Law School of the University of Michigan

Henry W. Rogers

University of Michigan Law School

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THE University of Michigan is one of the two largest universities in the United States, and this position it has attained within a comparatively few years. In June, 1887, it celebrated its semi-centennial; and the University Calendar this year issued shows a Faculty roll of one hundred and eight professors, instructors, and assistants, as well as the names of eighteen hundred and eighty-two students. Harvard University, founded in 1636, and the oldest institution of learning in the country, celebrating its two hundred and fiftieth anniversary in November, 1886, leads it in numbers by only seventeen students. In 1871 the Hon. James B. Angell, LL.D., became President of the University of Michigan, and from that time to the present has continued to act in that capacity, with the exception of the period in which he served the country as Minister to China, and more recently while he was acting as a member of the Fishery Commission intrusted with the delicate duty of attempting an adjustment of the difficulties existing between the United States and Great Britain. He has the satisfaction of knowing that during his administration the University of Michigan has grown from an institution with eleven hundred and ten students and a Faculty roll of thirty-six, to its present proportions.

The founders of the State of Michigan and their descendants have kept in sacred remembrance that memorable article in the Ordinance of 1787, which proclaims that, "religion, morality, and knowledge being necessary to good government and the happiness of mankind, schools and the means
of education shall forever be encouraged;” and the authorities of the University have inscribed those words in glowing letters on their University Hall. This was fitting, for the sentiment is the corner-stone on which the whole University has been reared. It was founded by the State and is maintained by the State, but its students come from every quarter of the globe. During the present year its students are drawn from thirty-five of the thirty-eight States and from five of the Territories, as well as from England, Germany, Russia, Japan, Turkey, Italy, Hungary, New Zealand, Porto Rico, Nova Scotia, Hawaiian Islands, Manitoba, Province of Quebec, Province of Ontario, and Mexico.

The University of Michigan is composed of a College of Liberal Arts, termed the Department of Literature, Science, and the Arts; a School of Law; two Schools of Medicine,—the Department of Medicine and Surgery or “regular” school, and the Homeopathic Medical College; a School of Pharmacy; and a College of Dental Surgery. The Department of Literature, Science, and the Arts was first established, but its development was slow. Even in 1850 the Board of Visitors in an official report declared that there were only fifty students at that time in actual attendance in that Department. In 1850 the Department of Medicine and Surgery was established, and in 1859 the Department of Law. The opening of these Departments, although so late in accomplishment, was in accordance with the original plan drafted by the first Superintendent of Public Instruction in Michigan. It is a significant fact, which has been commented on more than once, that the establishment of the Schools of Law and of Medicine contributed much to a rapid increase in the number of students in the Department of Literature, Science, and the Arts.

If we keep in mind the ideas which have prevailed until recently in reference to legal education, we shall be impressed by the wise foresight and liberal views of the men who shaped the educational policy of the State of Michigan, in that they consented thirty years ago to establish a School of Law in their State University. Not that it is matter for astonishment that the State should consent to tax itself for the education of physicians and lawyers. If the State is justified in taxing the people for public education, if it can tax them to teach the scholar to read the languages of other peoples, to analyze the structure of the flowers, to read the story of the earth as written upon the rocks, no one should question its right to teach the physician to heal the sick, and the lawyer to advise the citizen for the protection of his rights to life, liberty, and property. The State is a means to an end. It is charged with the protection of the public health, and it exists to protect the rights of its citizens and to secure the administration of justice. But the administration of justice is only possible when there exists a body of men trained in a knowledge of the laws, and made competent to administer them as judges on the bench, and as lawyers at the bar to advise the court and counsel the oppressed. If the State can teach anything more than the elementary branches at public expense, it certainly should be able to teach a knowledge of the law. But the wisdom of the people of Michigan in establishing a law school is seen when we reflect that they discarded the old notion that the place to learn law is in a lawyer's office, rather than in a University. A law school was established because it was thought that there the law could best be learned.

Professôr Bryce, in his “American Commonwealth,” comments on “the extraordinary excellence of many of the law schools” of the United States, and adds: “I do not know if there is anything in which America has advanced more beyond the mother country than in the provision she makes for legal education.” The compliment is not undeserved; for every one knows, who knows anything about the history of legal education, that England has been behind almost
every civilized country of the world in awakening to a realization of the fact of the necessity and advantages of schools of law. Even Japan has a law school in which a thousand students are to-day engaged in studying the English system of jurisprudence. Upon the continent of Europe the law school has always been deemed indispensable. Bologna, now the most ancient University in existence, was originally purely a law university, and law so predominated there that students of arts and of medicine were admitted only by enrolment in the law university, and on swearing obedience to its officers. Padua was likewise originally a law university, as were all the other Italian Universities with the possible exception of Salerno and perhaps Perugia. In France, Orleans, Bourges, and Poitiers are said to have been distinctively law universities; while Paris was distinctively a philosophical and theological university, although law was represented there. The fact is, and has been for centuries, that in most of the countries of Europe men enter the profession of the law through the Universities. But as recently as 1850, when Professor Amos came to the chair of English Law in the famous old University of Cambridge, the class of English Law in that institution could be counted on the fingers of one hand. It consisted of

University in existence, was originally purely a law university, and law so predominated there that students of arts and of medicine were admitted only by enrolment in the law university, and on swearing obedience to its officers. Padua was likewise originally a law university, as were all the other Italian Universities with the possible exception of Salerno and perhaps Perugia. In France, Orleans, Bourges, and Poitiers are said to have been distinctively law universities; while Paris was distinctively a philosophical and theological university, although law one A.M., one A.B., and two undergraduates. Of course the Inns of Court constituted a species of law school, and date back to an early period in English history,—that of Lincoln's Inn to the time of Edward II., and that of Gray's Inn to the time of Edward III. They were moreover well attended, as we learn from Chancellor Fortescue. But they were a poor apology for the modern law school as we know it in the United States or as it is known in Germany. In the Inns of Court young men "dined" themselves into the profession. Within the last ten
years there has been a marked change of sentiment in England in the matter of legal education, and law has now gained a proper recognition in the English Universities.

