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Notes

Kentucky Law Journal

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Kentucky Law Journal

Published Monthly at the State University of Kentucky by the Students of the College of Law.

James Sory, Jr., '13.....	Editor-in-Chief
Henry L. Spencer, '14	} Associate Editors
H. B. Miller, '15	
J. I. Miller, '14.....	Business Manager

All subscriptions should be addressed to the Business Manager. Rates: Fifteen cents per copy, one dollar a year, fifty cents for six months. Application for admission as second-class matter pending.

It is the earnest hope of the students of the State University of Kentucky College of Law that the Kentucky Law Journal may prove to be useful and entertaining to both the practitioner and the student of law. Through the medium of the Journal we hope to come into closer touch with the members of the bar, and with their assistance to help advance the science of jurisprudence.

Our object shall be to promote the cause of legal education in Kentucky whose laws upon this subject are far behind those of many of her sister states. We shall urge that three years study of the law prior to admission to the bar should be required, and that a permanent State Board of Bar Examiners should be created. In this fight to raise the standard of legal education we solicit the aid of every attorney in Kentucky.

The action of the House of Representatives in impeaching Judge Archbald and his unqualified conviction by the Senate should check the agitation for the recall of judges by proving the adequacy of impeachment.

The courts must be left free and independent of the transitory impulses of popular sentiment. They must be left stable to keep the Constitution stable. The enforcement of this principle is, as some one has said, "The guarantee of the minority, who, when threatened by the impatient vehemence of the majority, can appeal to this permanent law, finding the interpreter and enforcer thereof in a court set high above the assaults of faction."

The integrity of the Federal courts is very high. Corruption is rare. The Federal judges, small as are their salaries, are in most states individually superior men to the State judges because the greater security of tenure induces abler men to accept the post. Being irremovable, except by impeachment, they feel themselves independent of parties and politicians, whom the elected State judge, holding for a limited term, may be tempted to conciliate with a view to re-election.

The effect of the judicial recall would be to destroy the efficiency of the courts, to tempt them to conciliate with public opinion, and to make the high post of judge less acceptable to able men.

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This issue of the Law Journal is far from being what had been planned, but the future numbers promise better results. These numbers will contain articles written by the leading lawyers of the state, also departments

devoted to the review of important decisions of the Court of Appeals, book reviews, exchanges and notes and personals of interest to the legal world.

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“The law shall be even-handed—blind as to wealth and influence.” Such is the principle upon which freedom is founded. And no greater glory can come to a high servant of the people than from a determination to do what he can toward the enforcement of the principle. The lawyer should be a minister of justice, and not his client’s hired man.

STATE UNIVERSITY OF KENTUCKY

COLLEGE OF LAW

The Legislature of the State of Kentucky in 1908, by special enactment, converted Kentucky State College into a University, which now assumes its place at the head of the educational system of the State, as State University of Kentucky. It was the design of the Legislature to make a strong state educational institution, and additional appropriations were made for that purpose. Additional courses of instruction were provided for in 1908, one of which was a course in law. Accordingly the Board of Trustees directed that the College of Law be established as one of the integral parts of the University, and that it be opened September, 1908, for the admission of students. A course of study covering a period of two years was prescribed, but the experience of one year proved that a longer period is required for a student to acquire a knowledge of the various elements of the law which will enable him to meet the needs of the profession. Commencing with September, 1909, the course was extended to three years, and embraces work of a collateral nature, which experience has proven to be of practical value in connection with technical instruction.

Formerly it was possible for the law student to begin and complete his professional studies in the office of a practicing lawyer. The demands upon the beginner were not so great; the authorities were few; the leading principles were settled and their application was comparatively simple. Now greater and better things are required. Our country is experiencing remarkable growth and development. The requirements for a successful career in all lines of business and in all professions necessitate the laying of a broader foundation before encountering these greatly changed conditions. The design of this College is to teach the student the fundamental principles of English and American Law, and to so extend the course of study as to fit him for the bar in any state. The course offered is thorough and comprehensive, giving such training as will prepare him for usefulness as a citizen, and success as a practitioner. The instruction will not be limited to persons who may choose the law as a profession, but will be given also to special students who may elect to take a limited course on such subjects as will be found useful in the pursuit of some other business or occupation. A good knowledge of the law is now being generally recognized as necessary and fundamental in making up a well-rounded preparation for a business life.

