

5-1940

University of Richmond Bulletin: The T.C. Williams School of Law in the University of Richmond Catalogue of 1939-1940

University of Richmond

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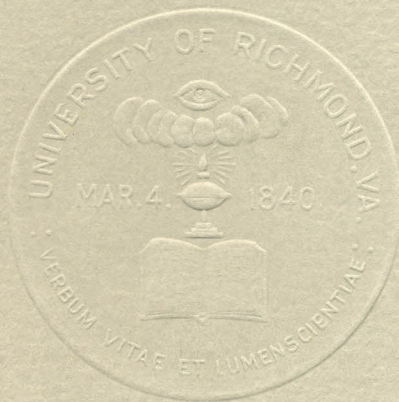
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THE
T. C. Williams School of Law
IN THE
University of Richmond



CATALOGUE
1939-1940

WITH ANNOUNCEMENTS FOR 1940-1941

PUBLISHED QUARTERLY

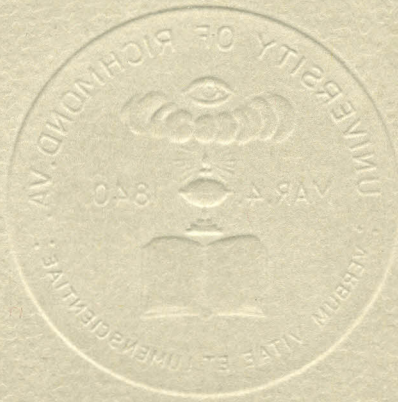
University of Richmond Bulletin

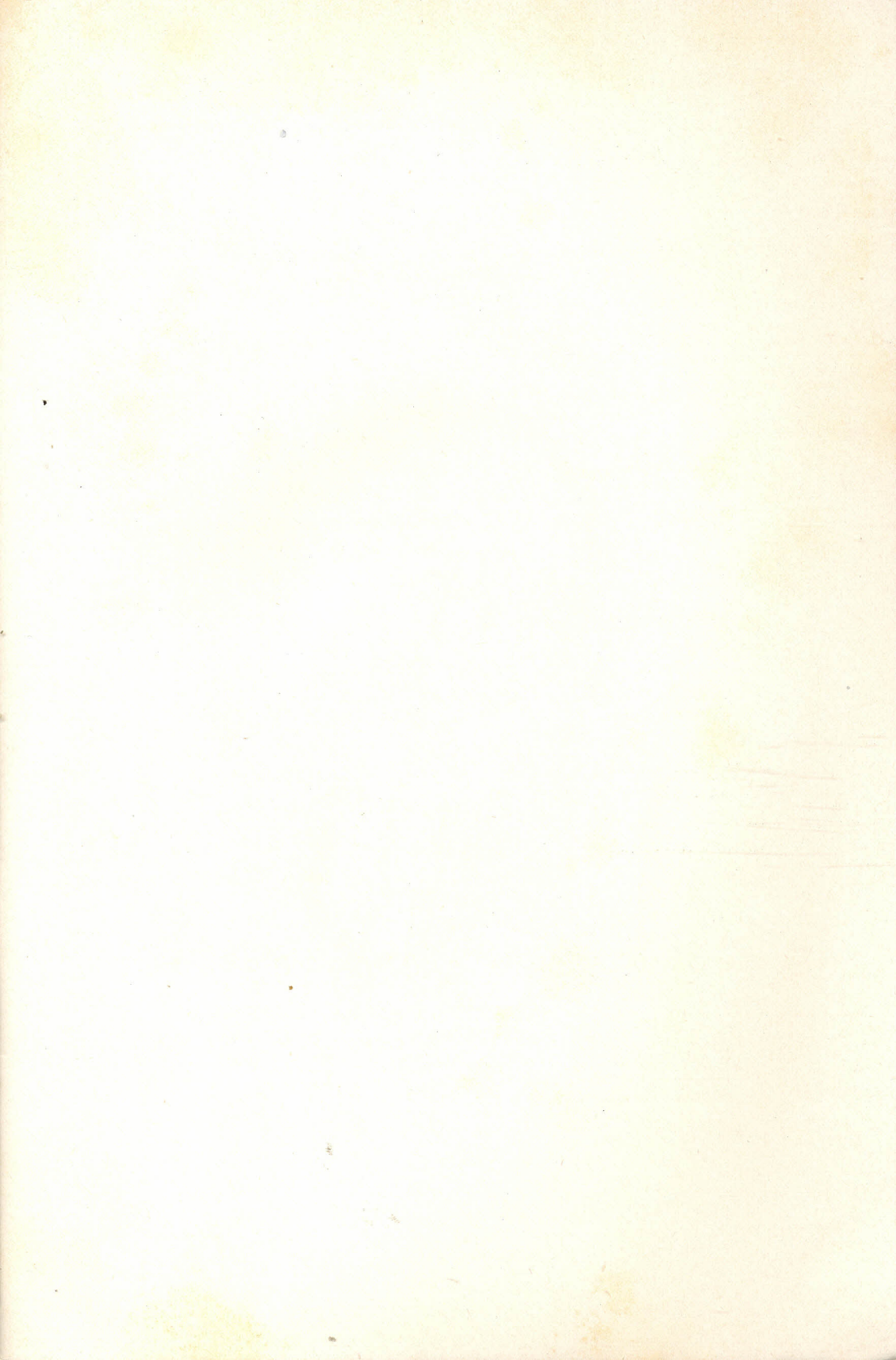
VOLUME XLII

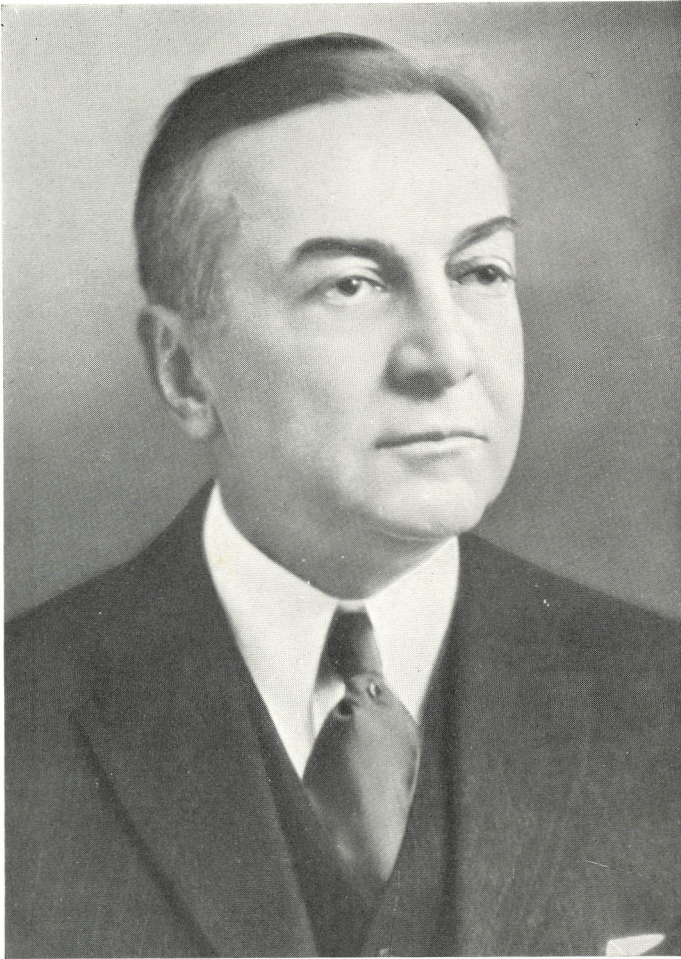
MAY, 1940

NUMBER 5

ENTERED AT THE POSTOFFICE AT THE UNIVERSITY OF RICHMOND, VA.,
AS SECOND-CLASS MATTER







*T. C. WILLIAMS, JR.
Chief Benefactor of the Law School

*Mr. Williams died February 14, 1929.

CATALOGUE of
The T. C. Williams School of Law
in the
University of Richmond

SESSION, 1939-1940
WITH ANNOUNCEMENTS FOR 1940-1941



UNIVERSITY OF RICHMOND
VIRGINIA

Calendar, 1940-1941