If the United States are distinguished from England in the excellence of their law schools, it is nevertheless true that the American law school is comparatively a late development. 'The American lawyer, trained under the English system of jurisprudence and familiar with the English ideas as to legal education, for a long time thought that law could best be learned in a law office. The result was that medical and divinity schools both won their place before law schools were able to gain recognition. The medical profession were the first to establish professional schools in the United States, a school of medicine having been opened in Philadelphia in 1765, five others being established before 1800. While the first divinity school was not opened until 1804, by 1812 the leading denominations had established their distinctive theological seminaries. Although a law school was founded at Litchfield, Conn., in 1784, it existed as the solitary institution of its kind in the United States until 1817, when the Harvard Law School was established. And in 1859, when the Law Department of the University of Michigan was opened, there were few law schools in the United States, although to-day there are fifty such schools, located in different parts of the country. Under all the circumstances, therefore, the people of Michigan, in establishing thirty years ago a Law School as a State institution, are entitled to commendation. As a matter of fact, however, the Michigan Law School has not been a burden to the tax-payers of the State. It has not only paid its own way, but has actually made money for the State. And in this respect, at least, it has a record which no department connected with the University can approach.

The Faculty of the Law School, as originally constituted, and as it remained for many years, consisted of Thomas M. Cooley, James V. Campbell, and Charles I. Walker. Judge Cooley lived at Ann Arbor; the other gentlemen resided in Detroit, coming to Ann Arbor from time to time to deliver their lectures. The Faculty organized on Monday, Oct. 3, 1859, by electing Judge Campbell dean, and Mr. Cooley—for he had not at that time been advanced to the bench of the Supreme Court—Secretary of the Faculty. On the afternoon of that day Judge Campbell delivered the opening address in the Presbyterian Church, before the law class and the public generally, taking for his theme "The Study of the Law." At that time the Law School had no building of its own, and the regular lectures of the school were delivered in a room on the lower floor of what is now known as the north wing of University Hall. The first lecture to the law students as a body was delivered by Professor Walker on Tuesday, October 4, and his subject was "The Advantages to be expected from the Law School, and the Mode of Conducting it." This was followed on the next day by a lecture from him on the "Law of Personal Property;" and the work was fairly under way. Professor Cooley's first lecture was delivered on October 6, the subject being "The Origin of Title to Real Estate in America;" and Professor Campbell's on October 10, "The History of the Common Law as connected with the Equitable Jurisdiction." The first moot-court case was heard on October 13, Professor Cooley sitting as judge.

From the time the work of the school began (in 1859) to 1886, instruction was given to both classes in common, the Calendar of the University stating that "the course of instruction for the two terms has been carefully arranged with a view to enable students to enter profitably at any stage of their studies, and it is not important which course of lectures is first taken." And this, at the time it was adopted, was the course usually pursued in the law schools of the United States. But in 1886 the Faculty favored the adoption of a graded system of instruction; and as
their recommendation to that effect was approved by the Board of Regents, the change was made. President Angell, in his Report to the Board made in October, 1886, thus refers to the matter:—

"The demands upon the students in the Law Department have been made, during the past year, more exacting and rigorous than ever before, and the Faculty have decided to introduce the most important change which has been made in the method of the school since its establishment. They have graded the course, and instruction will in the main be given separately to the two classes. The training will, we believe, be more thorough and systematic and effective than it has ever before been."

And in his Report for the year following, he again recurs to the subject as follows:—

"In the Law Department the experiment of grading the course has been successful in a gratifying degree. Both teachers and students heartily approve of it. More thorough, systematic, and efficient work is secured by it. The instruction is to be enriched during the coming year by brief courses of lectures on various subjects by distinguished specialists. We may well believe, therefore, that the reputation of the Law School, which had so prosperous a life from its foundation, will be deservedly enhanced during the coming year."

As reference is made in the above excerpts to the greater thoroughness and efficiency of the work of the school, the writer ventures again to quote from the President's last Report, made to the Board in October, 1888, when he said:—

"The work of the Law Department has been carried on in a very satisfactory manner. The standard of work required of the students has been materially raised during the last two or three years, and the examinations for graduation are more stringent than they ever were before."

There are three systems of instruction in law, each of which has its merits and its demerits. The mode of teaching law by lectures is the mode which has been pursued in the German universities, as well as in England, and generally in the United States. Some of the law schools in this country have declined to adopt it as a method of instruction, preferring to make use of text-books for that purpose; and notably in one school both these modes have been practically rejected in favor of learning the law through a study of leading cases. Blackstone and Kent taught the law by lectures, and so did Story and Greenleaf. For many years the exclusive method of instruction pursued in the Michigan Law School was by means of lectures, the students being required to take full notes of what was said, with citations of cases. On each day at the close of the lecture, or before it commenced, the class was "quizzed" by the professor as to the contents of the lecture previously delivered by him. The method of instruction by lectures is still pursued, but no longer to the exclusion of the other modes of instruction. The professor quizzes on his preceding lecture for half an hour, and then lectures for an hour and a quarter. When both classes listened to the same lecture, it was not thought practicable, in the time that could be devoted to the purpose, to quiz any but members of the senior class, and the junior class were silent spectators of what was going on about them. They listened to the lectures, but were asked no questions until their senior year, when they were examined on the lectures of both years. The best results could not be attained in this way, and those who could attend but one year, and as members of the junior class, did not reap the benefit they might have obtained had a different course been practicable. But since the separation of the classes and the adoption of the graded system, both classes are quizzed impartially, and the junior year is thereby made much more important than it was before the change was effected.

But while the lecture system continues to find the most favor, the fact is conceded that on some subjects text-book instruction may be employed with advantage. Blackstone's Commentaries, which are simply Blackstone's printed lectures, are put into the hands of
The Green Bag.

the junior class, and they are required to master thoroughly certain prescribed portions. The introduction of this text-book work was made about 1879. Within the last few years the amount of that work has been materially increased, and extended to the senior class. In addition to Blackstone’s Commentaries, the juniors are required to make a thorough study of Anson on Contracts, and Stephen on Pleading. Members of the senior class from the Code States are required to attend recitations in Bliss on Code Pleading. One objection to an extensive use of text-books in law schools has been due to the fact that the most of our text-books on law have been written for the use of practitioners, and have been unsuitable for the use of students commencing the study of law, who wish to become familiar with principles, and not to be burdened with details. Moreover, it must be conceded that spoken words are more impressive than words that are read. So that, while the Faculty have recognized the fact that certain advantages may be derived from a judicious use of text-books, it has not been thought best in the Michigan Law School to adopt that method of instruction to the exclusion of the lecture system. The endeavor has been to make a wise use of both methods.

