

## Public Opinion Prevails Over The Common Law

By Roscoe Pound, of Nevada, President of the  
American Bar Association

**L**AW is no longer anything sacred or mysterious. Judicial decisions are investigated and discussed freely by historians, economists and sociologists. The doctrines announced by the courts are debated by the press and have even been dealt with in political platforms. Laymen know full well that they may make laws and that knowledge of the law is no necessary prerequisite of far-reaching legislation. The legislative steam-roller levels the just rule with the unjust in the public anxiety to law out a new road. The introduction of the doctrine of comparative negligence in employer's liability statutes and recent statutes leaving questions of negligence wholly to juries, or, in other words, cutting off all assurance that like cases involving negligence will receive a like decision, the common law doctrine, at least as explained to the people, did not commend themselves to the public intelligence. In such cases, something is to be done; and it is done too often with but little understanding of the old law, mischief or remedy. But we have no right to rail at such miscarriages. The public must move in such legal light as the luminaries of the law afford.

We must not make the mistake in American legal education of creating a permanent gulf between legal thought and popular thought. We may commit this mistake merely by teaching legal pseudo-science and obsolete philosophy, quite as much as by the more prevalent method of saying nothing about these matters at all, leaving the student to pick up what he may here and there in the cases and texts, with no hint that there are other conceptions and theories entertained by scholars of no small authority, and to go forth in the belief that he is completely trained.

In all cases of divergence between the standard of the common law and the standard of the public, it goes without saying that the latter will prevail in the end. Sooner or later what public opinion demands will be recognized and enforced by the courts. A bench and bar trained in individualist theories and firm in the persuasion that the so-called legal justice is an absolute and a necessary standard, from which there may be no departure without the destruction of the legal order, may retard, but cannot prevent progress to the newer standard recognized by the sociologist. In this progress lawyers should be conscious factors, not unconscious followers of popular thought, not conscious obstructors of the course of legal development. To this end it is the duty of teachers of law, while they teach scrupulously the law that the courts administer, to teach it in the spirit and from the standpoint of the political, economic and sociological learning of to-day. It is their task to create in this country a true sociological jurisprudence, to develop a thorough understanding between the people and the law, to insure that the common law remain, what its truest exponents have always insisted it is—human reason.

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## Mental Healing Experiment

Initiated and Carried on with the Help of  
Leading Neurologists.

By the Rev. Samuel McComb.



**M**N interesting and, it is believed, fruitful experiment has been going on in connection with Emmanuel church, Boston. The church is Protestant Episcopal, but the work it is seeking to do is human and universal, knowing no distinction of creed or social station. This effort may be described as an attempt to weld into friendly alliance the most progressive neurological knowledge of the schools and a primitive New Testament Christianity as scholarship has disclosed it, with a view to the relief of human suffering and the transformation of human character.

In the first place, the effort is scientific. It was initiated with the approval of some of the leading neurologists of New England, and has been carried on not without their advice and co-operation. Hence it differs from the various mental-healing cults by freely acknowledging that if the mind exercises a profound influence over the body, the body no less really affects the mind. This commonplace is ignored by the quasi-theosophical systems at present in vogue, and men and women are treated as if they were disembodied spirits, instead of being, as they really are, very much at the mercy of physiological processes. We distinguish, then, with science between "organic" and "functional" disorders, and we believe that the legitimate sphere for moral and physical methods is that of the "functional," not the "organic," though even in the latter they are a valuable adjunct, inasmuch as they tend to strengthen the resistive powers of the patient against the pathological causes at work. We do not agree with those religious persons who would tie down the divine operation in healing diseases to one method, nor do we think that it betokens any lack of faith to suppose that God can heal by pure air, good water, and even by medicines compounded by human skill. Why should we tax our psychic energies with tasks which could be easily discharged by physical instrumentalities?—The Century.

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## Our Greatest Malady Is Lack of Individual Courage

By Woodrow Wilson,  
President of Princeton University.