FIRST SEMESTER

- SEPTEMBER 10TH, TUESDAY—Registration of New Students.
SEPTEMBER 11TH, WEDNESDAY—General Registration.
SEPTEMBER 12TH, THURSDAY—General Registration.
SEPTEMBER 13TH, FRIDAY—Organization of all classes.
NOVEMBER 20TH, WEDNESDAY, 1:30 P. M.—Thanksgiving holiday begins.
NOVEMBER 25TH, MONDAY, 8:30 A. M.—Classes resume.
DECEMBER 20TH, FRIDAY, 1:30 P. M.—Christmas holiday begins.
JANUARY 6TH, MONDAY, 8:30 A. M.—Classes resume.
JANUARY 20TH, MONDAY—Examinations begin.
JANUARY 25TH, SATURDAY—Close of first semester.

SECOND SEMESTER

- JANUARY 27TH, MONDAY—Registration and organization of all classes.
FEBRUARY 3RD, MONDAY—Applications for Degree filed.
APRIL 10TH, THURSDAY, 1:30 P. M.—Easter Holiday begins.
APRIL 15TH, TUESDAY, 8:30 A. M.—Classes resume.
MAY 19TH, MONDAY—Examinations begin.
JUNE 2ND, MONDAY—Examinations end.
JUNE 8TH, SUNDAY—Baccalaureate Sermon.
JUNE 9TH, MONDAY—Annual Meeting of Trustees; Alumni Reunions.
JUNE 10TH, TUESDAY—Commencement Day.