The idea that law should be learned through a study of leading cases is not a new one, although the Harvard School has been the first to make any extensive use of such a system. Years ago Mr. Justice Bailey of the King’s Bench deprecated even the use of text-books of any kind for a student of law, and declared that he would have him “read the cases for himself, and attend to the application of them in practice.” It has always seemed to the writer that life was too short and the time that a student could spend in a law school was altogether too limited to permit one’s acquiring a knowledge of law simply through a study of cases, and that while such a system might be advantageously used with students whose intellectual powers had been thoroughly developed and whose mental grip was strong, it was quite unsuited to the average student. While the system has not been adopted in its entirety in the Michigan Law School, a study of the leading cases has not been neglected, but has been insisted on to such an extent as in the judgment of the Faculty was deemed advisable.

The purpose of the school is to give instruction that shall fit students for practice in any part of the country; and the course of lectures now delivered is as follows:—

TO THE JUNIOR CLASS.

The Law of the Domestic Relations. Professor Rogers.
Torts. Professor Rogers.
Pleading and Practice. Professor Griffin.
Personal Property and Title thereto, by Gift, Sale, Mortgage, and Assignment. Professor Griffin.
Contracts. Professor Wells.
Agency. Professor Wells.
Private Corporations. Professor Wells.
Partnership. Professor Wells.
History of Real Property Law. Professor Thompson.
Fixtures. Professor Thompson.
Easements. Professor Thompson.
Landlord and Tenant. Professor Thompson.
Bailments. Assistant Professor Knowlton.

To the Senior Class.

Criminal Law, and Medical Questions bearing on it. Professor Rogers.
Wills: their Execution, Revocation, and Construction. Professor Rogers.
The Administration and Distribution of Estates of Deceased Persons. Professor Rogers.
Jurisprudence of the United States. Professor Griffin.
Evidence. Professor Griffin.
Constitutional Law. Professor Wells.
Bills and Notes, and Commercial Law Generally. Professor Wells.
The Law of Real Property. Professor Thompson.
Equity Jurisprudence, and Equity Pleading and Procedure. Professor Thompson.
Mining Law. Professor Thompson.
Law of Carriers. Assistant Professor Knowlton.
Insurance Law. Dr. Bigelow.
History of the Common Law. Dr. Hammond.
Special Heads of Medical Jurisprudence.

Toxicology in its Legal Relations. Dr. Vaughan.
Legal Microscopy. Dr. Stowell.

In the great schools of law in Germany attendance on lectures is not generally compulsory, and although the course is most comprehensive, familiarity with a few selected subjects appears to be all that is necessary for graduation; while in Italy, as we are informed, the law students reach graduation only “after due attendance with diligenza at lectures on a great variety of subjects.” The curriculum of an American law school is not as comprehensive as in either the German or Italian universities, but the American law school adopts the Italian idea that attendance on the lectures should be compulsory. In the Michigan Law School a student who neglected attendance upon the lectures would not even be admitted to examination. He would find himself either summarily “dropped” or required to take the work over again the next year.

The fact is recognized that it is desirable to combine theory and practice in the regular work of the school, and such a course is pursued in so far as it has appeared practicable. With this end in view, moot courts are held, in which students not only discuss cases previously assigned them for that purpose by the Faculty, but are required to draft appropriate pleadings and prepare a brief in which the rules of law applicable to the given case are stated under appropriate divisions and sustained by the authorities. These courts are presided over by the professor lecturing for the day, who at the conclusion of the argument reviews the case and gives his decision upon the points involved. The effort to make not merely theoretical but practical lawyers may be illustrated by a reference to the course pursued in the teaching of equity pleading and procedure.

The class is divided into sections of four each; and each section is required to conduct two cases in equity through all their stages, from the filing of the original bills to the enrolment of the final decrees, two of the section acting as solicitors for the complainant in one case, and as solicitors for the defendant in the other. For these suits statements of fact are prepared which, in the aggregate, involve questions in every branch of equity jurisdiction, and necessitate the use of every form of equity pleading. These statements of fact involve not only questions of pleading and procedure but also questions of law, so that the glamour of a legal doubt is thrown over each case, and success is made to depend upon skill in pleading combined with knowledge of equity
law. The moot court is presided over by Professor Thompson, to whom the subject of equity belongs. In causes where students from the State of Michigan appear as solicitors the proceedings are governed by the rules in chancery of the circuit courts of that State; in those cases where the solicitors are students from other States, the proceedings are governed by the rules in chancery of the United States Circuit Courts. There is a Register in Chancery, and the records of the court are carefully and systematically kept, and all the proceedings made to conform strictly to like proceedings and causes in a United States circuit court, or a circuit court in Michigan sitting in Chancery.

This plan involves the hearing of from seventy-five to one hundred distinct causes in Chancery; and it is believed, since each student is personally interested in at least two of the cases, and necessarily hears arguments upon a great variety of motions and other interlocutory proceedings, as well as arguments upon demurrers, pleas, and bills and answers, that he acquires a more comprehensive, critical, and practical knowledge of equity pleading, procedure, and jurisdiction than he could obtain during the same time in any law office.

Provision is also made in the Law School for instruction in elocution and oratory, under the direction of Thomas C. Trueblood, A.M. It is thought to be a mistake to suppose that excellency in speaking is simply a gift of nature, and not the result of patient and persistent labor and study.

