

A History of the American Bar. By Charles Warren. Boston: Little, Brown & Co. \$4.

The rapidly growing interest in law and government reflected and stimulated in our schools and colleges, and by the many books thereon for the general reader, gives point to President Ezra Stiles's plan of some hundred and thirty years ago for an American professorship, which plan, a very important historical document, may be found in Mr. Warren's *History of the American Bar*. Dr. Stiles wrote with prophetic sagacity that a professorship of law was "equally important with that of medicine; not, indeed, toward educating lawyers or barristers, but for forming civilians. It is scarcely possible to enslave a republic of civilians well instructed in their laws, rights and liberties." There are many biographies of Hamilton, Wirt, Marshall, Webster, Choate, Story, Lincoln, and of lesser giants in the law of the United States, and many sketches of lawyers and judges of great fame in their day, and many accounts of local bars. The wealth, not the scarcity of the material, has caused lawyers and laymen to wait long for so adequate a survey of the subject in its entirety as this history by Mr. Warren. He begins with the colonial dark ages of the law, when the Assembly was the court, the "attorneys" were clerks, traders, land speculators, and clever penmen and easy talkers, unlicensed and glib, and the subject of repressive legislation; and why not, law was not stable, the fee hunting, untrained pettifogger was in the land, and the fine old village squire was far in the future. The leading lawyers of the Colonial period were men educated in the Inns of Courts of

London, and with them the Common Law of England came naturally to the front. Mr. Warren notes the great cases whereby the Common Law has been modified, extended and fitted to our needs, as it was when Hamilton in the *Croswell* case successfully attacked the English law of libel and gave us that liberty of the press which has been used from time to time. The limited law libraries of John Quincy Adams, Chancellor Kent, Webster the Expounder, and other great legal minds seem impossible, yet their few books were absorbed; they spent on the substantive law as much time as a skillful practitioner now spends on the Code of Procedure. As the history advances, the changes in methods of preparation for the life of the law are noted, and a chapter is given on the truly formidable list of important books that America has contributed to the professional world, from Kent's "Commentaries" to Wigmore's "Evidence" and Beale's "Railroad Rate Regulation." To the lawyer not the least interesting part of the history is that devoted to the outcry against reports and text books and the crusade for codes, a crusade that began with Bentham and took courage when Napoleon promulgated his code; and he will enjoy, as he always has enjoyed, De Tocqueville's description of American lawyers as America's aristocracy.