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THE MARQUETTE LAW REVIEW— A TRIBUTE

GEORGE R. CURRIE*

I salute the fiftieth anniversary of the founding of the *Marquette Law Review* and commend it for the excellent standards it has maintained since its inception. We on the Wisconsin Supreme Court hold it in very high regard. The following comments are grounded on nearly sixteen years of experience as a member of that court during which period frequent resort has been had to the *Marquette Law Review*.

There are two types of articles appearing in the *Review* which have proved of great value. The first category consists of articles which cover and review a particular phase of law and all of the significant Wisconsin decisions which have played a part in developing Wisconsin law in that sphere. Typical of such articles is the scholarly and thorough article by Patrick W. Cotter entitled, "Observations on the Law of Joint Tenancy in Wisconsin," published in two installments in Volume 39, page 110, and Volume 40, page 92.

The other type of helpful articles are those which attempt to demonstrate a trend in the development of some field of law. Unlike the type described above, the decisions cited therein are not confined to those of the Wisconsin court but are nationwide in scope. In addition to case citations, there are usually included citations to texts, law reviews, and other authorities together with selective quotations. The genius of the common law is its ability to adapt itself to meet the needs of society in changing times. Thus a well done article that analyzes a developing trend in a field in which the court may be required to act can often be of inestimable value. "How Strict is the Manufacturer's Liability?—Recent Developments" by Professor Walter H. E. Jaeger, appearing in Volume 48, page 294, is such an article.

The Comments and Notes contributed by the law students comprising the editorial staff often prove of assistance to members of our court. An example which comes to mind is the Comment, "Gambling Today Via the 'Free Replay' Pinball Machine" by Robert J. Urban, Volume 42, page 98. This proved very helpful to the author in the writing of the court's opinion in *Milwaukee v. Milwaukee Amusement, Inc.*, 22 Wis.2d 240, 125 N.W.2d 625 (1964).

Frequently the case selected for the subject of a Note is one decided by our court. Naturally our ego is assuaged when the comment

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is favorable. When it is unfavorable we are not too perturbed. Critical comment has this to commend it—it causes members of the court to re-examine the decision in light of the criticism voiced.

If there were no critical comments of decisions by Notes authored by law students, a law review would be tepid reading. The late Justice John D. Wickhem, who was one of the author's favorite professors at the University of Wisconsin Law School, enjoyed telling this story. As faculty advisor he informed one of the students of the *Wisconsin Law Review's* staff that he thought a particular recent court decision would be good material for a law review Note. After the lapse of a couple of weeks the student reported, "Professor, I don't think I can use the case as the subject of a Note, because I agree with the decision."

There is one further valuable function which the *Marquette Law Review* has performed for the members of our court during the past six years in which they have been supplied with law clerks. Many of the law clerks chosen from Marquette University Law School have received valuable experience in legal research and legal writing as a result of having served on the *Marquette Law Review's* editorial staff. This training has proved excellent preparation for the work of a law clerk.

I am pleased to have been afforded this opportunity to express on behalf of the members of our court appreciation to a Law Review from which we have so greatly benefited in performing our judicial labors.