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Book Review. A History of the School of Law, Columbia University

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the stranger in a strange land to preserve his identity; it became a compelling factor in the life of most Swedish-American communities, and it particularly affected their literature and music. Chapter 9 is devoted primarily to Swedish-American newspapers, periodicals, and annuals, for, like other immigrant groups, the Swedes issued scores of foreign-language papers and periodicals. The mortality rate among them was high, although both the religious and secular press generally appealed to a larger community than the particular locality where the publications appeared. Incidentally, as Professor Ander points out, letters to the editors are an important and still largely unexploited source for the history of immigration. The final chapter deals with archival materials and a wide variety of primary sources difficult to classify, and indicates the libraries, here and abroad, where they may be found.

The debt of the scholar to Dr. Ander for this exhaustive bibliography is immeasurable. It will be an unflinching guide for students and scholars for many years to come. Each chapter is provided with a short, historical introduction, which provides the reader with penetrating observations on various phases of Swedish immigration. If this introductory material could be gathered together into an uninterrupted narrative, it would in itself constitute an excellent short history of Swedish immigration in the United States.

Western Reserve University

Carl Wittke

A History of the School of Law, Columbia University. By the Staff of the Foundation for Research in Legal History under the Direction of Julius Goebel, Jr. (New York: Columbia University Press, 1955. Pp. xii, 524. Illustrations, notes, and index. \$6.00.)

This monumental and heavily footnoted history of Columbia University School of Law could almost be a history of any living American law school of its approximate age, by substituting names of men and changing some dates. It could almost pass as a history of the development of legal education in the United States. This book is not light reading, but it will be of interest and value to the law alumni of Columbia University and to all who are interested in legal education in the United States.

It is essentially a reference book, a "who's who" of the deans, originally wardens, of the teachers, and of some of the distinguished alumni of the School of Law at Columbia. Like a history of most institutions it is a history of men and their accomplishments. Some portrayed therein contributed greatly to the institution; others contributed little, if anything.

The writers start the story with the creation of a professorship of law in 1793 and the election of James Kent to that professorship. In the winter of 1794 Kent gave two lectures a week to seven students and thirty-six auditors. In his next series of lectures, given the following winter, only two students appeared. In the third year none came, but in the year following half a dozen attended. During this time, Kent had been elected to the assembly, appointed recorder of the City of New York, and finally appointed to a judgeship on the Supreme Court of New York. After Kent resigned his professorship in early 1798, this small and uncertain beginning of legal education lay dormant at Columbia for a quarter century.

In 1823, when Kent retired as chancellor and came back to New York City, he was again elected to the professorship of law and started a new series of lectures which continued over the next three years and which were better attended. In 1826 Kent abandoned his lecturing, not because of a lack of students but because of the demands of his private practice. He continued as professor of law in name only for another twenty years, until his death, but he never lectured again.

The importance of these lectures is not so much the offering of legal education at Columbia, but rather that these lectures furnished the basis for his four volumes of *Commentaries*, published between 1826 and 1830, which had a tremendous impact upon the whole legal profession in this country.

It is doubtful that it could properly be said that Kent founded the School of Law at Columbia University. At best, he was but its prophet.

The real credit for the founding of the School of Law must go to Theodore W. Dwight who was appointed to the professorship of law in 1852, and who for the next twenty years gave all the instruction in law. Dwight ran the School of Law almost as a proprietary institution for nearly forty

years. He taught one course at a time and used textbooks exclusively, a method now looked upon with horror by the law teaching profession. Yet so effective were Dwight's comments, so thought-provoking his questions, that he inspired in his students a desire to learn more for themselves.

Although several additional members joined the law faculty and a School actually existed, it became increasingly clear that the School of Law was Theodore W. Dwight. The president of Columbia University insisted in 1890 upon a curricular overhaul, and brought to the law faculty Professor William Albert Keener, of the Harvard Law School faculty, a strong advocate of the case system of teaching law. On the retirement of Dwight soon after, Keener became dean, and the case system was adopted, to be enriched throughout the years following by the faculty under the wise guidance of Harlan Fisk Stone, Young B. Smith, and others.

The history of the Columbia University School of Law illustrates the dispute over what law teaching should be. Should it be only a teaching of craft skills, or should it include also an understanding of the problems of the society in which those skills will be used? This book indicates that Columbia University School of Law has done a satisfactory job in both directions.

Indiana University

Leon H. Wallace

The Big Business Executive: The Factors That Made Him, 1900-1950. By Mabel Newcomer. (New York: Columbia University Press, 1955. Pp. xii, 164. Index. \$4.00.)

Mabel Newcomer's name has long been associated with high scholarship in the realm of economics. On this occasion she has turned her talents to the realm of corporate management. She is concerned with the shifts in management attributes during the first half of the twentieth century and especially with the endowments of modern "career" or "professional" managers. The book represents a logical extension or refinement of the thesis of A. A. Berle, Jr., and G. C. Means in *The Modern Corporation and Private Property* (1932).

Modern managers are no longer major stockholders or of the family. Furthermore, the officials are not well known. Advertising and public relations extol the products and