From the time the Law School was established until 1884, the period of instruction included two terms of six months each, commencing in October and ending in March. It was determined in 1883 to extend the period to two terms of nine months each, the change going into effect, as we have said, in the following year. There has been more or less difference of opinion as to the time which should be spent in a law school in the study of law. The mode of teaching pursued in the law schools of the Roman Empire covered a period of five years. In the University of Italy the law curriculum covers a period of four years, about a thousand students being made Doctors of Law each year. But in this country, at the time the Michigan Law School opened its doors, it was the prevalent opinion that two terms of six months each was all the time needed for the preparation which a law school should undertake to impart. Experience demonstrated that this period was too short for the work to be accomplished, and the time was accordingly extended. Some of the law schools of the country have already decided that this time is also too short for the proper performance of their work, and have accordingly lengthened their course to three years. Such a change is now under consideration in connection with the Michigan Law School. If it is decided to make the change, and to give the degree of Bachelor of Laws (LL.B.) only after a period of three years of study, it is not unlikely that the degree of Bachelor of Law (B.L.) will be conferred at the end of two years of study. It is not known that such a degree has ever been conferred by an American Law School, but it is conferred in the University of Edinburgh on those who pursue a course of law study for two years, and no reason is perceived why a plan that has worked admirably there should not be adopted here. The LL.B. degree is there conferred after three years of study of law, a degree in arts having been previously obtained. But in the United States a degree in arts or science is nowhere a condition precedent to the taking of a degree in law. As many students are unable to remain more than two years in a law school, and much valuable knowledge is acquired in that time, justice seems to require that where a course is lengthened to three years, some degree inferior to the LL.B. degree should be given at the end of the second year of study to those who choose to take it.
When the Law Department was established, the announcement made as to the requirements for admission was as follows: "That the candidate shall be eighteen years of age, and be furnished with a certificate giving satisfactory evidence of good moral character." This statement continued in the Calendar of the University until 1877, when an additional statement was made declaring that it was "expected that all students will be well grounded in at least a good English education, and capable of making use of the English language with accuracy and propriety." If the reader is here disposed to criticise, let him remember that the other law schools throughout the country were then no more stringent in their requirements governing the admission of students than the above statement indicates, and that the most of them are little better now in this respect than they were then. But the Michigan Law School has established a very different standard in recent years, as will be seen from the following statement taken from its annual announcement:

"Graduates of colleges, and students who have honorably completed an academical or high-school course, and who present a certificate or diploma from the academy or high school, will be admitted without preliminary examination. No student who does not present such certificate or diploma will be admitted as a candidate for a degree, until he has passed a satisfactory examination in Arithmetic, Geography, Orthography, English Composition, and the outlines of the History of the United States and of England. The examination will be conducted in writing, and the papers submitted by the applicants must evince a competent knowledge of English Grammar."

The students in the Law School are drawn from every part of the United States, as well as from foreign countries, Japan alone this year sending to it twelve students. This year's University Calendar shows the following States represented in the Law Department: Arkansas, California, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, Nevada, New Hampshire, New York, Ohio, Oregon, Pennsylvania, Tennessee, Vermont, Virginia, West Virginia, and Wisconsin. The following Territories are represented: Arizona, Dakota, Idaho, Montana, Utah, and Washington. In addition, Japan, Manitoba, Nova Scotia, New Brunswick, Province of Quebec, and the Province of Ontario contribute their quota. Students come from San Francisco in the west and Boston in the east, from Minnesota in the north, and Arkansas in the south. Out of the four hundred students one hundred and two come from Michigan.

The following table shows the number of students in attendance since the Law School
was opened, as appears from the University Calendar for the respective years.

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<th>Year</th>
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The decrease in 1884-85 was no doubt occasioned largely by the lengthening of the period of study. For every subsequent year there has been a steady gain, this year the number going up to four hundred. While the Calendar of the University so states the figures, as a matter of fact the Law Announcement will show more than that number in attendance, and that since the Law School was opened there was never a larger body of students in attendance on its lectures than are there this year. Neither the rapid multiplication of law schools in different parts of the country, nor the fact that the standard required for admission and graduation has been materially advanced, have operated to decrease the number of students in attendance. Probably no law school in the United States has a longer roll of Alumni than has this. More than thirty-five hundred of its graduates have gone forth to the active duties of their profession. Mr. Justice Harlan, of the Supreme Court of the United States, has accepted an invitation, extended to him by the law alumni and undergraduates, to address them at the Commencement in June.

Those familiar with the Law School have noted with pleasure the fact that an increased number of college-trained men are here pursuing their law studies. The law students were quite jubilant because at a recent "Pronouncing Contest" held in University Hall, at which the Law and Literary Departments were represented by picked men, the banner of victory floated over the Law Department.

The Law Library is one of the best connected with the Law Schools of the United States. For a number of years it was of humble proportions, but it has within the last five years been much augmented and improved. It now contains about ten thousand volumes, embracing the reports of every State in the Union, as well as those of the Federal Courts, and a good collection of those of England, Ireland, and Canada. The current reports of the United States and of England are placed on the shelves as they are issued. The leading legal periodicals are regularly taken and kept on file, including the Law Quarterly Review (London), the Journal of Jurisprudence (Edinburgh), the Juridical Review (Edinburgh), the American Law Register, the American Law Review, the Criminal Law Magazine, the Albany Law Journal, the Central Law Journal, and the Federal Reporter. Students from any State in the Union are thus enabled not only to consult the reports of their own and other States, but to keep abreast of the best thought of the profession in this and other countries as it finds expression in the leading legal periodical literature, as well as in the
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treatises of the best law-writers. The Law School in 1866 was presented by the Hon. Richard Fletcher, one of the Justices of the Supreme Court of Massachusetts, with his valuable law library. Again, in 1885, Mr. C. H. Buhl, a wealthy and public-spirited citizen of Detroit, presented the Law School with the "Buhl Law Library," which was valued at $15,000. These two gifts, with such acquisitions as have been made by the University authorities, make the Law Library an excellent one, and it occupies a large and handsome room on the first floor of the Law Building, —the room formerly occupied by the General Library of the University. But capacious as is the room, the visitor to it on every afternoon will find it full of young men diligently at work examining authorities, and evidently as much in earnest as though they were preparing for the argument of some important case in the courts. Joseph H. Vance, a graduate of the Law School of the Class of 1861, is the Librarian in charge.

As an account of the Michigan Law School would be incomplete without an account of the personnel of the Faculty, we shall sketch the career of those who have been engaged in its work of instruction. Professor Langdell, at the Harvard celebration in 1886, declared that what qualified a person to teach law was "not experience in the work of a lawyer's office, nor experience in dealing with men, nor experience in the trial or argument of causes, nor experience in using law, but experience in learning law." To be a successful teacher of law surely requires distinctive gifts; and a man is not qualified for such a career simply because he may have been successful as an advocate or trier of causes, or may have had an extended experience at the bar or on the bench. In the Michigan Law School the men who have been engaged in the work of instruction have been for the most part men of extended experience, either on the bench or at the bar; and while it is true that such experience does not of itself qualify for the teaching of law, it is equally true that it does not necessarily disqualify, and they have been, hardly without exception, men specially adapted for that work. We understand that at Harvard, Columbia, and Cornell Law Schools the professors are, as a rule, withdrawn from practice, devoting themselves wholly to the teaching of the law. In the Michigan Law School, while a portion of the Faculty are withdrawn from practice, the rest continue in the active work of their profession.