SUMMER SESSION, 1941

- JUNE 16TH, MONDAY—First Term begins.
JULY 24TH, THURSDAY—Examinations begin.
JULY 26TH, SATURDAY—Close of First Term.
JULY 28TH, MONDAY—Second Term begins.
SEPTEMBER 4TH, THURSDAY—Examinations begin.
SEPTEMBER 6TH, SATURDAY—Close of Second Term.

Board of Managers

DOUGLAS S. FREEMAN	<i>President Board of Trustees</i>
F. W. BOATWRIGHT	<i>President of the University</i>
B. WEST TABB	<i>Vice-President and Treasurer of the University</i>
OVERTON D. DENNIS	Richmond, Va.
L. HOWARD JENKINS	Richmond, Va.
J. THOMAS LAWRENCE	Richmond, Va.
T. JUSTIN MOORE	Richmond, Va.
S. P. RYLAND	Richmond, Va.
RUSSELL C. WILLIAMS	Richmond, Va.

Faculty Committees

Executive—M. RAY DOUBLES, JAMES H. BARNETT, JR., ELLSWORTH WILTSHIRE.

Alumni Relations—W. S. CUDLIPP, JR., J. E. DRINARD, J. WESTWOOD SMITHERS, FRANCES FARMER.

Catalog—M. RAY DOUBLES, RALPH T. CATTERALL, J. WESTWOOD SMITHERS.

Curriculum and Faculty Rules—RALPH T. CATTERALL, JAMES H. BARNETT, JR., M. RAY DOUBLES.

Freshman Instruction—JAMES H. BARNETT, JR., W. S. CUDLIPP, JR., M. RAY DOUBLES, WILLIAM H. KING, J. WESTWOOD SMITHERS.

Library—FRANCES FARMER, M. RAY DOUBLES, RALPH T. CATTERALL, J. WESTWOOD SMITHERS.

McNeill Law Society—J. WESTWOOD SMITHERS, Advisor.

Placement of Graduates—LOUIS S. HERRINK, RALPH T. CATTERALL, ELLSWORTH WILTSHIRE.

Public Affairs and Publicity—J. WESTWOOD SMITHERS, LOUIS S. HERRINK, RICHARD MCDERMION, FRANCES FARMER.

Student Affairs—M. RAY DOUBLES, W. S. CUDLIPP, JR., J. WESTWOOD SMITHERS.

Officers
of the
University of Richmond School of Law

FREDERIC WILLIAM BOATWRIGHT, M.A., LL.D.
President

BENJAMIN WEST TABB, B.A.
Vice-President and Treasurer

MALCOLM RAY DOUBLES, B.S., LL.B., J.D.
Dean

FRANCES FARMER, B.A., LL.B.
Librarian

Faculty

- JAMES HARMON BARNETT, JR., 1920 *Professor*
B.S., Georgetown College; LL.B., University of Richmond;
LL.M., Harvard Law School
- LOUIS SHEPARD HERRINK, 1920 *Associate Professor*
B.A., Randolph-Macon College; LL.B., Harvard Law School
- RALPH T. CATTERALL, 1924 *Associate Professor*
B.A., LL.B., Harvard Law School
- ELLSWORTH WILTSHIRE, 1924 *Associate Professor*
B.A., LL.B., University of Virginia, S.J.D., Harvard Law School
- MALCOLM RAY DOUBLES, 1926 *Dean and Professor*
B.S., Davidson College; LL.B., University of Richmond;
J.D., University of Chicago
- *WILLIAM TAYLOR MUSE, 1931 *Professor*
B.A., LL.B., University of Richmond; S.J.D., Harvard Law School
- JOHN WESTWOOD SMITHERS, 1932 *Professor*
B.S., LL.B., University of Richmond; Graduate Work, Harvard Law School
- WILLIAM SAMUEL CUDLIPP, JR., 1933 *Associate Professor*
LL.B., University of Richmond
- JAMES ELLIOTT DRINARD, 1940 *Instructor*
LL.B., University of Richmond
- WILLIAM HAVEN KING, 1940 *Instructor*
B.A., Dartmouth College; LL.B., University of Richmond
- RICHARD MCDEARMON, 1940 *Instructor*
B.A., Hampden-Sydney College; LL.B., University of Richmond

*On leave of absence—Fellowship Harvard Law School.



Columbia Building

General Statement

A Law School was first established in Richmond College in 1870. In 1890 the family of the late Mr. T. C. Williams, who had been a devoted and useful trustee, donated \$25,000 as the nucleus of an endowment for the Law School. In recognition of this gift, the name of the School was changed to the T. C. WILLIAMS SCHOOL OF LAW. At various times the School has received further generous gifts from members of the family of Mr. Williams. The largest of these gifts came through a bequest from Mr. T. C. Williams, Jr., who like his father, was long a trustee of Richmond College, and for twenty years was the efficient chairman of the Executive Committee of the Board. As a result of these several benefactions the endowment of the School of Law now amounts to \$281,700.00. The Law building and lot are valued at \$84,700.00 and the equipment at \$40,000.

