DEDICATION OF MYRON TAYLOR HALL

The dedication of Myron Taylor Hall took place in its Moot Court Room on the morning of Saturday, October 15th, and was followed by a buffet luncheon in the Reading Room, which was tendered to the guests of the University by the Cornell Law Association. The ceremonies were attended by a large number of the Law School alumni, by representatives of law schools, universities, and of the bench, by the trustees, the deans and others occupying executive positions in Cornell University, by the law student body, and by specially invited guests.

Honorable Frank H. Hiscock, Chairman of the Board of Trustees, presided. The speakers were Myron C. Taylor, the donor of the building, Honorable Cuthbert W. Pound, Chief Judge of the New York Court of Appeals, President Livingston Farrand, and Dean Charles K. Burdick.

The Chairman read the following telegram from Honorable Charles Evans Hughes, Chief Justice of the United States, who was at one time a member of the faculty of the Cornell Law School:

"I deeply regret that my work here makes it impossible for me to be present at the dedication of the new home of the Cornell Law School. My association with the Faculty of the School in its early days was one of the most delightful experiences of my life and I have observed the development and success of the School with the keenest gratification. It is a far cry from the time we met on the top floor of one of the oldest buildings on the campus and when a little later we first enjoyed the advantages of Boardman Hall to this day when Myron Taylor Hall opens its doors. The School has more than fulfilled the hopes of its founders and its enlarged opportunities beckon it to an even higher degree of usefulness. The law schools have the future of the bar and bench largely in their keeping and the administration of justice will depend not only on the technical equipment they provide but upon the professional standards they reinforce. I have no doubt that the new home of the School will be a power house for the generation and distribution of the most helpful influence and I send you my hearty congratulations upon this happy occasion.

CHARLES E. HUGHES
CORNELL LAW QUARTERLY

THE CHAIRMAN’S Introductory Remarks

Cornellians and Friends of Cornell:

This occasion adds one more to the list of days which will be
memorable in the history of Cornell.

A little more than a year ago, on a nearby spot of our campus,
we dedicated a beautiful building, the War Memorial. Now, as
then, we are dedicating a splendid structure, but on this day no
thought of war and suffering distresses our minds. On the con-
trary, we are thinking of the peaceful pursuit of learning and of the
instruction which will be given within these walls in that great
science and branch of knowledge which lie at the foundation of all
civilization. It is an inspiring thought that we are permitted to take
part in the formal dedication of this splendid home for the Cornell
Law School, where under competent instruction young men and
women for so many years will be taught those principles which,
coming down through the best thoughts of the ages, lay down rules
for human conduct and for the promotion of justice between man
and man. If there were time it would be an alluring occupation to
speculate on the changes which may come in our jurisprudence and
its administration within the existence of these halls.

No one who has had occasion to watch the administration of
the law can fail to appreciate the contribution which has been
made to its development, sane progressiveness and improvement,
especially during the last three or four decades, by the well managed
law school. We all ought to recognize that our jurisprudence and
procedure must be subjected to constant but carefully considered
modifications if they are to be adjusted to the needs of a constantly
changing civilization. Statutes become archaic and obstructive
to the promotion of justice, and even principles of the common
law once regarded as quite fundamental require revision or per-
haps even elimination. The law school teachers have been amongst
the leaders in suggesting, formulating and urging these modifications.
And we all rejoice at the thought that for the Cornell Law School
the opportunity for carrying on this great work is now so enlarged
by this new and ample home.

And in conclusion perhaps we are permitted to say, with no
forgetfulness of the great benefactions of others, that this building,
which will excite the admiration of every one, will provoke in our
minds an added and personal pride and gratification as we remem-
ber that it is the munificent gift of a Cornell alumnus.
DEDICATION OF MYRON TAYLOR HALL

THE CHAIRMAN'S INTRODUCTION OF DEAN BURDICK

I am sure that no one will appreciate so much as Dean Burdick what this new Law School Building means in the way of practical advantages and benefits to the Law School. Nobody in my opinion can realize so fully as he what it means that the Law School has been enabled by the generosity of Mr. Taylor to transfer from a building which with the lapse of years has become inadequate and inconvenient to this new home where everything will be so modern, convenient, and fine. It seems to me that everyone must be affected more or less in the quality of work which he does by the physical surroundings in the midst of which he does it. If I am correct in this view, then we may expect that in this new home Dean Burdick and his associates will continue the discharge of their duties not only with increased comfort but with increased optimism, energy, and efficiency, and that the high position which this Law School already holds in the list of Law Schools in the country will be still farther strengthened and assured.