The Law Faculty originally, and for many years, consisted of three men, — James V. Campbell, Thomas M. Cooley, and Charles I. Walker.

James V. Campbell, of the Supreme Court of Michigan, was born Feb. 25, 1823, in Buffalo, N. Y. Three years later his parents removed to Michigan and settled in Detroit, where he has since resided. He attended school at Flushing, L. I., and
matriculated at St. Paul's College, in the same place, where he graduated in 1841. That institution was under the patronage of the Protestant Episcopal Church, and notwithstanding its work was well done it passed out of existence some years ago. After graduation Mr. Campbell returned to Detroit, and entered on the study of law in the office of Douglass & Walker, being admitted to practice in October, 1844, immediately thereafter entering into partnership with his distinguished preceptors. His practice at the bar only covered a period of thirteen years, when he was elected to the bench of the Supreme Court of the State, where he has since remained. One familiar with his professional life says that "time would have made him one of the best trial lawyers of the day. At the bar, as in every relation of life, he was remarkable for acuteness of intellect, mental and oratorical facility, and for that breadth and exactness of knowledge which well earned him the reputation for learning now vindicated by years of public service." As Judge Campbell took his place on the bench in January, 1858, and by successive re-elections has been kept there by the people of the State,—his last re-election occurring in April, 1887, for a term of eight years commencing with January, 1888,—if life and health permit him to serve out his term, he will have had a most remarkable judicial career, extending over a period of almost forty years. It is doubtful whether any man in the United States has been permitted such a judicial experience in a court of last resort, and especially in a State whose judges are elected by popular vote. We are in the habit of thinking that Marshall and Taney had extended careers in the Supreme Court of the United States, where the appointments are made for life; but their tenure of office did not extend over so long a period as Judge Campbell will have served on the bench of the Supreme Court of Michigan if he serves out his term. He served as a professor in the law school for twenty-five years, beginning in 1859 and continuing until the year 1885–1886. His resignation of his chair was matter of profound regret, and was occasioned by the necessity of giving his entire attention to his judicial duties, the work of the court now having become very great. His subjects in the law school were as follows: Criminal Law, Jurisprudence of the United States, Equity Jurisprudence, and International Law. The lectures which he delivered were learned and lucid, and had a charm about them which attracted all. They were delivered with fluency and elegance, and no one listened to them without being filled with admiration for the man. Not only was he well read in law, but he possessed a wide familiarity with polite literature, and a knowledge of history that was extensive and exact. It was evident to all who listened to him, either in the lecture-room or in private conversation, that he was a man learned in many fields, and one possessed of a memory so marvellously tenacious that it seemed never to forget even apparently insignificant details. The University in 1866 very fittingly made him a Doctor of Laws.

Thomas M. Cooley, chairman of the Interstate Commerce Commission, was born in Attica, N. Y., Jan. 6, 1824. His family descends from Benjamin Cooley, who settled in Springfield, Mass., in 1640. The father of Thomas M. Cooley was poor, and his family was large, so that the boy acquired his education under difficulties, earning the necessary money by hard manual labor, extending through the period of professional study. He never had the benefits of a college training, but at nineteen years of age commenced the study of law at Palmyra, N. Y., in the office of Theron K. Strong, afterwards a Judge of the Supreme Court of that State. He removed to Michigan in 1843, taking up his residence at Adrian, and finishing his preliminary study of the law in the office of Tiffany & Beaman. In January, 1846, at the age of twenty-two, he was admitted to the bar. He had already held the position of Deputy County Clerk, and in 1850 was
elected a Circuit Court Commissioner, but being restless and dissatisfied removed to Ohio in 1852, taking up his residence in Toledo, where he formed a partnership in the real-estate business. He remained at Toledo until the real-estate boom, which that city was enjoying at that time, collapsed, and then returned again to Michigan, determined to win success, if possible, in the law. He again made his home in Adrian, and was at one time junior member of the firm of Beaman, Beecher, & Cooley. The senior member of this firm, Fernando C. Beaman, was a member of Congress from 1861 to 1863; and in 1879 was appointed by the Governor to fill the unexpired term of Zachariah Chandler in the Senate of the United States, but declined the appointment. Mr. Cooley also became the senior member of the firm of Cooley & Croswell, the junior member being afterwards twice elected Governor of Michigan.

In 1857 Mr. Cooley was appointed to compile the General Statutes of the State, and in 1858 he was made the Official Reporter of the Supreme Court of Michigan. In 1859, as before indicated, he was appointed a professor in the University Law School, when he removed his residence to Ann Arbor, where he has since continued to reside. He was then thirty-five years of age, and entered on his duties with zeal and energy. In 1864 he became a Judge of the Supreme Court of the State. His associates on the bench, who already knew something of his high qualifications for the place, welcomed him to the position as a worthy successor of the lamented Manning, who had been removed from the bench by death; and yet, as one of them has since said, they were and continued to be more and more surprised and gratified by the abilities which he continued more and more to exhibit as a Judge the longer he continued on the bench. Judge Cooley retired from the Law Faculty in 1884, and from the Supreme Court in 1885. Since his retirement from the Faculty he has not withdrawn his interest in the school, and has from time to time delivered lectures therein, notably so on Taxation and Constitutional Law. Judge Cooley’s career as a University professor, Judge of the Supreme Court, and writer of law treatises is a resplendent one. His works have made him famous in Europe as well as in America, and his name has been a tower of strength to the University of Michigan, which made him a Doctor of Laws in 1873, a similar honor being conferred on him by Harvard University in 1886. As “the one great law book of the last century,” the Commentaries of Blackstone, was the fruit of a professorship in law in an English University, so most of the classic legal literature of this country has been the fruitage of similar professorships here. Chancellor Kent’s Commentaries were the results of his law professorship in Columbia College. All of Story’s works — some thirteen volumes — are the fruits of his work as Dane Professor
in the Harvard Law School. It was in the performance of his duty as a law professor that Simon Greenleaf prepared his work on Evidence, and Parsons wrote his work on Contracts, and on Bills and Notes, as well as on Partnership and Shipping and Admiralty. And in the same way Washburn prepared his work on Real Property. Judge Cooley, during his connection with the Michigan Law School, published his Constitutional Limitations in 1868, his edition of Blackstone's Commentaries in 1872, his edition of Story's Commentaries on the Constitution in 1874, his work on Taxation in 1877, his treatise on Torts in 1879, and his Manual of Constitutional Law in 1880. On the appearance of his work on Torts the "Southern Law Review" declared that "neither England nor America, neither the present nor any other period in the history of the common law, has produced an abler or more learned expounder of its principles." As to the book itself, it declared that it was written "in a style of classic propriety; concise, and yet nothing is wanting; full, and yet nothing is wasted." His greatest work is his "Constitutional Limitations," a book of unique excellence, which at once gave him a national and later an international reputation. As a law lecturer Judge Cooley was distinguished for the clearness of his style and the thoroughness of his exposition. The thousands of law students who have sat under his instruction in the University of Michigan hold him in the highest esteem, and no name mentioned in the halls of the University to-day evokes such an outburst of applause as does his. He may well be proud of the grateful appreciation in which he is held by the students in the University of Michigan. An almost life-size portrait of him hangs on the walls of the Law Lecture Room, having been generously presented to the school by Mr. Albert D. Elliot of the Law Class of 1887, and a graduate of the Academic Department of Harvard University of the Class of 1882.