The T. C. Williams School of Law is firmly established as an integral part of the University of Richmond. The degrees in law are conferred by the corporation of the University of Richmond.

AN ACCREDITED SCHOOL

The School is fully accredited by the recognized standardizing agencies in America. It is a member of the Association of American Law Schools; is on the approved list of the American Bar Association; and its Bachelor of Laws degree is fully accredited by the Regents of the University of the State of New York.

The University of Richmond, of which the Law School is a component part, is on the accredited list of the Association of American Universities.

LOCATION

The Law School occupies "Columbia" building, the early home of Richmond College, at Lombardy and Grace Streets in Richmond. Extensive additions, which conform to the colonial architecture of the original building enable the Law School to accommodate in its classes about 250 students.

Richmond is the seat of Virginia's government. The State Legislature and the City Council hold frequent sessions. All types of City and State courts, including the Supreme Court of Appeals, sit here, some of them continuously.

The Federal District and Circuit Court of Appeals hold regular terms in Richmond. The State Corporation Commission and the Industrial Commission hold their hearings here. These opportunities, in addition to Library, classroom and home work, afford unsurpassed practical ways of law study to the industrious student by his observation of law in the making and operation as he notes the various legislative, judicial and administrative departments of the State at work.

METHOD OF INSTRUCTION

The aim of the School is thoroughly to equip its graduates with legally trained minds. Several factors are happily combined to accomplish this result. The "case-system" of instruction is used in practically all courses. The student, particularly the beginner, is trained in the art of analysis and solution of legal problems by the application of logical reasoning. Attention is given to the principles of the Common Law; decisions of State and Federal courts; and particularly to such rules of law as are peculiar to Virginia. Substantive courses, dealing with the content of the law, are offered by full-time instructors. Adjective courses, dealing with the principles governing actual practice before judicial tribunals, are offered by associate instructors, all practicing attorneys and leading members of the city and State bars. The student is trained in the historical principles of law, but his attention is also directed to the most recent developments. By a combination of the above factors, a competent faculty offers a curriculum, well balanced in theoretical and practical courses, carefully selected to equip the graduate for the intelligent practice of law.

REQUIREMENTS FOR ADMISSION

Candidates for the LL.B. Degree: All applicants for admission must be at least eighteen years of age, and must present a certificate of graduation from a college or university of approved standing, or a transcript from the registrar of such institution showing fifteen college entrance units and the successful completion of at least two years of college work leading to a bachelor's degree in a standard college.

NOTE: The two years of college work must include sixty semester hours of college work, completed in residence, and exclusive of credit earned in non-theory courses in military science, hygiene, domestic arts, physical education, vocal or instrumental music, or other courses without intellectual content of substantial value. All such college work must have been passed with a scholastic average at least equal to the average required for graduation in the institutions attended and such average shall be based upon all of the work undertaken.

This requirement complies with the standards of the Association of American Law Schools and of the American Bar Association.

Prospective students, especially those living outside of Richmond, are advised to determine the question of their qualifications for admission by correspondence with the Dean. Applicants are urged to submit a transcript as soon as possible after the close of college in June for evaluation, so that summer work may be pursued if necessary to acquire the prerequisite sixty semester hours.

Special Students: Such students must at the time of their admission be twenty-three years of age, or older, and are admitted only in exceptional cases where the faculty has good reason for believing that their experience and training have specially equipped them to engage successfully in the study of law, despite their lack of the college credits required of candidates for the degree. Each applicant must submit in writing a statement setting forth his age, academic and business training, accompanied by letters of recommendation from two or more persons who have peculiar opportunities to form an opinion of his ability, character and seriousness of purpose.

Special students, as such, are not eligible for the degree, and no law credit gained by such students may at any time thereafter be credited toward the degree. A certificate of proficiency will be awarded to special students who complete the law course prescribed for regular students.

PRE-LEGAL EDUCATION

Although the completion of only two years of college work is required for entrance, prospective students are urged to pursue at least three years in college, and if possible obtain their Liberal Arts degree before entering upon law study. The courses ordinarily pursued in the Junior and Senior years of college are of especial value in preparation for law study and the practice that is to follow.

While no particular subjects are pre-requisite, the following are recommended as desirable pre-law courses: English, History, analytical courses in Science, Mathematics, Economics, Political Science, Corporate Finance, Accounting, Philosophy, Sociology, Psychology, Logic, and Public Speaking.

