

as Shakspeare gathered all knowledge into poetry, said of the law: "It is one of the best and noblest of human sciences, a science which does more to cultivate and invigorate the understanding than all other kinds of learning put together." The lawyer who undertakes to reach results by evading or forsaking the fixed principles of that science, has not reached that degree of attainment which makes him a worthy member of the profession. The judge who writes opinions or reaches conclusions without the application of the fixed principles of the science of law is but building flimsy castles which will soon be in ruins about him. "Of all things human," remarked Tacitus, "the most precarious and transitory is a reputation for learning and power which has no strong support of its own."

The law being a science, it demands adherence to its fundamental principles. Who can read the maxims of the law, as collected and illustrated in a single volume by Herbert Broom, without therein finding the rules that have controlled the judgments of the greatest jurists? These maxims may be found running through the written opinions of judges from the ruder ages to the higher refinement of the present time, and have found a place in the code of every civilized nation. We have reached an age when legal reasoning and the applications of principles in the various sources of litigation occasioned by our increased commerce and national intercourse have produced subtleties and nice distinctions not formerly known, yet those have not destroyed the maxims of the law, but have rendered our accurate acquaintance with them all the more desirable. I believe it is as true that an accurate knowledge of the first principles is as imperative in the study of law as in the study of any other science.

It is the province of the professor in the law school to see that the mind of the student is drawn to these essential elements in his education and to cull from the vast libraries of reports and decisions those cases that illustrate the application of the primary elements and principles of law to the controverted questions between litigants.

It is the duty of the professor to deal with the law as a science, and to start the student on the highway towards acquiring a knowledge of the deep, broad, and fundamental principles of that science. Such is the chief value of a law school.

The successful lawyer must love and idealize his profession. He must be proud of its history, and exult in the great names that adorn it. Pages from the books of the great law writers should be to him as matters of common knowledge. Text books by leading authors, such as Blackstone, Kent and Greenleaf, Parsons, Cooley and Pomeroy, must be mastered by the most intense, profound and indefatigable study. His thoughts must be impressed and his enthusiasm stirred by the far-reaching power of these writers in applying the fundamental principles of the science of law. I am not speaking of that study which the law student gives to these writers, I refer to the study which the practical lawyer must give in reviewing them. If ever a practicing lawyer comes to feel that he has learned all the law that he desires to learn, and no longer devotes himself to study except when he may find it necessary in preparing to argue a case in hand, that man has reached the period of decline. Through the thousands of volumes of reports are scattered opinions written by the greatest judges, which opinions stand out in their majestic and beautiful proportions like the chiseled work of renowned sculptors. It is in the reading of these opinions produced by master minds, that the thoughtful lawyer finds how principles should be applied to reach results, to arrive at correct conclusions.

The greatest of American judges was Marshall, whose

scholastic opinions have the polish of the most refined literature, and the keenest of judicial reasoning. His opinions can always be read with profit and delight. The lawyer who has become familiar with the opinions of Marshall, covering the period of thirty-five years that he presided over the supreme court of the United States "with native dignity and unpretending grace," has become familiar with the manner in which the science of law is made to solve the most difficult questions, by a polished reasoning that commands approval and can provoke no dissent.

There have been others approaching near him. We can not omit an allusion to that grand man, the late associate justice, Samuel P. Miller, whose penetrating intellect detected at once the important facts in a case, and whose discriminating mind seized upon the controlling elements and went to a conclusion that was invincible and always commanded the highest respect. He was supremely fitted for his exalted judicial position by his solid judgment, and his opinions can always be studied as masterly expositions of the law.

There are those now living, on the bench of the supreme court of the United States, and on the supreme bench in many of the states, whose opinions brighten and embellish the pathway of the studious lawyer.

When it is remembered that no man ever achieved fame or power at the bar until he had practiced and studied law for twenty years or more, it is idle to imagine that one can depend upon superficial study or flashes of genius to make him a competitor with the foremost men of the profession. To become a first class lawyer one must have all the principles and elements of law fastened upon his memory, and must have so great a familiarity with the leading text books and judicial opinions that the same may at all times appear spread out before him, subject to his gaze, as he would look upon a vast landscape, viewing the hills and valleys, the river and small streams wandering toward it, the trees and flowers, all blending in harmonious unison, while from any part of which he may turn for embellishments.

It is one thing to know what at law is, and it is another thing to know how to state it to a court. It is still another, and a task equally difficult, to gather facts and to state them to a court and to so arrange and embellish them before a jury so as to produce convictions and reap results. A lawyer should be a perfect scholar in the field of general literature as well as in the field of general law. He should possess knowledge on general subjects. In addition to literature and history, the fine arts, poetry, music, painting, and sculpture should be made to contribute to his store of valuable information. "From a mind filled with classical imagery and poetic fancies troop metaphors which fix the fact, rivet the attention and lend a pleasing charm to the speaker's style.

Illustrations of this we may find in the speeches of Erskine, Curran, Pinkney, Choate and Prentiss, and by listening to and studying the oratory of some of the greatest lawyers of the present day, such as Joseph Choate, Robert Ingersoll, William Evarts, Thomas J. Samuels, and were it not that I might be thought to flatter I would mention two or more from our own state of Nebraska.

The minds of jurors vary as do the tints upon the clouds, and the advocates to remove prejudice and inspire confidence, must be able to draw the illustrations from the fields of nature, remembering, as Virgil tells us, that "hearts are touched by human things," and he must also employ the polished rhetoric found in the classics.

Sir Walter Scott's description of a lawyer's library in Scotland, as found in that charming novel, "Guy Mannerling," furnishes an excellent illustration of the extensive learning necessary to make a successful lawyer. "The well