DEAN BURDICK’S ADDRESS

Mr. Chairman, President Farrand, Mr. Taylor, Judge Pound, ladies and gentlemen:

We in Ithaca believed that this gathering today would be one in which the law alumni would have an especial interest, and that belief is confirmed by the large number of alumni who are here from all parts of the country, and by the expressions of deep regret received from those who cannot be here. It is with great pleasure that I welcome you back on this occasion, whether you come to Ithaca often, or whether this is your first visit since graduation. You as a group have been of inestimable help to the School through the Law Association, and many of you have been generous in your personal contributions of time and of money. It is also a great satisfaction to welcome the representatives who are here from our sister law schools and universities, the members of the bench, and those who are not associated with the law but who are here because they are interested, as certainly all of us are, in each new development which strengthens the University as a whole.

Mr. Taylor, it would seem a superfluous gesture, if not an impropriety, to welcome you and Mrs. Taylor to these ceremonies. It is because of your idealism and your generosity that we are here to dedicate Myron Taylor Hall. Appreciation of your gift will be expressed on behalf of the University much better than I could express it. But I cannot forego the privilege which this opportunity
affords to convey to you the very deep appreciation of the faculty and alumni of this school of the perfect facilities and beautiful surroundings which you have put at our disposal, and the assurance that these are going to serve as a perpetual stimulus to the fulfillment of those ideals which your gift was intended to serve. We shall constantly study, by selection and by training, to improve the quality of those who, as members of the Bar, are sent out to serve the courts and their clients, and to work for the improvement of the law, hoping that they will keep always before their minds the quotation from Dean Roscoe Pound, carved above this bench, that "Law must be stable and yet it cannot stand still". We shall strive to broaden and improve the training which we give so that those who go out from here may be each year better and better fitted to give intelligent leadership in public affairs, and to show the way to a wise and peaceful ordering of international relations. And we shall not only continue but shall certainly increase our present contribution to legal scholarship through the work on the Cornell Law Quarterly, the research of our growing group of graduate students, and the writings of the members of our faculty, as well as their participation in public and research organizations.

All of you who are here today will find inspiration in every line and detail of this splendid building given to us by Mr. Taylor, designed by Mr. F. Ellis Jackson, studied in every step of its development by that indefatigable worker in the cause of Cornell, Mr. J. DuPratt White, and so appropriately decorated by the carvings of Mr. Lee Lawrie, but may I particularly call your attention to the spandrels over both sides of the great tower arch, where the Law Faculty have sought especially to symbolize the real purpose for which this great structure has been raised. On the east you see Henry II sending out his itinerant judges to bring the king's peace to all parts of the realm, and on the west you see a conference of all the races, striving for international accord. The whole symbolizes peace by law—national peace by local law, world peace by international law—to that ideal do we re-dedicate the Cornell Law School today.

The Chairman's Introduction of Mr. Taylor

The donor of this building, encouraged in his great generosity I am led to believe by the sympathetic interest of Mrs. Taylor, saw the Law School in its early days. He graduated from it with the purpose of practicing his profession amidst the rather meagre opportunities of a small upstate city.
DEDICATION OF MYRON TAYLOR HALL

But as was almost inevitable, he was soon drawn from this limited sphere of action to the greatest center of business activity in the world, and also as so often has happened within the last two or three decades, he was drawn from the practice of his profession to the guidance of great business interests. But in these changes he forgot neither his chosen profession nor his Alma Mater. He came to realize more and more, I am sure, the need for thorough, broadening, and scientific study of the law and to look upon this Law School as a place where such study and research might be carried on and as the result of those thoughts we have this splendid gift and home for the Cornell Law School. Not only the Law School, but the whole University owes a great debt of gratitude to Mr. Taylor for what he has done and it is a happy feature of these exercises that, busy man as he is, he is able to be present and in the words of the program, formally present the building and speak to us.

MR. TAYLOR’S ADDRESS

Mr. Chairman, President Farrand, Judge Pound, Dean Burdick, ladies and gentlemen:

Though this structure has visible material form and substance; though its origin can be classed as the fruits of personal activities in the arena of twentieth century civilization; though to Mrs. Taylor and me it tangibly crystallizes the conception of our minds and the result of our labours, it has to us a still higher significance, expressing inspiration, preparation, faith, cooperation, achievement, and reward.

So, also, it should stand as a symbol of the future in those factors so vital to the great and moving current of youth preparing itself to enter upon the serious action of life. If, through greater knowledge of and a growing respect for the law and its enforcement, it inspires increased regard for the rights of others in individual and community life; if it assists in bringing to an earlier realization an age of reason, self-control and brotherly love; if it helps to lead youth through better knowledge to wisdom, through broader perspective to higher and nobler impulses; if it leads to a better appreciation of the true relationship between that which is material and that which is spiritual; if it helps to bridge the gulf which separates the commonplace from the ideal, the temporal from the eternal, Mrs. Taylor and I shall have achieved an enduring reward.