Besides this, the study of law, as now taught, with its collateral work, is an important part of a liberal education.

The College of Law is now located in spacious quarters in the Science Building. There are large lecture rooms, reading rooms, offices, a court room and a large and well equipped law library, containing all the National Reporter System, the Kentucky Reports, the Federal Court Reports, including those of the Supreme Court, the Lawyers' Reports Annotated, Encyclopedias of Pleading and Practice and a great number of standard reference works and law books. It is planned to add several thousand volumes to the library in the next year.

Another important feature of the school is the success with which pleading and practice is taught in the moot or practice court conducted by Judge W. T. Lafferty, who, after having practiced for thirty years, is deemed by all to be without a peer in this line of work. Under his direction the students prepare and file in court pleadings in both law and equity. A regular court docket is kept and the students carry through the various steps in every case from its inception to the final order.

The following is a list of the faculty and lecturers: Judge Henry S. Barker, President; Judge W. T. Lafferty, Dean and Professor of Law; Judge Lyman Chalkley, Judge Charles Kerr, Mr. James R. Bush, Mr. J. Embry Allen, Mr. George W. Vaughn and Mr. E. R. Sweetland. Dr. Tuthill and Professors Tigert and Farquhar from the faculty of the College of Arts and Sciences have charge of the work in Political Economy and Sociology, Roman Civil Law, and Forensics respectively.

Judge Henry S. Barker, Col. John R. Allen, Judge Samuel M. Wilson and Messrs. Richard C. Stoll and George R. Hunt make up the list of resident lectures. The non-resident lecturers are Judge E. C. O'Rear, Judge John M. Lassing, Commissioner William Rogers Clay, Senator J. C. S. Blackburn, Hon. T. L. Edelen, Hon. Byrd Winchester and Hon. R. A. Daly.

The last issue of the American Law School Review contains the following:

"The College of Law of the State University of Kentucky, Lexington, Ky., has opened the present session with an increase of forty per cent. in student attendance over that of the past year. The faculty now consists of seven members, and each is admirably fitted for his work. One thousand volumes of standard law books have been added to the library during the past year, and arrangements are now being made to add two thousand more volumes during the present year, so that the library equipment will consist of more than five thousand volumes. At the meeting of the Association of American Law Schools, held in Milwaukee in August last, this Law College was admitted to membership in that Association."

NOTES

On Monday, January 27, in the Chapel of Kentucky State University, a preliminary debate was held to determine who should represent the College of Law in the annual debates with the University of Indiana Law School and the Cincinnati Law School. The subject handled by the ten contestants was "Resolved, That municipalities should own and operate all public utilities."

Attorneys M. S. Walton, W. E. Nichols and Nathan Elliott, who were the judges, decided that Messrs. Morrison, Jett and Jackson were the best speakers and should compose the first team. Messrs. Miller, Birkshire and Rigdon were made members of the second team.

On February 29 the first team will take the negative of the same subject against the University of Indiana Law School at Indianapolis. On the same date the second team will meet the Cincinnati Law School in Lexington.

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Mr. John E. Miller, '12, has located at Searcy, Ark., and is the junior member of the firm of Rachels and Miller. Mr. Rachels, his partner, is a candidate for Congress. In the event of his election Mr. Miller will have entire charge of their lucrative practice.

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Mr. A. J. Willmore, class of '12, is associated with the firm of Hunt, Bullock and Hunt, of Lexington, Ky.

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Mr. W. H. Townsend, of the firm of Stoll and Bush, Lexington, Ky., was a member of the class of '12. Mr. Townsend has recently been actively engaged in a number of cases of interest to the entire State because of their close relation to the State University.

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Mr. E. P. Wisley has begun the practice of law at Middlesborough, Ky. He is a candidate for County Attorney.

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Mr. W. A. Stanfield, '12, has located at Barbourville, Ky.

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N. U. Utley has formed a partnership with his father, Senator Utley, of Eddyville, Ky.

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V. Y. Moore, class '11, is practicing law at Marion, Ky., the home of Senator-elect Ollie M. James.