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Log of the Classes

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Log of the Classes

Feb. '29 Class Plans Memorial

The Graduating Class of February, 1929, takes pleasure in announcing that as a token of appreciation to Chicago-Kent College of Law, its administration, officers and faculty, for the untiring efforts of those who have instructed us in the Science of Law, for the many favors bestowed upon us individually and collectively and for the ever present spirit of whole-hearted co-operation that has prevailed between the College and the students we desire to present to Chicago-Kent College of Law a sum of money which shall be the nucleus of an endowment fund for the future maintenance of legal periodicals in the School Library.

ARTHUR C. JEPSON, *Pres.*

President Balin Makes Senior Appointments

TRANSCRIPT

Editor—Louis A. Traksl
Associate Editor—A. J. Roznecki
Business Manager—M. R. Kargman
Faculty Editor—Max R. Chambers
Senior Editor—E. D. Schwantes
Junior Editor—C. C. Kirshbaum
Freshman Editor—Joel Wolfsohn
Organizations Editor—H. H. Hitzman
Pictures Editor—L. F. MacMillan
Art Editor—Arthur C. Holt

SENIOR DANCE COMMITTEE

Charles E. Newton, *Chairman*
Charles P. Rockwood
Walter Monarch
J. W. Bissell
Louis A. Traksl

SENIOR PICTURE COMMITTEE

M. Richmond Kargman, *Chairman*
Frederick L. MacMillan
Elliott Smeeth
Harry Rolewicz
Henry Saks

CLASS GIFT COMMITTEE

E. Douglas Schwantes, *Chairman*
N. N. Stonescu
Frank Sitka
A. E. Buccieri
L. C. Rappaport

CAP AND GOWN COMMITTEE

Arthur C. Holt, *Chairman*
Joseph A. Zambreno
David James
Edgar Middendorf
Bernard N. Pearlman

Thomas Named Junior President

Clayton B. Thomas emerged victor in a three cornered fight for the Junior Class Presidency in the election held December 19th, last. Other officers chosen were: Charles Kirschbaum, Vice-President; Mary Arthur, Secretary; J. J. Chapman, Treasurer; and Harry Martin, Sergeant-at-Arms.

The major interest of the electorate was centered in and about the contest for the presidency, a post for which three distinguished candidates were opposed. Mr. Thomas, Mr. MacLean, and Mr. Emerson polled twenty-six, twenty-two and twenty-one votes, respectively. The total vote for the presidency amounted to approximately fifty per cent of those entitled to vote, and about sixty per cent of the students in attendance that evening. Political corruption was confined to the distribution of one old, frayed and somewhat decayed Havana Perfecto y Elegante, which was seen to pass from one of the contending factions to a voter.

When interviewed by a representative of THE REVIEW as to his policies for the Junior Class for his coming term, Mr. Thomas replied: "I shall continue the policies of my illustrious predecessor in the office."

Important Late Decisions

Conflict of Laws—Effect of Deed Executed Pursuant to Judgment in a Foreign Court

An interesting question raised in a number of decisions deals with the effect of a conveyance of land ordered by a court in some other jurisdiction than that in which the land was situated. In the case of *Deschenes vs. Tallman*, 248 N. Y. 33, it was held that a deed executed pursuant to a decree in chancery does not upon the ground of legal duress become invalid and that such a deed would be an effective transfer of title.

Evidence—Presumption of Death

While it is well established law that seven years absence from home without news or information raises a legal presumption that the absentee is dead, the courts have been slow to go further and in general have refused to hold that there was any presumption as to the date of his death. In the case of *Potter vs. Prudential Ins. Co.*, 142 Atlantic 891, it was held that where the insured left home seeking work and was not heard from after August 1909; and where a post card sent to him by his wife at his last known address was returned "uncalled for" to her by the post office department in the year 1910; and where the policy being a term policy ran to November, 1917, there was a presumption, first, that the insured was dead, and, second, that the death occurred prior to November, 1917.

Corporations

Section 38 of the General Corporation Act, expressly provides that each stockholder of a corporation shall have the right at all reasonable times, by himself or his attorneys, to examine the records and books of account, and a penalty is provided for any officer or director who denies access of the stockholders to the books. Section 84 of the same act provides: "A foreign corporation admitted to do business hereunder shall enjoy the same, but no greater rights and privileges and be subject to all the liabilities, restrictions, duties and penalties now in

force or hereafter imposed upon domestic corporations of like character, and to the same extent as if it had been formed under the laws of this State to do the business set forth in its certificate of authority. While this is not an entirely novel situation yet in the case of *People vs. American Discount Co.*, 332 Ill. 18, where this right was affirmed by granting a mandamus, the agent of the corporation involved had removed the books and records to another state and the writ of mandamus was awarded in spite of the fact that final judgment was not entered until after the books had been removed from the State.