Charles I. Walker, one of the most honored members of the bar of Michigan, came from a sturdy old New England family "of such timber as had furnished much of the best blood of the West, people of education, intelligence, and independence, as far back as their descent can be traced." He was born in the village of Butternuts, Otsego County, N. Y., on April 25, 1814, whether the family had removed from Providence, R. I., in 1812. The grandfather of Charles I. Walker was Ephraim Walker, who married Priscilla Rawson, a lineal descendant of Edward Rawson, who graduated in 1653 from Harvard College, and was at one time Secretary of the Colony of Massachusetts. Charles I. Walker was one of a family of eleven children, and obtained his education at a district school in his native village, supplementing its course by one term at a private school in Utica, N. Y. For some years he engaged in mercantile business in the State of New York until 1836, when he removed to Michigan, settling in Grand Rapids, where he became a land and investment agent. This business he followed for a short period, when it was abandoned by him, and he became the editor of the Grand Rapids "Times," the only newspaper published in those days in the town. But in 1838 journalism was in its turn given up, and having been elected a Justice of the Peace, Mr. Walker entered on the study of the law in the office of George Martin, who afterwards became Chief Justice of the Supreme Court of the State. In 1841 he determined to complete his legal studies in the East, and removed to Springfield, Mass., and from there to Vermont, in which latter State he was admitted to the bar in September, 1842, being at that time about twenty-eight years of age. He soon succeeded in building up a large and profitable practice, but decided in 1851 to remove from Bellows Falls, Vt., to Detroit, Mich., where his brother, the Hon. E. C. Walker, was engaged in successful practice. He at once entered into partnership with him, and soon made a reputation at the bar. In 1836 he was a member of the second convention called to consider the ques-
tion of the admission of Michigan as a State, and which finally accepted the terms proposed by Congress. In 1840 he became a representative in the State Legislature, and in 1867 was appointed a circuit judge by Governor Crapo, to succeed Judge Witherell, who had died in office. He held the place but ten months, when he resigned because of the inadequacy of the salary. Becoming a professor in the Law School in 1859, he continued to hold his chair for fifteen years, when his failing health and the pressing demands of business compelled him to retire from his professorship. The subjects upon which he had lectured were Contracts, Agency, Bills and Notes, Corporations, and Partnership. It is not passing the bounds of truth and soberness to say that Judge Walker was a most able and successful law lecturer and teacher, and it is doubtful whether any man who has been connected with the Law Faculty of the University of Michigan ever surpassed him in those respects. His lectures were always prepared with the greatest care, his method was excellent, his style clear and elegant, and his citation of authorities was made with great good judgment. No student ever went forth from the Michigan Law School without a profound respect for him. When in the year 1886–1887 he consented to re-enter the Law Faculty for the year to fill a temporary vacancy which had occurred, he was cordially welcomed by all.

Of these three men Walker, Campbell, and Cooley, President Angell in his commemorative address delivered at the semi-centennial of the University in 1887, spoke as follows:

"Perhaps never was an American law school so fortunate in its first Faculty, composed of those renowned teachers, Charles I. Walker, James V. Campbell, and Thomas M. Cooley,—all living, thank God, to take part in this celebration, and to receive the loving salutations of the more than three thousand graduates, who, as learners, have sat delighted at their feet. The fame which these men and those afterwards associated with them gave to the school was a source of great strength to the whole University."

In March, 1868, Charles A. Kent, a prominent member of the Detroit Bar, was elected Fletcher Professor of Law in place of Ashley Pond, who had resigned after a few years of service. Mr. Kent was born in St. Laurens County in the State of New York in 1834, and was graduated from the University of Vermont in 1856. For a time after graduation he taught school, being the principal of an academy at Montpelier, Vt. He studied theology at the Andover Theological Seminary from 1857 to 1859, but giving up theology for law, he came to Detroit in 1859, and entered the law office of Walker & Russell as a student, and was admitted to the bar in the following year. Mr. Kent has never been a candidate for public office, but has devoted himself entirely to the profession of the law. He consented, however, in 1881–1882, to serve as a member of a commis-
sion that was created to revise the tax laws of Michigan, and in that capacity rendered very valuable service to the State. He is a man of the highest character, sincere and genuine at all times and under all occasions. He is a man of sound judgment and of conscientious devotion to duty, who never does anything half-way. Not only is he a well-read lawyer, but he has studied with care questions of government, and political and ethical science. He came to his professorship in the Law School at the age of thirty-four and held the position for eighteen years, when he resigned and gave himself up to the practice of his profession. The old students will always remember him not only for his learning, but for his humor and good nature. He lectured on Pleading and Practice, Evidence, Torts, Easements, Bailments, and the Law of Personal Property. His lectures were prepared with great care, and gave entire satisfaction.