Having been permitted by a friendly Providence to garner the means to build this structure embodying the actual with the symbolical, we are greatly privileged in being now able to offer it through
you, Dr. Farrand, in the name of Cornell to the service of others. As Mrs. Taylor has shared my interest, I desire that she shall present the keys of this building to you.

President Farrand stepped to the rail in front of the bench and received the keys of Myron Taylor Hall presented to him by Mrs. Taylor.

**PRESIDENT FARRAND’S ADDRESS**

*Mr. and Mrs. Taylor:*

It is with deep appreciation that, on behalf of Cornell University, I accept this noble building at your hands and I assure you that this is done with a corresponding sense of the responsibility which acceptance of your gift entails.

No one knows more understandingly than yourselves that, important as material resources and equipment may be for the achievement of even academic aims, a far more essential factor is the spirit which animates the effort. It is with especial satisfaction that the University notes and records the high hopes and ideals which you hold for this center of training and research in law and jurisprudence as expressed in your letter of gift and in the words which you, Sir, have just spoken. In those hopes and in those ideals Cornell University unreservedly concurs.

This addition to the University’s resources comes at a time and in a field both of which arrest attention. The world stands bewildered and appalled by disregard of law, local, national, and international. The confusion rests not alone on individual behavior but also upon the inability of our jurisprudence and economic system to keep pace with a changing world. It is to centers such as this in our own and other countries, devoted solely to the search for truth and the inculcation of sound and liberal knowledge and ideals, that we must look for that guidance in principle and practice without which right living is impossible and international peace and friendship not to be attained. To contribute to those ends Cornell University now dedicates Myron Taylor Hall and all the efforts which shall find a home within its walls.

**THE CHAIRMAN’S INTRODUCTION OF CHIEF JUDGE POUND**

I am sure that we should all feel that these exercises were incomplete if we could not listen to some one who had been engaged in the actual administration of the law and who from long experience has become acquainted with its needs and with the service which such a Law School as this can render in satisfying those needs.
DEDICATION OF MYRON TAYLOR HALL

We are fortunate that we can call upon a distinguished former student and member of the law faculty of Cornell to assume this part. No one could be better qualified to assume it than Chief Judge Pound, for in addition to his truly brilliant career on the Bench, now being rounded out with the approval of all political parties by holding the highest Judicial Office in the State, he was a teacher in this Law School. In its early days in common with such teachers as Hughes, Hutchins, Burdick, Huffcut, Woodruff, and others, whose names do not occur to me at the moment, he helped to lay those foundations upon which now is being conducted by Dean Burdick and his associates a Law School which is justly rated amongst a few of the best schools in the country.

I present the Chief Judge not only with that respect and admiration for his ability which is the result of years of service with him in the Court of Appeals but also with that affectionate personal regard which is shared by every Cornellian who knows him.

CHIEF JUDGE POUND’S ADDRESS
A MODERN UNIVERSITY LAW SCHOOL

Mr. Chairman, Ladies and Gentlemen:

For the school of law of this great university, we dedicate a wonderful new building, beautiful in design and practical in arrangement, the generous gift of a distinguished great alumnus, whose noble conception of the physical needs of a modern law school is thus nobly realized. This is indeed a rare occasion. Cornell, to fulfill its mission, must be prepared to equip men fitted in the highest degree to discharge the manifold functions of our learned profession in public and private life. Mr. Taylor, inspired by the idea that competent and well trained lawyers must still be relied on to guide the handling of the larger affairs of the country, has turned to Cornell as a medium for working out his purpose to provide suitable facilities for the cultivation of knowledge of the law. He has given us this building, not as an aid in a money-making enterprise, but as an appropriate place to prepare young men and women for any branch of the law in a stimulating environment with as little concern as may be for the material gain which may thereby accrue to the university. Others, with whom I have no occasion to quarrel, have discovered that law teaching may be commercialized and that mass production of lawyers may be made profitable. It is our donor’s aim to demonstrate that legal education may be exalted to a plane of high public service, not dominated by thought of pecuniary gain.
Mr. Taylor takes his place with those far-sighted men, those kings and cardinals and captains of commerce, who founded the colleges of Oxford and Cambridge, those ancient institutions which still bear witness to the influence and importance of education in furnishing intelligent men for the service of the nation, leaving for other places the sharpening of wits for the personal profit of the lawyer in the conflicts of the courts and in the strategy of the law office.

In All Souls College, Oxford, the curator was exhibiting the silver which graced the table in the hall. "How wonderful!" said an American lady, "to see this old silver!" "Madam", said the curator, "All Souls has no old silver. It was all melted down for Charles the First."