Recent Gifts to the Library

Edwin Bebb C92, now located at Wichita Falls, Texas, has made the college library the recipient of a set of New York Common Law Reports. He tells us "that the books have a little history of their own; that they were a part of the library of Mason & Mason when he bought them; that there is that human interest in the association that goes with the books that he finds in reading the CHICAGO-KENT REVIEW and seeing the names of the members of his class who were striving with him to the end of becoming lawyers, judges and men of prominence."

Thomas Tighe Feb. '28, has presented to the college library a valuable compilation of documents illustrative of the union of the American States, published by the Government at Washington as House Document No. 398, 1st Session, 69th Congress. This book contains all of the historical material beginning with the declaration and resolves of the First Constitutional Congress, October 14, 1774, down to and including the ratification of the Constitution of 1787.

These gifts to the library were graceful acts on the part of the donors and indicate the way in which other alumni of the college may show their appreciation and interest in their alma mater.

One Phase of Graduate Work

Every young lawyer must know that decisions in particular cases, though perhaps considered unimportant when rendered, have in many instances affected the entire future development of the law. No doubt he also realizes that even Acts of Parliament have proved incapable of voiding entirely the detrimental effect of bad decisions. How then can the young lawyer fail to miss the tremendous importance to himself of his own decisions! With his sheepskin in one hand and his license from the Supreme Court in the other he must make and forthwith act upon decisions which will determine the whole course of his own career.

"What shall I read?" he probably half-consciously says to himself, and little does he realize that he is turning over in his mind a question of paramount importance. He may realize perhaps that only theoretically is he fitted to be an attorney and counsellor at law; that a little practical knowledge of the law is necessary to enable him to perform his duties towards his clients.

Can he get an answer from older and experienced lawyers? Well, maybe. "Read Blackstone," he is told, and probably he does, but to follow such random advice merely aggravates the troubled condition of his mind. For what he needs is not chance suggestions of this or that book but rather a knowledge of legal development and an acquaintance with the legal literature of the past.

The imparting of such knowledge is one of the purposes of the graduate course at Kent, and fortunate are the students who enroll in the class. With Dean Burke they get out of the woods of cases and from a high plateau get a broad view of the magnificent forest of the law. Here are dead timbers which bear traces of their former lofty trunk and protecting branches, but over yonder one can see green foliage of the living tree of the law. And how interesting it is to note that though evolution there has been, yet there exists similarity of a very striking character. Has each

civilization developed its law through its own intellectual effort, or has the knowledge once acquired been transmitted by the dying nation to one about to assume the leadership of the world? How interesting it would be to tarry on this and similar questions, and to dip deeper into ancient legal lore, if restless time would but permit. On we must travel, catching only fleeting glimpses of Socrates pleading his own defense, Romans giving their laws to the whole world, and Icelandic litigants, cousins of our Anglo-Saxon ancestors, orally stating their declarations in several counts, so that we may consider the Curia Regis and itinerant justices, the Year Books, and the great commentators of the Common Law of England. Rapid is the course necessarily, but at the half-way point one is surprised to realize how much can be learned in a few short hours each week. Valuable as the knowledge acquired may be, of more importance to the young lawyer who wishes to know his law and the reasons therefor, is the acquaintance he gets with the books he should read. No longer is he troubled by the otherwise vexing question, "What shall I read?"

Thomas Tighe, Jr., P. G. '29.

NOTE: *A report on other phases of graduate work will follow in subsequent numbers of THE REVIEW.*

Glen W. McGrew, Feb. '26, and P. G. '28, is on the faculty of the college as instructor in the subject of Mortgages. Mr. McGrew is also college librarian.

Walter Dilger, Feb. '27, is engaged in the practice of law at Quincy, Illinois.

Abraham Feldman and Louis A. Smith, both '27, are partners engaged in the general practice of law at 11 South La-Salle Street.

Arthur Quadow, Feb. '27, announces the opening of his law office at Rm. 1419, 123 West Madison Street.