Prof. William P. Wells was born at St. Albans, Vt., Feb. 15, 1831. His father is said to have been a lineal descendant of Thomas Wells, an early Governor of Connecticut. We take the liberty to incorporate herein the following sketch of Professor Wells’s career, which has recently been made public in another connection:—

“In 1874–1875, during the leave of absence of Judge Charles I. Walker, Kent Professor of Law in the University of Michigan, Mr. Wells was appointed to the vacancy. On Judge Walker’s resignation in 1876, Mr. Wells was appointed to the professorship,—a position he held until December, 1885, when he resigned because of the interference of its duties with his legal practice. The subjects assigned to this professorship, and of which Mr. Wells had charge, were Corporations, Contracts, Commercial Law generally, Partnership, and Agency. Upon his resignation an address was presented him by the students, and resolutions of commendation adopted by the Regency.

“From Jan. 1, 1887, to the close of the college year, Mr. Wells held the position of Lecturer on Constitutional History and Constitutional Law in the University of Michigan, temporarily discharging the duties of Judge Cooley, Professor of American History and Constitutional Law in that institution. In June, 1887, he was again called by the Regency to the Kent Professorship in the Law School, and he now holds that position. The subject of Constitutional Law was added to those of which he has charge.

“He was one of the earliest members of the American Bar Association, organized in 1878, which holds its annual session at Saratoga, N.Y., and for several years has been a member of the General Council; and in 1888 was elected chairman of the General Council. At the meeting in 1886 he presented a paper on ‘The Dartmouth College Case and Private Corporations,’ which has been reprinted from the transactions of the Association, and widely circulated, attracting much attention.
Among the members of the legal profession, Mr. Wells stands in the front rank. As an advocate, a lecturer, and a gentleman of broad and liberal culture, he holds a place among the best; and his legal attainments, tested by long practice in important cases, justified his selection as a member of the Law Faculty of the University.

His legal studies, however, have not fully engrossed his attention, and the intervals of freedom from pressing professional duties have been devoted to following avenues of intellectual culture opened by a liberal education.

Naturally a clear and vigorous thinker, and possessing the valuable gift of clear and forcible expression, he needed only the opportunities he has enjoyed to secure eminence as an orator, alike at the bar, in the political arena, and in the halls of the University.

For his duties in connection with the University he possesses special fitness, and it is by that work that he will be most widely remembered. The professional successes of a lawyer, however useful or beneficial, are comparatively ephemeral; but the teacher who has been the means of giving an intellectual impetus, and who has imparted the clear light of absolute knowledge to the inquiring mind, is sure of being held in grateful remembrance. That Mr. Wells has been greatly successful as a professor is conceded by all who have any knowledge of the University, and especially by the students who have been fortunate in having him as an instructor. His abilities are such as to command acquaintanceship with many persons distinguished in professional and political life."

In 1879 the Board of Regents created a fifth professorship in the Law School, known as the Tappan Professorship, which was named for Henry Philip Tappan, President of the University from 1852 to 1863. Hon. Alpheus Felch was appointed to the chair thus created. It has been truly said of him that his record is a part of the history of Michigan, and that it would be impossible to write of any branch of the powers of the State and make no mention of him. He was born in Maine in 1806, and is still living, honored and beloved of all. In 1821 he was a student at Phillips Exeter Academy, and in 1827 graduated from Bowdoin College, where he was a fellow student with the poet Longfellow, who was graduated from the same institution two years before his own graduation was attained. He was admitted to the bar of Maine in 1830, and three years later took up his residence in Michigan. He successively became a member of the Legislature of the State, a Bank Commissioner, Auditor-General, a Judge of the Supreme Court, Governor, and a Senator in Congress. He was a member of the Senate at the same time Webster, Clay, and Calhoun had seats in that body. At the close of his senatorial term, in March, 1853, he was appointed by President Pierce one of the commissioners to adjust and settle the Spanish and Mexican land claims in California, under the treaty of Guadalupe Hidalgo. At the close of his labors on the Commission in 1856, Governor Felch returned to his home in Ann Arbor, where he has ever since continued to reside. In 1877 Bowdoin College conferred on him
the degree of LL.D., and two years later he became, as already said, a professor in the Law School. His special topics were Wills and the Administration of Estates, Real Property, and Uses and Trusts. He resigned his position in the Law School in March, 1883, being admonished by his advancing years that it would be unwise to tax his strength by longer continuing to discharge its duties. A man of pure and gentle nature, of wide experience, and full of honors, his presence is a benediction to those who are so fortunate as to come within his influence. The writer was appointed to the Tappan Professorship on the acceptance of the resignation of Governor Felch, and entered on his duties in October, 1883.

In 1886, when Mr. Kent resigned the Fletcher Professorship, Levi T. Griffin, of Detroit, was appointed his successor by unanimous vote of the Board of Regents. Professor Griffin was born in the State of New York in 1837, and ten years thereafter his parents removed with him to Michigan. He became a student in the Academic Department of the University, and graduated with the Class of 1857. He was admitted to the bar in the following year, being one of the first class to be admitted on examination before the Supreme Court of Michigan, as reorganized. After his admission he remained in Detroit for some months, and then removed to Grand Rapids, where he was engaged in practice until 1860, when he returned to Detroit, which is still his home. He entered the army in 1862, and continued in it until mustered out of service, July 1, 1865, having been brevetted Major of Volunteers for gallant and meritorious services. He belonged to the famous Fourth Michigan Cavalry, the regiment that captured Jefferson Davis at the close of the war. When the war closed, Mr. Griffin again entered on the practice of his profession, and in 1875 associated himself with Hon. Don M. Dickinson, Postmaster-General in the Cabinet of President Cleveland. It has been said of Mr. Griffin that he has perhaps tried more cases than any other lawyer in the State of Michigan. It is certain that his clientage has been large, and his practice extensive and lucrative. He was nominated by his party in 1887 as a candidate for Justice of the Supreme Court, but was defeated by Mr. Justice Campbell.

Bradley M. Thompson was born April 16, 1835, in Milford in the then Territory of Michigan. He prepared for college at Wesleyan College, Albion, and matriculated in the University in 1854, graduating in the Literary Department in the Class of 1858, and in the Law Department in 1860, in the first law class. He commenced the practice of his profession at East Saginaw in 1860. In the spring of 1862 he formed a partnership with Hon. William L. Webber, now President of the Flint & Pere Marquette Railroad, and Hon. Chauncy H. Gage, Circuit Judge of the Tenth Judicial Circuit.

