

tion, upon discovering the true character of the defendants." The action was brought by the wife.—*Albany Law Journal*.

THE PRACTICE OF LAW.

The address of Hon. J. M. Woolworth, before the Iowa State Bar Association, May 10th, contains a remarkably ingenious account of the manner in which custom becomes law. Judge Woolworth also utters the following which is timely: "The practice of law, considered merely as a business, is the least satisfying of all human employments. Considered as a business merely, I say; that is, prosecuted like any craft, or trade, or adventure, solely for the purpose of gain. He who plies this art in that spirit stands in the market and lets himself to hire, and at the end of the day the fee in his hand is his reward; or if with a great enterprise of viciousness, he conceives the law as a dexterous art, contrived by lawyers for lawyers, in order to transmute the property of others into their own possessions, he answers St. Paul's description of certain Gentiles who were 'given over to work all uncleanness, with greediness.' The profession of law is not a craft, or a trade, or a venture. It is not a contrivance for the benefit of lawyers. It cannot be worthily or even decently practiced simply for gain. I do not say that the lawyer may not take rewards for his work; it ought to bring him gain—the gain at once of 'flowing fees' and honor among his fellow-men; and he ought to demand and care for these his dues. But they must be the incident of his service; they must come of themselves and not by much seeking. If in the act of plying this art the counsellor be intent on the fee, if he pursue it as his one object of desire, no matter how much it may increase and multiply, it will be a poor, sordid thing in his hands. On the other hand, if he will keep it in its due place, it will be the *honorarium* of the Roman jurisconsult and the English barrister. In this commercial age when wealth is held before the eyes of men as the one object of desire, and the getting and displaying of it is the chief end of man, the lawyer, whose life is in the very wildest of the strife, is apt to lapse into the mercenary spirit. They who resort to him are busy in getting or recovering or fortifying the possession of property. The

strifes of his days and the studies of his rights are to serve them in their pursuit of money. The very atmosphere of his office is redolent of gold. In the midst of such influences and constraints what is so natural as that he relax his hold upon any conception of the law which is not mercenary; how shall he resist the solicitations to make merchandise of it and pursue it as men follow trade?"—*Albany L. J.*

THE LATE LORD JUSTICE JAMES.

Of this distinguished English judge, who died on the 7th June, the *Solicitors' Journal* says:—"In Lord Justice James the nation has lost a judge who possessed in no ordinary degree that integrity which, as Lord Bacon says, is above all things the 'portion and proper virtue' of judges. He had a passionate loathing for injustice, oppression and trickery; restrained only by the strong common sense which taught him that settled rules of law must not be displaced to avoid individual hardship. In knowledge of real property law he was probably unrivalled on the bench, and in force and clearness of diction he had few equals. His grasp of the facts of the most complicated case was singularly rapid and accurate. Perhaps it was this facility of apprehension which led him sometimes into a rather too early expression of opinion as to the legal bearing of facts. He was not always 'swift to hear and slow to decide.' He was not always patient with counsel whose sense of duty to their clients led them to combat the view which he had taken up. But with all this, he was a judge who inspired great confidence. His opinion, if sometimes prematurely expressed, was seldom wrong; and it was usually supported by a clear enunciation of principle and a careful analysis of cases. His place at Lincoln's Inn will be hard to fill."

GENERAL NOTES.

In the New York Court of Appeals there is a two hours' limit to the addresses of counsel, but more than one hour is seldom taken.

Ex-Judge Tyler, of California, the other day, finding himself opposed by a woman lawyer, Mrs. Clara S. Foltz, lost his temper, and told her that "a woman's proper place was at home, raising children." The lady answered him promptly: "A woman had better be engaged in almost any business than raising such men as you are, sir."