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### Report of the Meeting of the Section of Legal Education of the American Bar Association

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mere general construction of its terms. The effect of the holding was to deny to an insured the right to deal with his policy, because of a vested interest in the beneficiary, which, nevertheless, was subject to revocation, at the mere will of the insured. That vesting would appear to be of such a fugitive character as to be greatly negligible.

This ruling is applied to a policy in ordinary insurance, and we greatly doubt, even if it be sound, that it ought to cover insurance in fraternal or benefit societies, as to which it has been held, in a general way, that the beneficiary has no vested interest whatever. This doctrine in fraternal insurance has been very vigorously applied and comprehensive language has been used in declaring that the beneficiary has no standing whatever.

**NEGLIGENCE—EXPERT EVIDENCE IN DETERMINING PROXIMATE CAUSE.**—In *St. Louis I. M. & S. R. Co. v. Steel*, 178 S. W. 320, decided by Arkansas Supreme Court, the facts show that deceased was injured in October, 1912, his back being bruised from a car running against him. He went to his home complaining of his back hurting him. He afterwards walked with a stick, ceased doing any work and his health continued to decline. In June, of 1914, he contracted typhoid fever and died from that, as the immediate cause, in August thereafter.

The doctors all testified that typhoid fever is caused by a germ and does not result from trauma, one doctor testifying, however, that lowered vitality and weakened condition resulting from injury may have caused deceased more easily to have become infected with the typhoid germ and made his chances of recovery more doubtful.

The Supreme Court thought that under the evidence the typhoid fever was "an intermediate cause disconnected from the primary, or original injury."

In this the court distinguishes between a possible cause and one fairly shown to arise out of the injury. This is to say the jury had no right to guess at the proximate cause, but as a question for the jury, proximate cause must be shown probably to arise out of a "particular situation in view of the facts and circumstances surrounding it." This is a rule somewhat difficult, at least, always, to apply, but here there seemed no room for a jury's conclusion, that the typhoid fever was a result of the injury.

#### REPORT OF THE MEETING OF THE SECTION OF LEGAL EDUCATION OF THE AMERICAN BAR ASSOCIATION.

The Section of Legal Education of the American Bar Association held three sessions at the Salt Lake City meeting on Monday and Tuesday, August 16 and 17, and on Thursday, August 19. Although the place of meeting was almost a mile from the headquarters of the American Bar Association in Salt Lake City, each session was well attended and marked with a decided interest in the subjects presented for discussion.

The session on Monday was in the nature of a conference of State Bar Examiners, Supreme Court Judges, and law school teachers. The subject for discussion was, "The Best Practical Method of Ascertaining the Moral Character of Candidates for Admission to the Bar." An able paper on this, by Judge David Leventritt, of New York City, was followed by a discussion in which many took part, including Judge Andrew A. Bruce, of the Supreme Court of North Dakota, Hollis R. Bailey, of Boston; Walter George Smith, of Philadelphia; Henry H. Wilson, of Lincoln, Nebraska; C. P. Arnold, of Laramie, Wyoming; William Draper Lewis, of Philadelphia; Nathan W. MacChesney, of Chicago; Judge Charles S. Lobingier, of the United States Court, Shanghai, China; George D. Ayers, of Moscow, Idaho; John B. Sanborn, of Madison, Wisconsin; Victor H. Kulp, of Norman, Oklahoma; H. A. Bronson, of Grand Forks, North Dakota; A. E. L. Leckie, of Washington, D. C.; Charles L. Griffin, of New York City.

One result of the paper and the discussion was the following resolution, proposed by Mr. Hollis R. Bailey, and adopted by the Section:

Resolved, That it is desirable that a personal examination of each applicant for admission to the Bar should be had as to his moral character, such examination to be in

addition to the examination as to his educational qualifications, and also in addition to the requirements of certificates as to his moral character.

The annual address by the chairman of the Section, Mr. Charles S. Shepard, of Seattle, Washington, was delivered on Tuesday afternoon. This session was notable from the fact that the chairman's address, the paper by Mr. Lawrence Maxwell, of Ohio, a leader of the American Bar, the paper by Professor John H. Wigmore, of Chicago, a leader in legal education in America, and the address by Andrew A. Bruce, of the Supreme Court of North Dakota, a recognized leader in the American Judiciary, all concurred in urging the importance, to the lawyer individually and to the state, of a broad pre-legal education as a preparation, not merely for work in the law school, but chiefly for the practice of the law. It was the strongest presentation of this view that has been made in the American Bar Association. In the discussion following Judge Bruce's address, remarks were made by Governor Baldwin, of Connecticut; Judge Roderick Rombauer, of St. Louis; John W. Kemp, of Los Angeles; William A. Hayes, of Milwaukee, Wisconsin; Charles S. Potts, of Austin, Texas; John A. Chambliss, of Chattanooga, Tennessee; Judge John C. Townes, of Texas, and others.

The chief feature of the Thursday session was the report of the committee on Standards for Admission. This report, the result of several years of hard work by a committee of eminent lawyers, appointed for the purpose, took the form of eighteen distinct propositions. A number of these were approved by the Section. On some the Section hesitated. After considerable discussion, all the propositions which the Section did not approve were referred to a conference to be held next year at the opening of the annual session of the American Bar Association. These propositions, as well as those which were adopted by

the Section, will appear later in these columns. Both raise some very important questions of interest to the profession.

The officers for the Section for the ensuing year are: Judge Henry Stockbridge, of the Maryland Court of Appeals, Baltimore, Maryland, and Charles M. Hepburn, of the law faculty of Indiana University, Bloomington, Indiana.

CHAS. M. HEPBURN.

Bloomington, Ind.

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#### THE EDUCATION OF THE LAWYER IN RELATION TO PUBLIC SERVICE.\*

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The Section is now nearing its quarter century mark and apprehension is sometimes expressed that in no long time there will cease to be unsettled topics for it to discuss. But education is a subject of perennial interest and multitudinous and mutable aspects. It can be viewed from many angles, and it bears on all the diverse phases and functions of life. An age such as the past half-century, replete with striking changes in science, philosophy, politics and the practical arts inevitably presents many new problems, propounds many searching questions, as to the bearing of these changes on the content and processes of instruction to the oncoming youth. No wonder, then, that for many years the else placid pools of the universities have been troubled with floods of words on what, why and how to teach. Debate, sometimes fruitful, sometimes barren and acrimonious, always ardent, persists on one or another branch of the topic.

Education certainly must be adapted to both the old and the new elements in the life of each age, or it will not achieve its aim. And this suggests the query whether the training of the young lawyer to-day

\*As chairman of the Section of Legal Education, Mr. Charles E. Shepard delivered this address at the meeting of the American Bar Association at Salt Lake City, August 17, 1915.