So years hence, the traveler may gaze on the stately tower of Myron Taylor Hall, now new and modern, and reflect on the enduring quality of the stone, giving evidence to the noble and high purposes of the founder who set up on this campus a building where old methods of legal instruction will be melted down to take different forms as the future needs of the profession may require.

Cornell has ever been the place for new ideas in education but it has never been content with the commonplace type which would sacrifice culture to the art of getting on in the world. When Matthew Arnold was writing fondly of Oxford as the home of "lost causes and forsaken beliefs and unpopular names and impossible loyalties", Mr. Andrew D. White, first president of Cornell, was planning a university where liberal education would be closely united with practical aims and useful results; where courses in agriculture and the mechanic arts would stand equal in honor with Greek and Latin. Yet both Arnold and White were alike in condemning as Philistines "men who in the world at large see no need of any education beyond that which enables a man to live by his wits and prey upon his neighbors; men who care nothing for bringing young men within the range of great thoughts of great thinkers"; men who see nothing in the world worthy of their attention except accomplishment in the art of getting rich. To get rich has never been considered an unworthy aim, but the rich man who has not the talent of intellectual appreciation is not a complete man or a completed product of Cornell education. The young man who chooses the legal profession so that he may "live by his wits and prey upon his neighbor" may go elsewhere for his training. He will find little encouragement here. That there are such lawyers, prominent and accounted success-

1President White's Inaugural Address.
FUL, cannot be denied. But there are now, as in the past, lawyers
to whom America looks for leadership. Lawyers were leaders in our
struggle for independence; lawyers framed our constitution, secured
its adoption and gave it an interpretation which placed the United
States on firm and enduring foundations. Now the competence
of representative government to deal with domestic and international
affairs is challenged. The high cost of government is contrasted
with its lack of efficiency. Great problems confront the nation. The
bar of America must arise to meet and solve them, not as the dis-
ciples of a rigid social philosophy, either conservative or liberal,
but as students of the needs of today to be expressed in the legal
formulas of the past. It is to afford a training place for statesmen
of the law as well as to fit men for the general practice of their pro-
fusion that Myron Taylor Hall has been built.

The Cornell Law School that opened in 1887 without formality
was in no true sense a University Law School. It was merely a
good place for time-saving organized and systematic study of law
in lieu of the desultory law office clerkship or apprenticeship then in
vogue. The entrance requirements were modest and the course
was brief. The members of the faculty were scholarly lawyers,
trained in the law office and the courts. The school, nurtured by
Deans Huffcut, Woodruff, Irvine, Burdick and others, grew rapidly
and graduated men who met with deserved success at the bench
and bar and in public service. It also produced men who turned
from the practice of law to succeed greatly in the world of business
activity and progress. Soon it needed a new home and Boardman
Hall was erected for it. That building, where were fostered so
many of our profitable and happy memories, was formally dedicated
nearly forty years ago on February 14, 1893. Chief Judge Charles
Andrews delivered an address which he entitled Influence of America
on Jurisprudence in which he dealt with earnestness on our con-
stitutional system as regulated by the courts and pointed out that
"constitutional limitations are barriers of inestimable value against
anarchy and disorder and wild schemes of legislation subversive
of personal rights and inconsistent with the proper function of
government."

The opening of Boardman Hall was followed by adding a year
to the course of instruction and by gradual increases in the entrance
requirements until now Cornell has a university school of law ad-
mitting practically none but college graduates.

Mr. Taylor in his letter to the Board of Trustees points out that
under our system of government the trained legal mind is fitted
for leadership not only in the courts but in law making and administration; that he who contributes to fields of preparation embodying legal training and research works for the public good, and that such should be the aim of the Cornell Law School. But the courts settle controversies between individuals while law making and administration have for their object the happiness of mankind and thus they call for a knowledge of the sublime science of politics in its broadest sense.

May I, without attempting to be didactic, endeavor to point out the fields in which the purpose and possibilities of the Cornell Law School may be pushed beyond the common traffic of routine practice and may penetrate into fields where the lawyer may be prepared to serve the state outside the faithful service of private clients?

