

# The Law: Business or Profession?

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law, and equity, and international law, but confined to law running in the United States. Its method is to give in each instance an historical introduction, showing the successive changes in condition, and then an analysis of the law, with definition, and selections from decisions and opinions.

It is obvious that the compression of such a subject into four hundred pages is an appalling task, and plainly specialists in each branch will criticize. The historian will complain that the historical introductions are incomplete; for instance, causes of settlement in the United States are mentioned, but none of those resulting from dissatisfaction at home, which actually led to many immediate modifications of law (pp. 3-4). Lawyers will wonder at the absence of the word "pleas," and at the description of an "Execution" as a remedy (p. 174). More important is the omission of all mention of the process by which change comes about. It is true that the description of such conflicts would involve the use of a disproportionate amount of space, but a recognition that the demand for change generally precedes the adaptation, and some discussion of the time element in adjustment, are almost called for. A mention of such movements as that of the American Bar Association, to study the question of modernization, would have tellingly supported the thesis of the book. A criticism still more important, because indicating a certain looseness in thought, is involved in the inclusion of the Monroe Doctrine as law.

With these qualifications, the book can be highly praised. The desirability of presenting its central theme to the lay mind is very great. One can imagine the book read with great profit in the vocational schools. It is clearly presented, is sound, and is particularly strong in the selection of cases. One may say that considering the space, most vitally important cases in the several fields are mentioned, and that the quotations are made not only from those of importance, but among them, from those best written and most easily understandable. If one could hope that this much legal knowledge was generally possessed, there would be little cause to fear for the overthrow of our institutions, or from their undue survival. In this respect the book tends to be conservative rather than radical.

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CARL RUSSELL FISH

**The Law: Business or Profession?** By JULIUS HENRY COHEN. Revised Edition. New York: G. A. Jennings Co., Inc. 1924. pp. xviii, 513.

Never, perhaps, was there more need than at the present time, of putting strongly and interestingly before the minds of all, lawyers and laymen alike, the high ideals and the lofty aims which should animate the members of the "Ancient and honorable profession" of the Law.

For this reason, if for no other, the revised edition of *The Law—Business or Profession?* by Julius Henry Cohen, should be welcomed. It is a book for all. Lawyers old as well as young need it to instill or to arouse enthusiasm for the true spirit of their profession. Laymen need it even more, in order that they may have correct ideas of the very meaning of the profession.

The closer interrelation of business and law, which now obtains, has not always extended an uplifting influence. Business has been encroaching on the domain of law, attempting, to the detriment of both, to do the work which properly belongs to the law, and business men often wonder why lawyers can not do certain things, employ certain means, only too common in business, at least in certain quarters, and on the other hand, not a few of those admitted to

the bar—I hesitate to call them lawyers—misled by specious arguments or the desire for immediate gain, have been led to adopt so called business methods, to the lowering if not destruction of the higher ideals of their profession. This has led, on the part of not a few laymen, to much criticism, if not mistrust of lawyers in general. Even among those who should be better informed and who have it in their power to influence public opinion, there is an amazing amount of non-information, or misinformation concerning the underlying principles and the limitations of the practice of law. This is what makes the present edition of Mr. Cohen's book so opportune.

The former edition is too well known to all, for comment or approbation. Even the author could find nothing in it to change. Up to page 319, with the exception of the "Foreword," by the author's friend and associate, the uplifting work of the committee of Professional Ethics of the New York County Lawyers' Association, the present work is a verbatim reprint of the first edition. The new part, beginning with the "Postscript," page 321, is of decided advantage and interest, as showing the advance in circles even outside the law, of the importance attached to correct professional and business ethical ideals. This growth has been made during the eight years which have elapsed since the book first appeared.

Of special interest in this added part is the Postscript itself, its purport admirably summed up in No. VI, "The Law *IS* a Profession, not a Business." The addition to appendix B, the rewritten appendix C and the new appendix D, are also of extreme importance due to present tendencies.

May the book continue its work of making for higher ideals. It may not be amiss to add that the new publishing house of G. A. Jennings Co., Inc., has done its work well as regards both printing and binding, and "the price is right."

H. B. M.

**The Law of Leases of Real Property.** By CLARENCE M. LEWIS of the New York Bar. New York: Baker, Voorhis & Co. 1924. pp. xliii, 674.

This work contains nothing by way of an abstract discussion of the law of landlord and tenant, but it is confined to the presentation of such authority and reason as bears directly upon the various vital clauses in real estate leases which are the underlying structure of the book. The object of the author is to furnish to practicing attorneys a guide in the preparation, construction and litigation of leases of real estate.

Forty-five forms of lease clauses are considered and each is the foundation for separate treatment in what is the equivalent of a paragraph. Practically every clause form is annotated with citations, by page or section, to text-books, followed by a digested statement of the facts and holdings of State, Federal and English Courts upon the consideration of the same or similar lease clauses. Many of the clauses have been further annotated with brief articles from *Harvard Law Review* or other law reviews. The majority of the cases which are digested are from New York. The author does not discuss the principles of law involved, but submits the entire matter in the form of a comprehensive brief of the authorities and cases. He cites no cases aside from those which are digested.

There is a table of cases, a good index, and a bibliography of the Law of Leases and of the Law of Landlord and Tenant. Another mechanical feature of merit consists of four blank pages which have been reserved in each paragraph for the insertion of notes and further annotations.