COMBINED ACADEMIC AND LAW DEGREE

Students in Richmond College, the college of arts and sciences of the University of Richmond, may so combine their work in that school with the work in the Law School as to receive in six years the two degrees of Bachelor of Arts or Bachelor of Science and Bachelor of Laws. Students who wish to make this arrangement must matriculate in the Law School at the beginning of their fourth or senior year and must

complete the required subjects of the first year law course. Students who complete successfully their first year of assigned work in the Law School will receive the degree of Bachelor of Arts or Bachelor of Science, and will then receive the degree of Bachelor of Laws upon the completion of two additional years. Students desiring to make this arrangement should confer with the Dean of Richmond College and the Dean of the Law School before matriculation.

ADVANCED STANDING

An applicant for advanced standing must comply with the requirements for admission governing candidates for the LL.B. degree.

No credit will be given for work completed in another law school unless at the time such credit is presented, it is acceptable to the school wherein it was earned and such school is either a member of the Association of American Law Schools, or on the Approved List of the American Bar Association.

Credit granted is always conditioned upon the successful completion of not less than twenty-eight semester hours at this school.

REQUIREMENTS FOR GRADUATION

Academic Requirements: The law degree is conferred only upon "Candidates for the LL.B. degree."

Subject Requirements: The successful completion of eighty-four (84) semester hours of law work is required for the Bachelor of Laws degree. The following courses are prescribed: Contracts I, Contracts II, Torts, Personal Property, Real Property, Criminal Law, Judicial Remedies, Legal Profession, Wills and Administration, Agency and Partnership, Equity, Practice, Evidence, Private Corporations, and Constitutional Law; total, fifty-two (52) semester hours, plus thirty-two (32) semester hours of electives.

Scholastic Requirements: The passing grade is sixty (60). Not over sixteen (16) semester hours of credit obtained on grades below sixty-two (62) may be counted toward graduation.

Time Requirements: Applicants listed as full-time students must have been in residence at this or another law school for a period of three academic years.

Applicants listed as part-time students must have been in such residence for a longer period. Students gainfully employed for a substantial part of their time will be classified as part-time students.

Attendance during a full session of the summer school shall be deemed one semester of residence, provided the student registers for, and is examined in not less than 10 semester hours of work.

Fees: The degree will not be conferred unless the applicant has paid all fees due the University.

Filing of Application: Applications for the degree shall be filed at the beginning of the last semester in which the student can complete the degree requirements. Such applications shall be accompanied by the Diploma Fee.

GRADING SYSTEM

The passing grade is 60.

"A" is 80-100; "B" is 70-79; "C" is 62-69; "D" is 60-61; "E" is 50-59; "F" is below 50.

The passing grade of 60 has been selected in order to allow a range of grades wide enough to reflect the wide differences of ability between those students who are merely competent and those who are good or excellent. Grades are given on the theory that a grade of 100 would indicate a perfect understanding of the subject in question. Grades above 85 are unusual and indicate distinguished excellence.

Reports of grades made on examinations are published to students at the close of the session.

RULES OF ATTENDANCE AND SCHOLARSHIP

1. No student will be permitted to attend classes until he receives a regular class card or a written permit signed by the Dean or the Treasurer. Such card cannot be obtained until the student's admission has been approved by the Dean, and provision for payment of fees approved by the Treasurer.

2. Attendance upon all class exercises is required. Excuses for absences are not accepted. A student whose record shows absences exceeding fifteen in a four semester-hour course, eleven in a three semester-hour course, or seven in a two semester-hour course, will not be entitled to take the examination given in such course.

3. A first year student may not register for more than the required work, which is fourteen (14) semester hours in each semester.

4. No student in the second or third year may register for more than 18 semester hours in any semester without special permission of the Dean.

5. A student may not pursue work for more than 8 semesters, including residence at other law schools, unless permitted to do so by special action of the faculty.

6. A student who fails to pass 61% of the work in which he is registered for examination shall be automatically suspended, and will not be readmitted except by special action of the faculty.

7. Any student who, in the opinion of the faculty, fails to show promise of advancement in the study of the law will be advised to withdraw.

8. A student who finds that he will be unavoidably prevented from taking an examination at the time scheduled, may, if he communicates such fact to the Dean on or before the morning of such examination, receive permission to take an examination at a later date, otherwise the instructor will not be required to grade or justified in grading a paper if submitted.

9. Failure to take an examination given in a course for which the student has registered, unless excused by the Dean, will be recorded as "Incomplete" and treated as a "Failure." No student will be permitted to resign from a course without the consent of the Dean, and then only for an adequate reason.

10. A student receiving a grade of "F" (i. e. below 50) in any course will be required to repeat class attendance in such course as a prerequisite to taking another examination therein.

11. A student receiving a grade of "E" in any course (i. e. 50 to 59) may within the following year take the regular examination in that course without repeating class attendance. The grade received on the re-examination will be substituted for the former grade whether it be higher or lower. Only one such re-examination may be taken without repeating class attendance.