First, as to the study of jurisprudence. Jurisprudence, as contrasted with law in practice, is the philosophy of law. As Roscoe Pound has said, “It has faith that it could find the everlasting, unchangeable reality in which we might rest and could enable us to establish a perfect law by which human relations might be ordered forever without uncertainty and freed from need of change.” Its study develops a philosophic habit of mind rather than a contentious spirit. It evaluates the abstract and the general rather than the concrete and the particular; it dwells with the past in history and with the future in hope; with law as it was and with law as it is should be; with law as a coherent and consistent body of rules, not as a chaos of separate, unrelated decisions. Law, as we use the word in common speech, deals with the present and practical application of legal principles to the cases and daily routine of the law office and the courts. It decides actual disputes while jurisprudence contemplates problems apart from actual cases. Jurisprudence is treated by such authors as Bentham and Austin, Salmond and Holland, Karl Llewellyn and Jerome Frank. It is found in text books like Blackstone and Kent, Wigmore on Evidence, and Williston on Contracts, in the reports, statutes and digests and sometimes even in the form books. By the study of jurisprudence one may become a jurist; by the study of law, a lawyer. Law furnishes a rule. Jurisprudence seeks a reason. Jurisprudence brings to the discussion of the forum the authority of scholars who have a right to ask that the result of their researches in the history and evolution of law be accepted with respect by the less diligent. Law, say our hostile critics, “takes the cash and lets the credit go.” There is nothing inconsistent in the combination of lawyer and jurist, as Holmes and Cardozo in them-
DEDIcATION OF MYRON TAYLOR HALL

selves exemplify to us, but we may admit without shame that such a combination is uncommon. The materially minded will prefer the perusal of the advance sheets of the state reports to the study of the development of the law set forth in the latest decided cases; law of today rather than law at its origin or in its perfection. They will contemplate the idiosyncracies of the judge rather than the sound philosophy of the case. The law schools, while not refining the law into a scheme of philosophy as rest rather than a code of action, should help to lift us out of the darkness of law as a business into the sunshine of jurisprudence as a science; enable us to consider law in its systematic, historical and critical aspects; examine such matters as the principles of legal obligation, the doctrine of consideration and the rationale of proximate cause; point out the inadequacy of judicial decisions and the inefficiency of legislatures; consider the restatement of the law and the need of judicial councils. They should give us a broader view, a loftier purpose than that of the attorney who regards his check for costs as better evidence of victory than the establishment of a great principle in a well-won leading case and who knows no philosophy except that "water, being poured out of a cup into a glass, by filling the one doth empty the other." They "seek out the secrets of grave sentences" and are "conversant in dark parables." They point out when and why in business relations preference of self is made subordinate to loyalty to others. But they should not neglect to acquire experience with the realities of life. They should realize that law in the main can only make precise what the generality of mankind approves as a reasonable rule of action. In this connection they study the correlative ideas of negligence and duty. They consider the risks arising from negligent speech. They analyze the duty of care and vigilance in the storage of destructive forces and the duty of landowners in contemplation of trespassers and travelers on the adjacent public way. They should teach their students not to be led astray by false analogies or hasty and ill-considered decisions but to consider the theory of legal liability in the light of a sane philosophy. They should keep up, for example, with social changes in domestic relations and modify the law of Lord Coke to conform to modern relations of man and wife without reading too literally statutes which

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reduce marriage to a special partnership wherein neither member of the union might assault, imprison or slander the other without legal liability for personal injuries thus inflicted.

Cardozo, in his far-visioned article entitled *A Ministry of Justice* points out that the members of the legal profession, if so inclined, may contribute to the improvement of justice by indicating anachronisms in the common law and promoting legislative correction. He says, however: "A task so delicate exacts the scholar and philosopher and scholarship and philosophy find precarious and doubtful nurture in the contentions of the bar." What nobler duty can the graduate of this great new school of ours perform than to propose and further legislation which shall mitigate the inequity and hardship of rules so firmly planted in our judicial system that the judges are practically impotent to modify them?

Secondly, *International Law*. Civilized nations are governed by rules and principles of action which are part of the municipal law of every state, which regulates their intercourse with one another. Congress is authorized to define and punish offenses against the law of nations. The law of nations requires every national government to use due diligence to prevent a wrong being done within its own dominion to any other nation with which it is at peace or to the People thereof. This branch of the law of nations deals with the rights and duties of individuals when justiciable questions arise in the courts. The rights and duties of nations towards each other are not justiciable and courts would find it difficult to coerce a sovereign state without its consent both to trial and adjudication.

Critics are not lacking who deride the whole scheme of international law in the broader sense on the ground that it has no imperative character; who maintain that in the last instance the right of self-preservation or self-interest is the only rule of action which a powerful state will recognize or obey; who assert that all discussion of codes, pacts and conventions so earnestly entered into in times of peace with the hope or pretense of bringing nations under the rule of reason is futile prattle which the patriotic war drum will silence if national honor is hurt. War should no longer be the source and subject of rights, we all agree, but, in truth, the law of nations at times resembles a system of philosophic anarchy which works very well if there are no law breakers but in times of stress and storm puts the good or weak at the mercy of the bad or strong when all

