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# Lawyer Presents--

Notre Dame Law Review Editors

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## THE *LAWYER* PRESENTS

It is the privilege of the *Notre Dame Lawyer* to include among the lead articles in this issue a written debate presenting the legal issues, pro and con, concerning the Bricker Amendment which, as the *American Bar Association Journal* has pointed out, “. . . has aroused one of the greatest debates on the Constitution since 1788.” 40 A.B.A.J. 203 (1954). It is the hope of the *Lawyer* staff that these articles will be of much help in future considerations of this controversial issue.

John W. Bricker, author and chief proponent of the amendment which bears his name is United States Senator from Ohio. Since his graduation from the College of Law, Ohio State University in 1920 he has devoted his life to public service. He was a member of the Public Utilities Commission of Ohio for three years, Ohio Attorney General for two terms (1932-1937) and Governor of that state for three terms (1938-1944). After bidding unsuccessfully for the Vice Presidency of the United States in 1944, he was elected to the United States Senate in 1946 and re-elected in 1952. The Senator is a senior partner in the firm of Bricker, Marburger, Evatt & Barton of Columbus, Ohio, has been a trustee of several colleges and a Director of the American Judicature Society since 1945. He is a member of the Ohio and Supreme Court Bars and of the Columbus, Ohio State and American Bar Associations.

The co-author of the pro-Bricker Amendment article, Charles A. Webb, is presently Legislative Assistant to Senator Bricker. He attended the University of Iowa, B.S. Com. 1938, and received his L.L.B. from the University of Virginia Law School in 1941. He has served as staff member of the Senate Judiciary Committee and of the Senate Republican Policy Committee, 1948-1949. He is a member of the Bar of the District Court of the District of Columbia and of the Supreme Court and a member of the American Bar Association.

The case against the amendment is ably presented by Brunson MacChesney, Professor of Law at the Northwestern University School of Law. He received his B.A. at Yale in 1931 and his J.D. at Michigan in 1934. Since then he has taught at many schools, practiced law, worked

in several executive agencies, *e.g.* the Justice Department and the OPA and has served as special consultant on foreign aid. He is a member of the Council, Section of International and Comparative Law of the American Bar Association, of the American Society of International Law, the Chicago, Illinois and American Bar Associations and the Illinois and Washington, D. C. bars. He is also a contributor of many articles to various legal periodicals.

The author of the final lead article, Clinton P. Flick, has been a member of the Legal Department of the Northwestern Mutual Life Insurance Company in Milwaukee, Wisconsin since 1936. He received his Ph.B. from the University of Wisconsin in 1930 and his L.L.B. there in 1933. After graduation he practiced with the firm of Bull, Biart & Bieberstein in Madison, Wisconsin and then worked as Assistant Counsel for the Home Owners Loan Corporation. Mr. Flick has been with Northwestern Mutual for 18 years, working exclusively with real property problems on a national scale, involving loans for the construction of schools, hospitals, new shopping centers, grain storage facilities, whole subdivisions and medical and dental clinics to name a few. He published his book *Abstract and Title Practice* in 1951 and now teaches a practice course in real property in the Milwaukee Extension Division of the University of Wisconsin. He is a member of the Wisconsin and American Bar Associations.

“Let it be remembered and treasured in the heart of every student, that no man can ever be a truly great lawyer, who is not in every sense of the word, a good man. A lawyer, without the most sterling integrity, may shine for a while with meteoric splendor; but his light will soon go out in blackness of darkness. . . . There is no profession in which moral character is so soon fixed as in that of the law; there is none in which it is subjected to severer scrutiny by the public. It is well that it is so. The things we hold dearest on earth, — our fortunes, reputations, domestic peace, the future of those dearest to us, nay, our liberty and life itself, we confide to the integrity of our legal counsellors and advocates. Their character must be not only without a stain, but without suspicion. From the very commencement of a lawyer’s career, let him cultivate, above all things, truth, simplicity and candor: they are the cardinal virtues of a lawyer. Let him always seek to have a clear understanding of his object: be sure it is honest and right, and then march directly to it.” — Judge George Sharswood in *AN ESSAY ON PROFESSIONAL ETHICS*, 168-69 (4th ed., 1876).