

Edward G. Ryan: Lion of the Law. By Alfons J. Beitzinger. (Madison: State Historical Society of Wisconsin, 1960. Pp. vi, 214. Illustrations, notes, bibliography, index. Paperbound, \$3.95.)

A judicial biography should indicate, as far as possible, how a judge's social, economic, political, and legal concepts are molded prior to his selection to the bench and then show how these concepts shape his work on the bench. In addition, there are often personal factors that have great weight in determining a judge's role. Of course, the effect that a judge's decisions have in forming the law must also be demonstrated. Professor Beitzinger's neat little volume satisfactorily meets these criteria.

When he was appointed chief justice of the Wisconsin Supreme Court in 1874 at the age of sixty-three, Irish-born Edward Ryan had been anything but successful, even in his law practice. Yet he brought to the bench a "keen intellect, profound learning, high principles, and great moral courage" (p. 170). The author competently demonstrates how these qualities along with Ryan's irascible nature and his political and economic views—locofocoism, devotion to states' rights, and basic conservatism—were instrumental in shaping his judicial career.

Although he was on the bench for only six years (he was elected in his own right in 1875), Ryan left his stamp on the law. His most important contribution was his realistic opinion in *Attorney General v. Railroad Companies* shortly after his appointment. In this opinion he forcefully asserted the authority of the legislature to regulate corporate combination by upholding the Potter Law of 1874, which, among other things, fixed railroad rates. Ryan also fought vigorously, for he knew no other way, against encroachment on state court jurisdiction by the federal courts, for a high standard of ethics for the Wisconsin bench and bar—with lasting effect, successfully for limiting the original jurisdiction of his court to prerogative causes, and unsuccessfully against municipal aid to railroads.

Particularly interesting aspects of Ryan's pre-judicial career are his role in the Barstow-Bashford gubernatorial controversy of 1855, his defense of law and order during the Booth controversy, and his defense of constitutional rights during the Civil War.

There are of course points on which Beitzinger's volume can be criticized. The author unfairly ranks Ryan with Kent, Shaw, and Gibson. Ryan could not begin to accomplish in his six years on the bench what Shaw did in his thirty years and approximately 2,200 opinions. Organization is also open to criticism, e.g., the reader must wait until Chapter Ten to learn the effect of Ryan's Jesuit training on his thinking. But on the whole this biography is a thoroughly researched and interestingly-written addition to an all too uncultivated field.

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