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1Allen v. Allen, 246 N. Y. 571, 159 N. E. 656 (1927).
2Art. 1, § 8, clause 10.
are not conscientious and law abiding. Unless great nations are prepared to make their mandates effective by force, such mandates are of mere moral obligation for no system of law in the true sense can exist without some external power to enforce it. In the folly of human existence, men and nations, if left to themselves, will not voluntarily eschew evil and do good. Yet the force of public opinion may become a practical substitute for physical force. The lack of power to enforce law was one of the weaknesses of the United States under the Articles of Confederation. The United States Constitution provides that the judicial power shall extend to "controversies between two or more states." Even now it might be difficult to indicate how a decision of the Supreme Court awarding a money judgment against a state might be enforced without congressional cooperation, but such decisions have been accepted without a murmur because they are recognized as final even if not just. They command the obedience of the parties because they are at least preferable to interstate brawls and riots in defiance of the rule of law which characterized the struggle over the boundary between New York and Vermont under the Articles of Confederation. As Chief Justice White said: "In all the cases cited, the states against which judgments were rendered, conformable to their duty under the constitution, voluntarily respected and gave effect to the same."\(^{10}\)

We have a code of the usages of civilized nations which may be gathered from their customary conduct, from the decisions of international tribunals, from the agreement of nations and the treatises of learned and authoritative jurists and commentators such as Grotius, Vattel and Puffendorf. If the peace spirit rather than the war spirit came to be regarded as the spirit of justice, custom and public opinion might soon give an efficacy to the pacts of powerful nations which could not be disturbed by war. As Mr. Frederick R. Coudert pointed out in his Irvine Lectures\(^{11}\) "Every form of controversy, from national boundaries to torts committed against the humblest individual, has been satisfactorily disposed of before tribunals administering definite rules of law in the same prosaic fashion as that applied to municipal courts." What a field for the exploration of broad questions the law of nations presents! What higher duty than the quest for an enduring peace? What nobler aim than the organization of a community of communities defining their mutual obligations by means of an international code? What service educated lawyers may render in creating a peace of the

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\(^{10}\)Virginia v. West Virginia, 246 U. S. 565, 38 Sup. Ct. 400 (1918).

\(^{11}\)(1926) 12 CORNELL LAW QUARTERLY 13.
nations which might ultimately do away with the costly horrors of war! The law of civilized nations, conventional or customary, may yet hold a restless world in awe. Differences may be resolved, not by armies and navies led by generals and admirals, but with the aid of lawyers trained in the field of international relations, practicing before tribunals of international justice or special boards of arbitration. Peace might thus have her victories no less renowned than war.

The dictates of right reason are said to be the basis of natural law which is the law of nations but its standards are vague and uncertain. As equity was once regarded as a method of mitigating the severities of the common law by the conscience of the chancellor, only to develop into a rigorous system of its own, so international law tends to become crystallized into a more or less elastic but conventional code of conduct. But what nobler field of study or practice is there than that of International Law which Lord Mansfield says is founded “on the reason of the thing” confirmed by long usage?

It is necessary in such relations that some individuals should represent the authority of the state abroad. They make up the diplomatic service of the nation. Cornell has been represented with conspicuous ability in the international field by two of its presidents—Andrew D. White and Jacob Gould Schurman. Such men are trusted with the management of many delicate questions of national duty and honor which they may bring to a satisfactory termination without rattling the sabre. Mr. Taylor in his letter to the Board of Trustees says: “It is to be hoped that ultimately such a college of law may be developed which will embody within its courses on international law one of diplomacy; that it may permit its students to equip themselves especially for our government’s foreign service.”

What a field for the services of well educated men of potential leisure who might seek in the public service a field for activity which might otherwise be filled by the selfish pursuit of pleasure with no worthier object than to escape from boredom and to pass away the weary hour! One thing is sure. No enduring system of international law can be built up on a foundation of national prejudices and hasty passions. In theory the system of a law of peace among nations may seem idealistic. Practice in conformity therewith requires the patience and restraint of minds trained to a fixed belief in the efficacy of a federation of the world. War, which lets him take who has the power and lets him keep who can, is an anachronism in a world of law which looks on private war as a breach of the peace.
DEDICATION OF MYRON TAYLOR HALL

If America is to remain the international center of the world, we must know how to handle the business or our position of world leadership will soon be lost. Lack of knowledge and lack of character will forfeit all that chance and fate have won for us.

