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THE MARQUETTE LAW REVIEW—ITS FIRST FIFTY YEARS

ROBERT F. BODEN*

The school year 1916-17 was an important one in the history of the Marquette University Law School. The school at that time was in its infancy, having opened its doors only eight years before. Housed in a remodeled residence on the site of the present law building, the student body of 167 was, on the eve of this country's entry into the First World War, engaged in preparing themselves for the Bar. The first issue of the *Marquette Law Review* appeared in the Fall of 1916, the product of the efforts of that student body. When the Marquette law students of 1916 produced that first issue of the *Review,* under the guidance of Professor Clifton Williams, as faculty moderator, they were pioneering in the production of a law school publication devoted to scholarly writing. Law Reviews had emerged in the old and established law schools of the East at a somewhat earlier date. In all the vast area west of the Allegheny Mountains and to the Pacific Ocean only four law schools established law reviews before Marquette—Michigan in 1902, Northwestern in 1906, Creighton in 1909 and Iowa in 1915.

As a matter of fact, the early appearance of the *Marquette Law Review* among the law reviews of the country is easily explained. The masthead of the first issue discloses that the editorial board in that first year consisted of men who were to go on to greatness in the legal profession, and it is little wonder that, with such potentially great legal talent enrolled in the School, the *Marquette Law Review* appeared when it did. To name but a few, that first Board of Editors consisted of such men as James D. Moran, Class of 1917, Editor-in-Chief Giles F. Clark, Class of 1917, Charles A. Thekan, 1917, the late beloved Francis A. Darnieder, 1917, who for thirty years served as Professor of Law in this School, Nelson F. Petrie, 1918, and a host of others who went on to distinguish themselves at the Bar.

That first issue of the *Marquette Law Review* set the tone for the *Review* which has now guided it through fifty volumes, namely, to devote itself to the "exposition of matters which we may deem of special, practical value to the Wisconsin Bar." The list of authors contributing to the first volume reads like a "Who's Who" of the legal profession of Wisconsin in 1916. The very first article is authored by Chief Justice John B. Winslow of the Wisconsin Supreme Court. Other contributors to that issue included Professor A. C. Umbreit of the Law school fac-

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ulty, Carl B. Rix, later president of the American Bar Association and a long time member of the faculty, Edward W. Spencer, E. L. McIntyre and Charles B. Quarles of the Milwaukee Bar, Associate Justice Marvin B. Rosenberry of the Wisconsin Supreme Court, later a great Chief Justice of that Court, and Max W. Noll, later judge of the Municipal Court of Milwaukee County.

That first volume of the *Marquette Law Review* contained 203 pages. This volume, now being concluded and constituting the 50th, will contain nearly 700 pages.

I think that it is a fair appraisal of our *Law Review* that through the first fifty years of its publication it has made a conscientious effort to be of service to the Bench and Bar in the selection and publication of articles which will be found helpful to attorneys and judges engaged in the daily practice of law. However, the greatest value of a law review is probably not in the service that it can render to the Bench and Bar but in the training ground that it provides for young men preparing for careers in the legal profession. In this sense, the nation's law reviews probably stand alone among co-curricular teaching devices in institutions of higher learning in this country. As we all know, probably no other discipline in modern America has a system of learned journals contributed to heavily by students yet to achieve first degrees in that discipline. The law review provides the opportunity for law students to engage in in-depth research, in the analysis of legal problems and in legal writing to a measure and extent quite impossible in any other activity available in the law schools of today.

Having written and contributed to the *Law Review* in student days, and having had the privilege and honor of serving as Editor-in-Chief in its 35th year, I can personally attest to the great value of law review experience as a tool in the total legal education of a man preparing for admission to the Bar.

What lies ahead for the *Marquette Law Review?* From the vantage point of the Dean's office, this writer can see only the brightest of futures. Plans to enlarge the circulation are already under way. Increased scholarship assistance for *Law Review* editors and Board members have been made possible in the last year and will continue in the future, thus encouraging broader participation in *Law Review* activities. Increased support of the *Law Review* is one of the main objectives of the Woolsack Society, an organization of alumni formed in 1966 to help the Law School in the total improvement of its programs and projects. The new addition to the Law School building, now under way, will contain not only expanded research facilities, but specifically new and larger quarters for the editorial offices of the *Review.* The University has expanded its commitment to the production of an excellent *Review* by providing for the first time in 1966 full time stenographic

assistance to the Editorial Board, and this program will continue into the future.

With the solid support and backing of the University Administration and the Administration of the Law School, the only additional ingredients necessary to the continued success of the *Marquette Law Review* is the interest and enthusiasm of the faculty and students and the continued support of the *Review* by the Bench and Bar. We have had that interest and support in the past and there is every reason to be sure that it will continue in the future.

It would be an impossible task to single out faculty members and students who have contributed to the success of the *Marquette Law Review* over the past 50 years. Literally hundreds have been involved. It is appropriate, however, to mention here the contributions which have been made over the years by the men who served as faculty moderators of the *Law Review.* They perhaps alone know the vast amounts of time and energy expended in guiding the production of the *Review.* On the occasion of the 50th Anniversary of the *Marquette Law Review,* therefore, it is appropriate that we salute the following: Prof. Clifton Williams, first faculty moderator, and later Dean of the Law School, who served in 1916-17 and 1918-20; Prof. Carl B. Rix, 1917-18 and 1924-28; Prof. Walter D. Corrigan, 1920-21; Prof. John McDill Fox, later Dean at Catholic University, 1921-24; Prof. Carl Zollman, 1924-27; Prof. Willis E. Lang, 1928-41; Prof. Daniel J. McKenna, 1928-29; Prof. J. Walter McKenna, now at St. John's University, and Prof. Vernon X. Miller, now Dean at Catholic University and past president of the Association of American Law Schools, 1933-41; Prof. Paul Noelke, 1941-42; Prof. Francis A. Darnieder, 1942-46; Prof. Kenneth K. Luce, 1946-51; and Prof. Leo W. Leary, 1951 to the present.

To these men who have guided the *Law Review* through its first fifty years, and to all of the others who participated in bringing us to the conclusion of Volume 50, the University is grateful. May the next fifty years see even greater accomplishments.