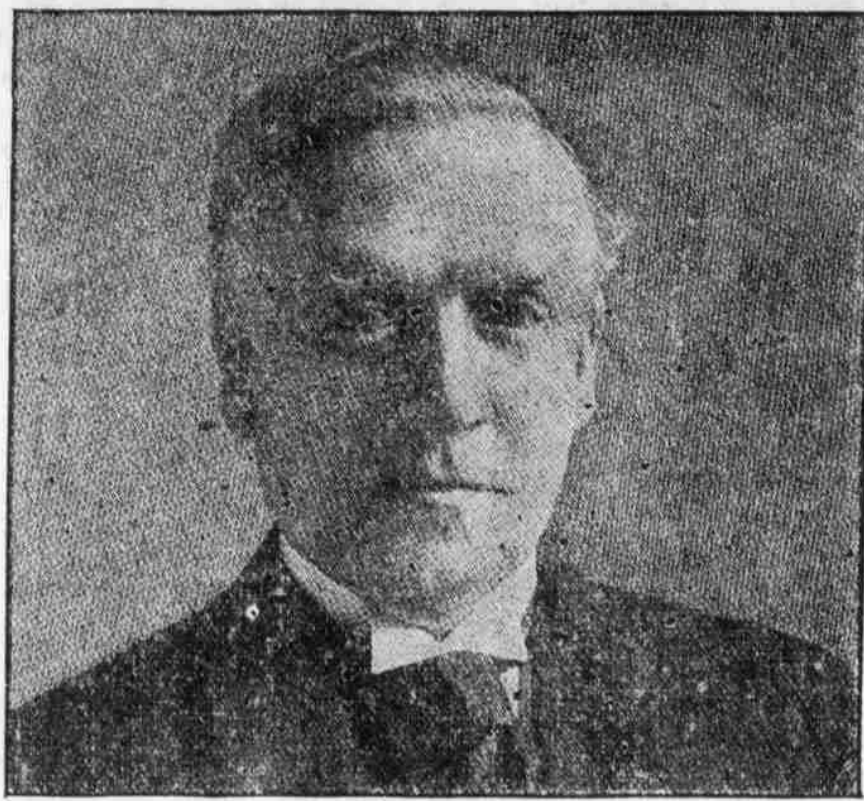
**T**HE life of our own age shows no touch of system; it must be the despair of the logician, the delight of the critic and of the cynic. You must devise your own system of success. The difficult questions of the day are moral questions. Who is he that doeth righteousness in our modern life? Every affair of life takes on more and more the aspect and practice of wide organization; each man finds himself a small part of some great whole, whose operation is decided by votes taken about long tables in directors' rooms, whose morals are composite morals.

This is our peculiar and fundamental moral problem—where and how to separate the individual from the mass. You will find that you cannot pool your consciences; you had better, then, not try to pool your morals. Wrong is conceived in the individual heart, not in boards and committees, and those who participate stain themselves with the same iniquity with which the author and originator of the wrong is blackened. We shall find our reforms not in law but in conscience.

Look about you with candid eye and you shall find that the malady of the age is lack of individual courage, lack of individual integrity of thought and action.

A democratic country more than any other needs for its enrichment, for its growth, for that variation which is life, men by the score, the hundred, the thousand, who have indomitable intellectual moral initiative. It needs more than that; it needs men by the hundred thousand, who will not submit to be put in the wrong, who will not sell their consciences, who will not run with the crowd out of craven fear and in despite of their convictions. And where shall we get such men if not from the colleges, if not from among you who know the truth, if you would but follow it?

## THE NEW BRITISH PREMIER.



RT. HON. HERBERT HENRY ASQUITH.

The new hand at the helm of state in Great Britain is that of a lawyer, the first since the days of Pitt. Mr. Asquith is the twenty-sixth Premier since the beginning of the nineteenth century. He is a Yorkshireman by birth, in his fifty-sixth year, an Oxford scholar, of whom Dr. Jowett once remarked: "I never knew his equal for trenchancy and force." It is believed that Mr. Asquith, following the precedent set by Sir Robert Peel in 1842 and 1845, will introduce the budget, thus superseding the Chancellor of the Exchequer, as Peel superseded his Chancellor.

### Attachment For Pitchers.

A peculiar and unique invention just patented is shown in the illustration below. This drip cup was designed to provide a simple means of preventing the contents of pitchers



and similar vessels having a discharge spout trickling on the table or on whatever object they happen to be placed. The drip cup is secured to the receptacle beneath the spout.

### Steel Belting.

Consul Frank S. Hannah, of Magdeburg, writes that in a recent issue of a German technical paper, the use of steel bands to take the place of leather belting for the transmission of power is stated to have proved practicable after repeated tests by a firm in Charlottenburg, its advantages being given as follows: The points of superiority claimed for this new method for the transmission of power are the following: On account of its solidity a much narrower band can be used, one-sixth of the width of the use of leather band being sufficient; as a result of this the steel band is not so heavy as the usual band, and, as it can be very tightly adjusted, the distance between the engine and the machine is not a matter of importance, as is the case with the leather belting, where the transmission of power is dependent upon the weight of the hanging belt; by a unique contact, the slipping is much reduced, experiments showing not over one-tenth of one per cent. The entire loss of power is very small, about one per cent. By the lightness of weight of the steel belting, the influence of the centrifugal force is not so great, allowing increased velocity.