Thirdly, Constitutional Law. In the field of constitutional law America stands practically unique in the fact that the Supreme Court of the United States can pass on the reasonableness of the police measures of every state and city in the land. As pointed out by Frankfurter and Landis in The Business of the Supreme Court, the United States Supreme Court is not a common law court and it now adjudicates largely questions of public law. It adjusts the relationship of the individual to the state and to the United States, of the states to one another and to the United States. In New York the Home Rule provisions of the constitution introduce new legal problems as to the property, affairs or government of cities. Nine men in Washington consider the question as to the limits of constitutional power of the states. By the vote of five of them may be determined the question whether state regulation of trades and occupations is arbitrary, oppressive and void or whether it is within the bounds of legitimate legislative experimentation. In spite of general attacks on the conduct of the court as unduly obstructive of the course of social welfare legislation, "there are certain essentials of liberty with which the state is not entitled to dispense in the interest of experiments." But how can one learn what enactments transcend the limitations imposed by the federal constitution and what enactments are legitimate? When shall trades, callings and occupations be free and when may a private business become so affected with a public interest as to be curtailed, regulated or prohibited? The most distinctive change in the government of the country in recent years has been manifest in a growing disposition to regulate the life of the people by legislation. How far will the Supreme Court apply the formulas of legal decision to check the desires and supposed necessities of the state? Will it uphold workmen's compensation laws or emergency rent laws? Will it impose liability without fault when personal service involves personal risk in dangerous occupations? Will it curtail the private profits of the grasping landlord? Will it permit the state to prohibit bill boards and to establish building zones, to regulate employment agencies or ticket brokers, or to require children to attend public schools, or to prescribe a maximum weight for loaves of bread or minimum wages for women in industry, or to regulate the sale of

\[\text{State Ice Co. v. Liebman, 285 U. S. 262, 52 Sup. Ct. 375 (1932).}\]
kosher meat, or to curtail the power of imbeciles to perpetuate their kind? How far will it uphold injunctive relief in labor disputes? How far will it review the rate-making functions of the State Public Service Commissions and the Interstate Commerce Commission? How far may price-fixing be permitted? How will it deal with constitutional rights of person and property in emergencies of peace and war and permit temporary measures to tide over grave situations? Such conflicts do not arise in an ordinary law practice. They stir the souls of men but they are decided by the Supreme Court with the outward calm with which an action on a promissory note is decided, although nothing controlling can be found on the subject in Blackstone or the English Law Reports.

The recent Oklahoma ice case suggests how the court proceeds to the decision. The question was one of unreasonable or arbitrary interference with or restrictions upon the business of manufacturing ice for sale. A majority of the court hold that the ice business is not affected with a public interest but is irrevocably a private business and "a common calling", and that the right to engage in a common calling is one of the fundamental liberties guaranteed by the due process clause of the constitution. The court recognizes the right of the legislature to act when it has formed a reasonable belief in the existence of evils and in the effectiveness of the remedy provided, but the legislative decision is not final. Finality comes only with the decision of the Supreme Court. The minority, uneasy under government by judiciary as they call it, is more ready to recognize as final the decision of the legislature as to local needs. It is true that the court does not act as a legislature may be assumed to act for the public welfare. It decides not whether the legislation is salutary but merely whether it may be upheld from any point of view under the constitution. Sometimes all the members of the court decide that the state has gone too far; sometimes they agree that the legislation is unobjectionable and sometimes they divide. Have they decided a question of law or a question of policy? The uncertainty of the result has led some to classify constitutional law as a kind of politics or statecraft masquerading under judicial forms. The fact remains that the constitution of the United States is "the supreme law of the land." Courts therefore are bound thereby. Legislative law must meet the test of the constitution. Otherwise the statute rather than the constitution, the state rather than the nation, is supreme.

The alternative is either to require unanimity or something approaching it in the decision of constitutional questions, which
might prevent a decision altogether, or to uphold all legislation leaving to the voters the political remedy of refusing re-election to such of their representatives as do not reflect the views of their constituency. The English law courts have rendered many fearless decisions in the interest of freedom and justice. The unwritten constitution of England consists of a set of legal principles gradually evolved out of Acts of Parliament and decisions of the courts of justice in individual cases, but Parliament is supreme, free from constitutional limitations and at liberty to alter those legal principles of personal and property rights which have been the glory of the English race. It may delegate to administrative boards the power to make decisions which shall be beyond the reach of judicial review. It may even delegate the power to amend statutes under which the boards are created to the boards themselves and may permit them to define the limitations on their own power. If the power is clearly conferred the courts have no authority to declare such legislation void. Those who feel, like Lord Hewart, that this is a "new despotism" of a dangerous character can do little more than protest against the wisdom and public policy of such laws and to urge that the High Court of Justice should have a wider scope of jurisdiction over inferior tribunals and boards and should not, as now, be prohibited from interfering when departmental boards exercise the judicial and legislative powers plainly delegated to them by Parliament. The courts of justice may safely be and should be entrusted with the power to determine as matter of law whether a departmental board or a state legislature has acted arbitrarily or illegally. It was once urged in England that traditional regard for the fundamental principles of the English constitution and respect for the natural rights of the citizen would restrain Parliament from adopting oppressive legislation and would protect every man in life, liberty and the pursuit of happiness but, with the possession of power, power will be exercised and the principles of constitutional freedom underlying the British constitution are found to be "a very feeble guarantee indeed against action which evades the actions of the law courts." The tendency to turn to the courts for protection is apparent from the report of Lord Sankey's Committee on Ministers' Powers presented last April to the Lord High Chancellor of England and by him to Parliament. The report favors a greater extension of judicial review of the powers of administrative officers or a greater limitation upon such powers. It says: "We are therefore unanimously of opinion that no considerations of administrative convenience, or executive efficiency should be allowed to weaken the
control of the courts and that no obstacle should be placed by Parliament in the way of the subject's unimpeached access to them."

