

ity, professional attainment and temperament for high judicial office is to be applauded and approved, but it feels none the less keenly, together with the faculty and students, the well nigh irreparable loss suffered in the termination of his leadership of the Yale Law School. The students will sorely miss his quick understanding of their point of view, his helpful sympathy alike in times of good and ill fortune, and his unfailing courtesy and considerateness under all circumstances; the members of the faculty will regret the withdrawal of a wise leader, a fair and tactful presiding officer, a highly efficient teacher, a valued friend and comrade; but the editorial board and management of this Journal suffer a peculiar loss. Ever ready with encouragement and aid in the difficult task of maintaining the Journal as a worthy exponent of the work and the character of the Law School, he never tired in lending counsel, and even more material aid to the business management in solving the innumerable problems that arise in the conduct of such a publication. It is earnestly hoped that articles from his pen may continue to appear in these pages, and that his friendship and counsel are only removed, and not withdrawn.

Robert Maynard Hutchins, Secretary of Yale University, has been named as Acting Dean of the Law School. He was graduated from Yale College in 1921, received an honorary Master's Degree there in 1922 and his LL. B. from the Yale School of Law in 1925. Since then he has been a lecturer in the Law School.

SIMEON E. BALDWIN

The Yale Law School owes more to Simeon E. Baldwin than to any other person. This is not the debt of an abstraction to a name; it is the debt of several thousands of law students and teachers to a strong and steadfast human personality.

No one living person knows the whole story of Judge Baldwin's service to this school. For almost sixty years his name has been on the roll of the faculty; and for more than forty of those years he played the part of an active teacher and director. Soon after the Civil War he recalled the dying school to life; he renewed and expanded the faculty; he organized graduate work in law, developing especially the work in Roman law and comparative law; he gave constant and efficient instruction in many courses, especially in railroad law, constitutional law and the conflict of laws; he wrote freely for the Law Journal; for a long period he carried much and perhaps all of the financial responsibility for the school's existence, and now has remembered the school most generously in his will; and above all,

throughout his long service, he impressed his students and colleagues with the great qualities of his character and personality. He was strong, inflexible and confident, prompt and definite of decision, unfailingly exact in meeting appointments, austere in appearance but generous and warm-hearted in reality.

Few men have had as wide a range of interests and activities as did Judge Baldwin; and it was outside as well as in that he served the school and the university. To give a full account would require much research and would fill these pages to overflowing.

As an author he was assiduous and successful, his writings covering many fields. Among the volumes from his pen are a Connecticut Digest, a treatise and a casebook on railroad law, and separate volumes on Private International Law, The American Judiciary, Modern Political Institutions, The Young Man and the Law. In the library of the school are four bound volumes containing approximately ninety of his articles and pamphlets. These volumes are respectively entitled: "Law and Law Reform," "Studies in History," "International and Constitutional Law," and "Studies in Legal Education and Social Science." This can hardly be a complete collection, although the volumes were collected and indexed by Judge Baldwin's own hand.

As a scholar and public-spirited citizen he played an important part in a surprising variety of organizations. He actually served as president of each of the following: American Bar Association, International Law Association, Association of American Law Schools, American Historical Association, American Political Science Association and American Social Science Association. For twelve years he was director of the comparative law bureau of the American Bar Association. He was a member of learned societies abroad, attended their congresses and contributed to their proceedings.

All of the foregoing Judge Baldwin combined with active practice at the bar. For seventeen years he served his state as a Judge of the Supreme Court, for the last three being Chief Justice. On reaching the age limit, he retired as judge only to be elected for two successive terms as Governor. Next he was the candidate of his party for United States Senator, failing of election only because his state was caught in one of the national landslides. These positions and honors came to him unsought. Not he the man to partake in any scramble for office or the scheming and bargaining of politics. For years the press of his state has acclaimed him as the First Citizen of Connecticut.

The attempt will not be made here to characterize the quality of his service in all of these many lines, except as that is char-

acterized by their very number and the standing that he attained in each of them. Scaling many heights, it may well be that he did not attain the highest of all. As a statesman, considering his austerity and his remoteness from political strivings and manipulation, his success and achievement are marvelous. As an author, considering the breadth of his interests and his work in the world, the amount and quality of his writing are astonishing. As a judge and lawyer, few have ever reached so high a plane. And as an educator, he contributed so much that any weakness or limitations of the product must be charged to his colleagues and assistants rather than to him.

Smaller men than he have at times criticized Judge Baldwin's work as an author and educator, as a judge and a statesman. One of the compensations of life is the opportunity it offers to point out the flaws in the work of greater men. But an even greater compensation is the opportunity, rarely offered as in the present instance, of appreciating character and personality. Judge Baldwin practiced, though he never unwisely preached, adherence to the highest mores of his time. The frugality and simplicity of his life were about as striking as was the unostentatious liberality of his contributions to others. He was confident, definite and inflexible; and yet his modesty and sense of proportion are strongly witnessed by his unswerving loyalty to this law school, a loyalty expressed even in his last will and testament, in spite of its departure from at least one of his long supported policies. Such a man is the man to live with. He is the man whose memory will be kept green; partly, indeed, because of his ideas and his unusual achievements, but even more largely because of his life and character. The Yale Law School will be proud to continue to build upon the broad and massive foundations laid by this man throughout his long and noble life.

ITEMS FORWARDED FOR COLLECTION AND REMITTANCE

Because of the increased frequency of bank failures¹ in recent years, the question as to what protection can and should be granted the various parties dealing with banks has become a

¹ "Unlike the record of commercial failures, the statistics of banking suspensions in the United States for the year 1926 show sharp increases in both number and liabilities. Totalling 608, the banking suspensions compare with 464 in 1925, an increase of more than 30 per cent., and last year's indebtedness, at \$212,074,999 is nearly 29 per cent. above the \$164,698,510 reported for 1925." *DUN'S REVIEW*, No. 1737, Jan. 8, 1927, at 26. A table of bank failures from 1900 through 1925 can be found on page 298 of the *WORLD ALMANAC AND BOOK OF FACTS* for 1927. For the five-year periods of 1911-1915, 1916-1920, 1921-1925 the number of bank failures were 702, 307 and 2616, and the liabilities were (in thousands of dollars) 212519, 111861, and 973202 respectively.