

## LAW PARTNERSHIPS.

Forming a business partnership is the next thing to getting married. Unless there be mutual respect and compatibility of temper, the daily friction between uncongenial natures not only produces discomfort, but materially detracts from the working capacity of the firm. A man's professional standing is as seriously affected by the mere fact of having a partner of shady reputation as his social position would be compromised by the bad character of a wife. Outside of the matter of mental equipment and general business aptitude, the purely personal qualities and attributes are of the utmost importance, and can never be safely ignored when a proposition to enter a copartnership is under advisement. Naturally, a feeling of fraternal affection grows up between the partners, and if a breach unfortunately does occur, one is apt to find much the same intensity of bitterness in a partnership litigation that proverbially exists in family quarrels. There is the same element of "love to hatred turned" to account for it.

We have heard members of the bar, who, recognizing the specially close intimacy and identification of interest of law partners, have maintained that every lawyer should practise alone. No doubt the speakers were better off alone, and probably it was also better for their possible copartners. The partnership relation always entails much mutual forbearance and personal compromise. Just as there are many persons who, from temperament and disposition, ought never to marry, so there are many men, both at the bar and in ordinary business, whose idiosyncracies render a successful partnership impossible. But for the majority of practitioners we believe that a copartnership, provided of course it be a "happy" one, is desirable, and that it will increase the aggregate usefulness of its members.

There are first the very obvious motives of economy and mutual convenience. The clerical and mechanical labor incidental to the business of two or three men can be done more cheaply and at the same time more thoroughly by a force of assistants held in common, whose work is carefully systematized. The practice of the law necessarily in-

volves many absences from the office, and the great practical advantage of arranging engagements so that one member of the firm shall always be responsibly in charge, is in itself a strong argument for a partnership.

But these considerations are comparatively superficial. The essential requisite of a genuine law partnership is community of mind and thought. It must be granted that in many legal firms, especially in the large cities, this element does not in great measure exist. As in conventional society one becomes very familiar with the *mariage de convenance*, so, instances of metropolitan professional life are not uncommon, where one attorney of brains and experience maintains a partnership with another nominal lawyer, who controls a wealthy clientage, but spends his time yachting or on the race track. In the large cities, also, are always found law offices transacting such a large volume and variety of business that each of the partners is a specialist in charge of a separate department. But even in concerns of such magnitude, there will be consultation between the members of the firm upon important matters, and, moreover, each department is virtually a partnership within a partnership, the community of mind and thought of which we have spoken being in constant operation among the subordinates in such department. In hundreds of law partnerships in the great cities, and in the large majority of them in the smaller towns and country districts, mental community is the rule, making the partnership very real and very efficient.

A striking illustration of the effect of mental community in legal matters is to be found in the decisions of the great Courts of Appeal. The most admirable feature in the work of the First Division of our New York Court of Appeals is that it is clearly the effort not of seven minds but, so to speak, of one composite mind. The methods of thought of the judges have been assimilated and unified. Dissenting opinions are rare, not because they deliberately arrange the most available basis of compromise in each case, but because they have arrived at a communal point of view from which every new controversy is judged. The force of the illustration is strengthened by the gradual change in the Second Division