12. A student receiving a grade of D (i. e. 60 or 61) in any course may take the next regular examination in such course for the purpose of raising such grade without repeating class attendance therein. If the grade on such re-examination be 62 or higher, a grade of exactly 62 shall be substituted for the original grade; if the grade be lower than 62, the original grade shall remain unaltered. Only one such re-examination may be taken in any course without repeating class attendance therein.

13. In exceptional cases students may be permitted by the Dean to take an examination in absentia under such conditions as he may deem proper.

14. Unless announced otherwise by the instructor, the period for an examination will be four hours in four semester-hour courses, three and one-half hours in three semester-hour courses, and three hours in two semester-hour courses.

15. Examinations are conducted under the honor system.

PRIZES

In 1939 the Charles T. Norman prize, a gold medal, for the best all-around law graduate, was awarded to G. Thomas Taylor, Richmond, Virginia.

The Walter Scott McNeill Memorial prize, \$50 in cash to the student attaining the highest scholastic average in the second-year, was awarded to Wildman S. Kincheloe, Jr., Crewe, Virginia.

The Callaghan & Co. prize, a "Cyclopedic Law Dictionary," for the first-year student who attains the highest average on all regular examinations in that class, was awarded to James W. Gordon, Jr., Bon Air, Virginia.

The Nathan Burkan Memorial Competition award of \$100.00 for best essay on Copyright Law was awarded to William L. Kell, of Bluefield, West Virginia.

MCNEILL LAW SOCIETY

The McNeill Law Society is named in memory of Walter Scott McNeill, beloved instructor in the school from 1905-1930. Monthly meetings are held at which time moot cases are argued, legal essays delivered, and recent decisions reported. Membership is limited to students who have attained a high scholastic average.

PRACTICE COURT

In order that the student may have some experience in the trial of cases before graduation, a course designated Practice Court, limited to Seniors, and carrying two semester hours of credit is offered.

Each student is required to argue one *nisi prius* and one appellate case, preparing all the pleadings and taking all the steps necessary to the ultimate disposition of the case. Other students in the school act as witnesses and jurors, and prominent lawyers from the Richmond Bar act as judges.

LIBRARY

The law library occupies a large, well-lighted room in the law building. It contains some 13,500 volumes covering over 17,000 reports and embracing the decisions of the Supreme Court of the United States; the decisions of the lower Federal Courts; the United States Code Annotated and other Federal codes and compiled statutes; the reports of all the state courts of last resort prior to the National Reporter System; the complete Reporter System; the American Digest System; the select case series of annotated reports including American Decisions, American Reports, American State Reports, Lawyers Reports Annotated and American Law Reports; a collection of many law encyclopedias including American and English Encyclopedia of Law and Procedure, Ruling Case Law, Corpus Juris-Cyc, and others; the leading legal periodicals, law reviews, reference books and treatises; the codes and Acts of the Virginia House of Burgesses and General Assembly from early times to

date; the codes of neighboring states. In addition, the library contains the full English Reprint; the English Law Reports; Halsbury's Laws of England; English and Empire Digest.

Students have access without charge to the main library of the University, the State Law Library, and other public libraries.

UNIVERSITY EXPENSES

1. The charges are as follows:

College fee.....	\$ 60.00
Tuition	165.00
Contingent fee	5.00

Total for session.....\$230.00

2. Terms of Payment:

Payable on entrance—First Semester:

College fee, in full.....	\$ 60.00
Tuition, one-half.....	82.50
Contingent fee	5.00

Payable February 1st—Second Semester:

Tuition, one-half.....	\$ 82.50
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3. Students entering in February for the Second Semester pay the contingent fee and one-half of the other regular charges.
4. Students who matriculate to take re-examinations, or who completed their requirements for the degree in a summer session, pay a registration fee of \$10.00. A fee of \$5.00 is charged for each such re-examination.
5. Special charges:

Diploma fee.....	\$ 5.00
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The diploma fees are payable thirty days preceding the date of graduation.

The College fee is an entrance charge paid by all students to cover the privileges of the campus and buildings, including the use of the library, and is not subject to deduction or in any case refunded.

The Contingent fee of \$5.00 is charged each student to cover unnecessary damage to college property, loss of books from the library, etc. Such part of this fee as is unused is returned to the student at the close of the session.

The University has an arrangement with a local bank whereby worthy and dependable students, who may not have sufficient funds at hand to pay all that is due the Treasurer on entrance, may obtain short-term loans. The student himself, however, must be in a position to pay a substantial part of the amount due before the loan is approved.

Students are matriculated for the full session and no refund or adjustment will be made, except that the tuition charge for the second semester will be cancelled for those students who will notify the Dean by February 1st of their desire to withdraw at the close of the first semester.

No diploma is granted or credit given for session's work until all charges have been satisfactorily settled.