### Americans Fond of Oysters.

According to the United States bureau of statistics, it appears that the production of oysters in the United States exceeds 16,000,000 bushels per annum.

Oklahoma, although the youngest State, has ninety-three Catholic churches in the care of seventy-six priests.

### Amosin' Lecture by A. Ward.

"I haven't distinguished myself as an artist," Artemus Ward said, "but have always been mixed up in art. I have an uncle who takes photographs in his spare moments, and I have a servant who takes everything he can lay his hands on at any moment. "At a very tender age I could draw on wood. When a mere child I once drew a small cart-load of raw turpicks over a wooden bridge. It was a raw morning. The people of the village recognized me. They said it was a raw-turpick drawing. That shows how faithfully I had copied nature. I drew their attention to it, so you see there was a lot of drawing in it. "The villagers, with the wonderful discernment peculiar to villagers, said I had a future before me. As I was walking backward when I made my drawing, I replied that I thought my future must be behind me."—Youth's Companion.

### Unobtainable.

The Doctor's Wife—"Well, Jane, so your poor husband's gone at last. Didn't you give him his medicine properly?"

Jane—"Ah, poor dear, how could I? Doctor said as how it was to be took in a recumbent position, an' I 'adn't got one. I asked Mrs. Green to lend me one. She said she 'ad one, but it was broke! So it were no good."—The Sketch.

### AN OKLAHOMA BELLE.



Klowa Indian Maiden, in Her Buckskin Belt.

### An Editor's Confession.

A New York paper asks: "Can a woman dress on \$20,000 a year?" Our wife does, and she is a large woman, too.—Bernard (Kan.) Bee.



The Tramp—"Gee! I wonder is dere's a pair o' No. 10's in de bunch."—From Brooklyn Life.

## OF INTEREST TO WOMEN

New York City.—Never has there a prettier style been in vogue than that of the over blouse and it suits



the young girls so peculiarly well that it is a special favorite among the younger contingent. Here is one

one and one-half yards forty-four inches wide with one-half yard eighteen inches wide for the centre front, three-quarter yard thirty-two inches wide for the centre front, three-quarter yard thirty-two inches wide for the trimming to make as illustrated.

### Velvet Trimming.

An acceptable trimming for tailored and semi-tailored costumes is a thin weave of chiffon velvet.

### Child's Reefer.

There is no coat worn by the small girl that quite takes the place of the reefer. It is very generally becoming, it is simple yet absolutely smart in effect and it can be slipped on and off with the greatest possible ease. This one is made of white serge with collar and cuffs of Copenhagen blue, but the model can be utilized for every material that is in vogue for little girls' coats. White is always pretty and attractive, but dark red, dark and medium blues and mixtures are all in vogue, while for the real warm weather linen, pique and pongee all are liked.

The little coat is made simply with the loose fronts and back and with the big sailor collar. The shield when worn is buttoned into place be-



that is charmingly graceful and attractive and which can be utilized either separately or joined to the skirt, making a semi-princesse dress as liked. In the illustration the material is pongee with bands of taffeta, while the centre front is made of all-over embroidery, but almost all materials that are used for girls' dresses are appropriate and it will be found equally satisfactory for the thin materials of the present and for the slightly heavier ones of the near future. The centre-front portion is a feature and can be made of anything in contrast. Bandings can be utilized, and some of the Oriental effects are exceedingly handsome, while again, the bands on the blouse itself can be cut from any contrasting material or could be of the same embroidered or braided with soutache, or banding could be applied over them.

The blouse is made with the fronts, centre front and backs. The sleeves are cut in one with it and there are trimming straps which conceal the shoulder seams while the shaped strap finishes the neck, front and back edges. The closing is made invisibly at the back.

The quantity of material required for the sixteen year size is two and seven-eighths yards twenty-one or twenty-four, two yards thirty-two or

### Embroidered Net.

An exceedingly pretty touch is given the hand-embroidered waist by basting a fine net under certain figures before embroidering them, cutting out the material afterward so that the figures appear to be of embroidered net.

### Hair Worn Plain.

On occasions when hats are discarded the hair is worn plain, or adorned with beads or paillettes, the ribbons being quite abandoned.

neath the collar and closed at the back. The full sleeves are finished with roll-over cuffs, but the plain



ones are simply stitched to simulate straight ones.

The quantity of material required for the medium size (six years) is three and one-eighth yards twenty-seven, one and three-quarter yards forty-four or one and one-half yards fifty-two inches wide with one-half yard forty-four inches wide for collar and cuffs.

### Hat Ribbons.

New hat ribbons show an immense white polka dot on deep colored backgrounds, such as navy blue, golden brown and green. Three yards will make a generous bow.