In the fall of 1862 Professor Thompson entered the United States service as Captain in the Seventh Michigan Volunteer Cavalry. This regiment was brigaded with the First, Fifth, and Sixth Michigan Cavalry Regiments, and was known as Custer's Brigade, being under the command of that gallant officer. Professor Thompson was mustered out of service in 1865, as Brevet Colonel, for gallant and meritorious services. He did not resume the practice of law until 1869. He held the office of City Attorney of East Saginaw during the years 1873, 1874, and 1875, and the office of Mayor for two terms during the years 1877 and 1878. In 1878 he was the candidate of his party for Congress in a triangular contest in which Hon. R. G. Horr and Hon. H. H. Hoyt were the other candidates; all being residents of the same city and ward. Professor Thompson carried Saginaw County by a plurality of over one thousand, but Mr. Horr was elected. In 1880, there being a vacancy in the office of Circuit Judge in the Tenth Judicial Circuit, composed of Saginaw County, at a meeting of the bar of that county, Professor Thompson was recommended to the Governor of the
State as the choice of the bar for that office. He did not, however, receive the appointment, a person of a different political faith being preferred. In 1887 the Regents of the University appointed him to deliver a course of forty lectures on the subject of real estate. This course was commenced in April, 1888; and at a meeting of the Board in June following, he was made Jay Professor of Law.

Jerome C. Knowlton, Assistant Professor of Law, was appointed as such in 1885. He was born in Michigan, Dec. 14, 1850, and graduated from the University of Michigan in 1875 with the degree of A.B., and from the Law School in 1878 with the degree of LL.B., and immediately entered on the practice of the law at Ann Arbor. In 1888 he edited an American edition of Anson on Contracts, which is used as a text-book in this and other law schools. He has, in the main, had charge of the text-book work of the Department.

Henry B. Brown, LL.D., the lecturer on Admiralty, is the United States District Judge for the Eastern District of Michigan. He was born in Lee, Berkshire County, Mass., March 2, 1836. He graduated from the Academic Department of Yale College in 1856, and spent the year following his graduation travelling in Europe. On his return to this country he commenced the study of law. He spent one year in the Yale Law School, and then entered the Harvard Law School. In December, 1859, he came to Detroit, and in July, 1860, was admitted to the bar. In less than a year thereafter, he was appointed Assistant United States District Attorney, and held that position until May, 1868. In July of that year he was appointed, by Governor Crapo, a circuit judge for the County of Wayne, and held the position until his successor was elected by popular vote. He soon afterwards entered into partnership with John I. Newbury and Ashley Pond, two prominent lawyers of Detroit, and continued with them in the practice of the profession until March, 1875, when he was appointed United States District Judge. Not long ago one of the Detroit papers contained an article relating to Judge Brown, from which the following is taken, as not being without interest:

"He is a man whose face, head, figure and gait denote the best of mental and physical strength, and seen a square away, protected by an English cape-coat or an ordinary American overcoat, the stranger would call the man about thirty years old. The judge is in reality about fifty years old; but a strong neck, head, and shoulders at work in producing a swinging yet rather jaunty step, which is accompanied by free and careless manipulation of a slight cane, produces an appearance of athletic youthfulness, quite in keeping with the man's health and strength. On the bench the judge is dignified, almost austere; but he is right. He has remarkable power as a judge in the readiness with which he sees and passes upon a point raised by an attorney practising before him. In this way he is an expeditious judge, saving much valuable time. While he is dignified, he is patient, careful,
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fair, and wise, and there is no judge on earth in whom the members of the Detroit and Michigan bar have greater confidence and for whom they have greater respect. Our judge is, besides being a fine lawyer and an able judge, an experienced traveller, and fond of books about travellers; an ardent lover of children, a courtly host, a connoisseur of bric-a-brac and curios, an expert in domestic architecture, a lover of pictures, and a good judge of them."

We may add that, on the death of Mr. Justice Stanley Matthews, the name of Judge Brown has been very favorably mentioned in connection with a nomination to the place on the bench thus made vacant, and his friends are earnestly hoping that he will be elevated to that high station.

In addition to the regular Faculty of the school are some special lecturers of whom mention may be made. Melville M. Bigelow of Boston, the well-known law writer, is a lecturer in this Law School on the subject of Insurance. William G. Hammond, Dean of the St. Louis Law School, lectures here on the History of the Common Law. Special lectures have also been delivered on Medical Jurisprudence by Victor C. Vaughn, Ph.D., M.D., and by Charles H. Stowell, M.D. The Hon. Otto Kirchner, ex-Attorney-General of Michigan, lectured in the school for a time. He is a thorough student, and one of the most prominent members of the bar of Michigan. Prof. Harry B. Hutchins, now of the Cornell Law School, held a professorship here for two or three years. He was a graduate of the Literary Department of the Class of 1871, with the degree of Ph.B., and rendered the University good service as an efficient lecturer and thorough teacher of the law.

The spacious building occupied by the Law School was dedicated to its use in 1863, Judge Cooley delivering the dedicatory address. On the first floor are located the offices of the professors, and the library. The lecture-room, with a capacity for five hundred students, is located on the second floor, as is also a large recitation-room, used for the text-book work of the school. The third floor contains ample debating and society rooms. There are two Literary Societies connected with the school, the Webster and the Jeffersonian. These societies hold their meetings on Wednesday evening of each week during the college year. The Webster Society was organized when the Law School was first established, and it has a membership of more than sixteen hundred.

There are two Greek-letter secret societies existing in the Law School. One of these, the Phi Delta Phi, was founded here in 1869 by John M. Howard of the Class of 1871. Its membership, we understand, is confined to students in law schools and to active practitioners. Since its organization in this Law School it has been established in fifteen of the leading law schools of the country, and numbers among its members some of the most distinguished lawyers and judges, including the late Chief-Judge Waite and Mr. Justice Miller of the Supreme Court of the United States. A chapter of the Sigma Chi fraternity, which in other institutions exists as a literary college secret society, was established here in 1877, and is here composed almost exclusively of students in the Law Department. Both of these societies have been very careful as to their membership.