ADDITIONAL EXPENSES

1. Student Government Fee. A fee of \$8.50 is payable upon matriculation to the "Law School Student Government Association." This fund is used to finance the various student organizations and publications.
2. Books. The books required in the first year, if purchased new, will cost about \$40.00. Second-hand books are available at lower cost. All books may be secured through the student book exchange at reasonable prices.
3. Rooms and Board. Students can obtain furnished rooms in private homes near the Law School at prices varying from \$10.00 to \$15.00 a month. Good table board may be obtained in private families in the same neighborhood at from \$6.00 to \$8.00 a week. Names and addresses of persons willing to receive students in their homes are on file at the Office of the Dean, and will be furnished upon request.

SUMMER SCHOOL

The summer session is composed of two terms of six weeks each. A total of six semester hours' credit may be gained in each term. Classes begin at 8:30 A. M. and end at 1:30 P. M., meeting five days a week. Attendance at one full summer session will be deemed equivalent to one semester's residence where twelve semester hours have been pursued during such session.

Expenses: Matriculation, \$10.00 (this fee covers both terms). Tuition, \$10.00 per semester-hour credit.

For further information, address

M. RAY DOUBLES, *Dean*
601 North Lombardy Street
Richmond, Virginia

Schedule of Classes, Session 1940-1941

First Semester

	8:35-9:30	9:35-10:30	10:35-11:30	11:35-12:30	12:35-1:30
M	Judicial Remedies (G) Domestic Relations (A) Future Interests (H)	Equity and Federal Procedure (H)	Contracts I (G) Bills and Notes (J)	Security (G)	Sales (J)
T	Judicial Remedies (G) Domestic Relations (A) Future Interests (H)	Equity and Federal Procedure (H)	Criminal Law (D) Evidence (H)	Contracts I (G) Constitutional Law (H)	Agency (D)
W	Torts (A) Private Corp'rat'ns(G)	Agency (D) Constitutional Law (H)	Evidence (H)	Personal Property (J) Security (G)	Contracts I (G) Bills and Notes (J)
T	Torts (A) Practice (H) Private Corp'rat'ns(G)	Criminal Law (D) Trusts (H)		Agency (D)	Personal Property (J) Security (G)
F	Torts (A) Practice (H)	Criminal Law (D) Trusts (H)	Sales (J)	Agency (D)	Personal Property (J) Security (G)

Second Semester

M	Judicial Remedies (G) Conveyances (H)	Real Property (H)	Bills and Notes (J)	Criminal Proc'dure(G)	Sales (J)
T	Judicial Remedies (G) Conveyances (H)	Real Property (H)	Evidence (H)	Contracts II (G) Constitutional Law (H)	Equity (G) Conflict of Laws (D)
W	Torts (A) Private Corp'rat'ns(G)	Wills (J) Constitutional Law (H)	Evidence (H)	Equity (G) Conflict of Laws (D)	Contracts II (G) Bills and Notes (J)
T	Torts (A) Practice (H) Private Corp'rat'ns(G)	Legal Profession (D) Trusts (H)	Criminal Proc'dure(G)	Equity (G) Conflict of Laws (D)	Contracts II (G)
F	Torts (A) Practice (H)	Legal Profession (D) Trusts (H)	Sales (J)	Equity (G) Conflict of Laws (D)	Wills (J)

Curriculum

First Year

All courses in the first year are prescribed, a total of 28 semester hours.

CONTRACTS I—(3 sem. hrs.). This course is designed primarily to deal with the fundamental elements requisite to the formation of contracts through the study of cases accompanied by reference work in the Restatement of Contracts and other treatises. Topics covered include offer and acceptance, revocation, rejection, consideration, sealed instruments. Some aspects of conditions are also treated. Doubles' Cases on Contracts. Three hours a week, first semester. Mr. Doubles.

CONTRACTS II—(3 sem. hrs.). This course deals with the problem of mental error in contractual relations, i. e. fraud, misrepresentation, and mistake, and the remedies therefor. Other topics covered are third party beneficiaries, assignments, construction and interpretation, Statute of Frauds, illegality, and discharge. Doubles' Cases on Contracts. Three hours a week, second semester. Mr. Doubles.

TORTS—(6 sem. hrs.). General principles of *ex-delicto* liability: battery, assault, false imprisonment, trespass to real and personal property, consent, privileges and defenses, negligence, legal cause, emotional disturbance, duty and care in aiding, interference with aid, liability of real estate owners, occupiers, vendors and lessors, liability of lessors, vendors and manufacturers of chattels, voluntary assumption of risk, contributory negligence, liability without fault, misrepresentations, defamation, interference with contractual relations and other economic advantages. Bohlen's Cases on Torts, third edition. Three hours a week, both semesters. Mr. King.

