

## THE LEGAL PROFESSION.

Is the legal profession undergoing a change? Time is changing everything else, education, manners, society, travel, domestic life, and why not the professions? Mr. Patterson evidently thinks so, for in his address to the graduates at the commencement exercises of the Rensselaer Polytechnic Institute, at Troy, last week, Mr. Speaker Patterson said: "In my own calling, I cannot avoid the conclusion that a once noble profession is degenerating into a mere trade. The time was, even within my own recollection, when a great lawyer was everywhere a great man, and the great lawyer was the one who by his professional skill, learning and power could sway courts and juries to his will. The great lawyer of this day is the one who by his tact and ingenuity can get control of the most remunerative causes, and extract from them the largest fees. The time was, and not long ago, when the most cultivated and refined would flock to the courtrooms to listen to the display of brilliant oratory that some celebrated case would call forth, and pay tribute to the genius and power of the leaders of the bar. Within a score of years all this is changed, and the members of the profession are changed too. The lesson once learned that legal acquirements find their end in the fees they bring; the oratory that would speak from heart to heart fully extinguished; court and jury besought for a favorable decision because that means a large fee—and am I not right in saying that the profession is degenerating into a mere trade? Cicero, in the great cases in which he was engaged and reports of which have come to us, did not disdain to use every persuasive art to convince the minds of his hearers, and sought his greatness in the success which crowned his efforts. When Daniel Webster argued before that august tribunal, the Supreme Court of the United States, the *Dartmouth College* case, the tears which he forced from the eyes of the judges whose hearts were touched as well as whose minds were persuaded, must have been to him a greater reward than all the monied fee that his clients could pay him. And yet an attempt by the practitioner of this day to reach a similar result by the display of similar talents would meet with jeers and ridicule, while honor and praise would follow the one who had filled his pockets by wrecking a railroad or an insurance company."

## GENERAL NOTES.

A PERSEVERING LITIGANT.—For the fourth time Cyrus H. McCormick has obtained a verdict against the Pennsylvania Railroad Company, for the loss of his baggage. In 1862 it was forwarded to Chicago from Philadelphia, without his consent, and was destroyed in the burning of the depot at the former place. The judgments in the previous trials were reversed for error on the trials. The present verdict, which was rendered before Judge Barrett, in Supreme Court, Circuit, on the 12th inst., was for \$13,248.55.—*Am. Railroad Jour.*

In *Commonwealth v. Louisville & Nashville R. Co.*, Kentucky Court of Appeals, May 27, 1882, 1 Ky. Law Jour. 611, it was held that running railway trains on Sunday is a work of necessity. The Court said: "Railroad companies, as carriers of passengers, furnish at this day almost every accommodation to the traveller that is to be found in the hotels of the country. His meals, as well as sleeping apartments, are often furnished him; and to require the train when on its line of travel to delay its journey that the passenger may go to a hotel to enjoy the Sabbath, where the same labor is required to be performed for him as upon the train, or to require him to remain on the train and there live as he would at the hotel, would certainly not carry out the purpose of the law; and besides, the necessity of reaching his home or place of destination must necessarily exist in so many instances as to make it indispensable that the train should pursue its way. So of the trains transporting goods, merchandise, live stock, fruits, vegetables, etc., that by reason of delay would work great injury to parties interested. A private carriage in which is the owner or his family, driven by one who is employed by the month or year to the church in which the owner worships, or to the house of his friend or relative on the Sabbath, is not in violation of the statute. So in reference to the use of street railroads in towns and cities on the Sabbath-day. Those who have not the means of providing their own horses or carriages travel upon street-cars to their place of worship, or to visit their friends and acquaintances; and such is the apparent necessity in all such cases that no inquiry will be directed as to the business or destination of the traveller, whether on the one car or the other, nor will an inquiry be directed as to the character of the freight being transported. Nor will the person desiring to hire the horse from the livery-stable be compelled to disclose the purpose in view in order to protect the keeper from the penalty of the law. Such employments are necessary, and not within the inhibition of the statute. The common sense as well as the moral sentiment of the country will suggest that the merchant who sells his goods, or the farmer who follows his plow, or the carpenter who labors upon the building, or the saloon keeper who sells his liquors on Sunday, are each and all violating the law by which it is made penal to follow the ordinary avocations of life on Sunday. The ordinary usages and customs of the country teach us that to pursue such employments on the Sabbath is wrong. Every man can realize the distinction between pursuing such avocations and that of transporting the traveller to his home or the pursuit of such employments as must result from the necessary practical wants of trade."