With such provisions in force and
backed by public sentiment, jailers and other officials would not find it so convenient to jingle the prison keys in betrayal of the prisoners entrusted to their care. We have not forgotten the attempted mob murder in Lexington, Ky., in April 1919, which resulted in seven deaths and several minor injuries. However tragic the event may seem it marks a firm stand against mob violence and plants another milestone along the road to law and order and extends needed protection to the lives of prisoners.

For every criminal offense there is a drastic punishment prescribed by law and it is the duty of every officer—State and Municipal—and of every citizen to see that the law takes its course and is not superseded by mob violence. When this is done then the lynchings in each State will become extinct and Congressional twaddling about the Dyer Bill and other kindred legislation will no longer consume the valuable time of our National Congress.

NOTES OF THE LAW SCHOOL.

Miss Lena Phillips, class of '17, is executive Secretary of the National Federation of Business and Professional Women's Clubs in New York City. Miss Phillips is the highest salaried woman graduate of the University of Kentucky.

James Park, class of '20, has been engaged to coach the Wildcat baseball team for the season of '22.

Mrs. Mary Love Collins, class of '15, who is practicing, spoke in chapel in the early part of December on "Vocational Training for Women." Mrs. Collins is an able speaker and her address was thoroughly enjoyed by all who heard her.

Richard Northcutt, class of '18, of the firm of Northcutt and Northcutt of Covington, Jack Howard class of '20 and M. M. Atchison '18 both of Frankfort, were among the out of town alumni here "Homecoming Day."

Miss Rebecca Paritz, '20, is Librarian in the Law Library of the University of Cincinnati.

Professor W. S. Hamilton was called home Friday, December 9th, by the death of his father which occurred in Louisville. The body was taken to his home in Brandenburg for burial. Mr. Hamilton's
bereavement touched a very sympathetic cord in the hearts of the Faculty and Student body of the Law College. They sent an appropriate spray of chrysanthemums.

William Milam, a former student of the Law College, was admitted to the Fayette County bar Friday, December 8th. We wish Bill very much success as an attorney.

A new law firm has been established in Lexington under the name of Nichols, Adams and Dummitt. Mr. Nichols is at present one of the Professors in the College of Law and Mr. Dummitt is a graduate of the class of '20.

Thomas Burchett '21 was a visitor at the college a few days ago. Mr. Burchett is practicing law in Ashland, Kentucky.

W. G. Baxter of Nicholasville who received his instruction in law in this college, was elected Commonwealth's Attorney of his district in the last election.

G. A. Rice, '14, became a banker immediately upon graduation and was employed by The National City Bank of New York City and was sent to Brazil to organize a branch bank, which he did. The bank has become one of the strongest banks of Rio de Janeiro. Recently he has resigned and has accepted the Vice-Presidency of one of the leading banks of San Francisco.

The death of Dillard Turner, '21, of pneumonia, at his home in Frankfort caused deep grief to settle over the Law Department. Dillard was admired by all who knew him, and we of the College of Law, who worked with him, loved him. We cannot help but feel that death has been cruel to us, and our sorrow is second only to that of the parents whom he left to mourn for him.