On the other hand, in the United States a too rigid application of the doctrine of the separation of powers may cripple the government in dealing with the supervisory offices and agencies so indispensable under changing social and industrial conditions. Success in these fields is a matter of the highest importance in the struggle of democracy with the complicated tasks of government. An adequate system of administrative law is essential to our state and national well-being. The distinction between administrative decisions and judicial or quasijudicial decisions has often been indicated. It is said in the "report" above referred to that "in the case of administrative decisions, there is no legal obligation upon the person charged with the duty of reaching the decision to consider and weigh submissions and arguments, or to collect any evidence, or to solve any issue. The ground upon which he acts, and the means which he takes to inform himself before acting, are left entirely to his discretion." But there is a border-line between the rule of law and the rule of expediency, a line which is not always clearly indicated on the political map. When is absolute discretion vested in the administrative officer by the constitution or the legislature and when must he proceed according to the principles of law as administered by judicial tribunals which say that no man shall be a judge in his own case, that no party shall be condemned unheard and that reasons should be given for a decision?

Constitutional limitations are often expressed in language of convenient vagueness. The interpretation of so-called social justice legislation may not be properly undertaken without adequate information on the economic, industrial and other data which underlie such legislation. Look at the extraordinary range of citation in the dissenting opinion of Mr. Justice Brandeis in the ice case, running from climatological data to Lord Hale's Treatise on the Ports of the Sea. Notice, too, the highly documented briefs referring to sources of authority and information outside of law books. Consider the care with which Mr. Justice Cardozo gives credit to philosophical and sociological writers in his opinions and public addresses. Cases cannot be adequately decided by mere inspection or by relation to innate ideas of right and wrong. The judge seldom knows much about the merits of regulative legislation. Its solution often implies the widest knowledge of history, economics, sociology and physical science as well as a sound political philosophy which concerns the division of governmental powers between state and nation and
amongst the legislative, judicial and executive departments. Great issues of state before the court cannot be argued or decided without a solid foundation of fundamental knowledge both legal and extra-legal. Public causes are not to be treated by the methods of private litigation. The broadest and soundest instruction in the proper historical and economical approach to a constitutional question is none too much to prepare the lawyer for his argument or the judge for his decision. Yet not infrequently we find lawyers discussing grave constitutional questions as they might a question on the law of sales, as resting on precedent and authority and not on reason and experience. They would construe the constitution as if it were a penal ordinance. With legal education rests the responsibility for training men fitted for constitutional adjudication.

The success of the Cornell Law School depends primarily on the ability, character, training and skill of the teachers composing its faculty and their power to teach private as well as public law and practical as well as theoretical law. Many law graduates will not care to seek prominence in public life or public cases but will prefer the time-honored duties of faithful service to private clients. Cornell has a place for them.

Now a word as to the teacher himself. Not long ago an eminent member of the Harvard Law School faculty declined a judgeship on the Supreme Court of Massachusetts, a position of great dignity and importance. He felt that his time could be more usefully spent in the training of future lawyers and judges, in the stimulation of research, in legal writing and in participation in those interests which are the stuff of which public law is made. Such is the spirit which should inspire the teacher in the Cornell Law School. Such are the teachers that this law school should train. Such are the men who will design the fabric of our public and private law. Inspired by such an ambition, the student finds in the drudgery of the classroom a rare splendor. He sees in himself the future leader of the bar, not as the mouthpiece of gangsters but as the exponent of international and constitutional liberties and restraints. Some of these students will meet the day when the high aims and lofty ideals which were implanted in them in this noble hall of learning shall have found fruition in the attainment of the highest possible positions of public leadership and confidence or private trust. By their fruits shall we know them. Such are the exalted purposes which impelled Mr. Taylor to erect this Hall. We shall be unworthy of our responsibility if we fail to accomplish his enlightened aims.