PERSONAL PROPERTY—(3 sem. hrs.). Much time is given to possession, actual and constructive, and the rights and liabilities based thereon; some methods of acquiring title to chattels; liens and pledges; conversion. Warren's Cases on Property. Three hours a week, first semester. Mr. Barnett.

REAL PROPERTY—(2 sem. hrs.). Estates in land, conveyancing at common law and under the Statutes of Uses and Grants, air and water rights, fixtures, emblements, waste, profits, easements, licenses, covenants running with the land. Warren's Cases on Property. Two hours a week, second semester. Mr. Herrink.

CRIMINAL LAW—(3 sem. hrs.). Sources and ends of criminal law; specific felonies, including murder, manslaughter, larceny and related offenses, robbery, burglary, arson, and rape; misdemeanors; solicitation and attempts; general consideration of the criminal act

and the mental element in crime; entrapment, consent of injured party, negligence, intent, motive, ignorance and mistake, insanity, intoxication, coercion, infancy, justification and excuse; parties in crime. Beale's Cases on Criminal Law, fourth edition. Three hours a week, first semester. Mr. Smithers.

JUDICIAL REMEDIES—(4 sem. hrs.). Development of the court system, the forms of action, pleading in actions at law, extraordinary legal remedies, the history of equity, elementary principles of specific performance of contracts and equitable relief against torts. Scott and Simpson Cases on Judicial Remedies. Two hours a week, both semesters. Mr. Cudlipp.

THE LEGAL PROFESSION—(2 sem. hrs.). The legal profession as an institution, its history, nature, work, and organization; selection and training of lawyers; standards and sanctions applicable to lawyers with reference to getting practice, trial advocacy, office practice, fees, and privileged communications; privileges and duties of lawyers generally; standards of the judiciary; obligations of the profession to society; unauthorized practice of law. Cheatham's Cases and Other Materials on The Legal Profession. Two hours a week, second semester. Mr. Smithers.

WILLS AND ADMINISTRATION—(2 sem. hrs.). Statutes of descent and distribution; making, revocation, republication and revival; lapsed, void, adeemed, and satisfied legacies and devises. Grant of probate and administration, rights and liabilities of personal representative. Warren's Cases on Wills and Administration. Two hours a week, second semester. Mr. Barnett.

Second Year

The following four courses totaling 16 semester hours are prescribed. The student will elect 12 additional semester hours.

AGENCY AND PARTNERSHIP—(4 sem. hrs.). (A combination of the two courses in Agency and Partnership, formerly taught separately. About two-thirds of the course is devoted to Agency and one-third to Partnership.)

The agency relationship: nature, creation, other relationships distinguished; power of agent to create contractual rights and liabilities of principal: authority, apparent authority, estoppel; liability of principal in tort: scope of authority, independent contractors; ratification; rights and liabilities of undisclosed principal; rights and liabilities of agent with respect to principal and third party; termination of agency. The partnership relationship; nature, creation, other relationships distinguished; partnership property:

nature of partner's interest and firm's interest; rights, powers, duties, and liabilities of partners as to each other and as to third persons; retirement and admission of partners; effect of death of partner; dissolution, accounting, and winding up; marshalling of assets and rights of creditors; Uniform Partnership Act; limited partnership. Stecher's Cases on Agency and Partnership. Four hours a week, first semester. Mr. Smithers.

PRACTICE—(4 sem. hrs.). Civil Pleading and Procedure. Jurisdiction and venue, process, appearance, notice of motion for judgment, procedure at rules, pleadings, continuance, juries, demurrer to evidence, motion to strike evidence, instructions, argument of counsel, verdict, motions after verdict, non suit, bills and certificates of exception, judgment, execution, attachments, mechanics' liens, distress. Instructor's notes and casebook to be announced. Two hours a week, both semesters. Mr. Wiltshire.

EVIDENCE—(4 sem. hrs.). Rules of admissibility of evidence; privilege; procedure; the parol evidence rule. Wigmore's Select Cases on the Law of Evidence, third edition. Two hours a week, both semesters. Mr. Catterall.

EQUITY—(4 sem. hrs.). This course deals with the remaining *ex contractu* problems not covered in the equity part of the course in Judicial Remedies. Topics covered include jurisdiction, enforcement of unusual affirmative and negative covenants, and arbitration and award agreements, relief for and against third persons, equitable servitudes, equitable conversion, marketable title, partial performance with compensation, enforcement of oral agreements, reformation and rescission due to mistake and hardship. Chafee and Simpson's Cases on Equity, Volumes I and II. Four hours a week, second semester. Mr. Doubles.

Third Year

The following courses totaling 8 semester hours are prescribed. The student will elect 20 additional semester hours.

PRIVATE CORPORATIONS—(4 sem. hrs.). The private corporation as governed by the common law and modern statutes: characteristics of a corporation, formation, *intra vires* and *ultra vires* powers and liabilities, duties and liabilities of directors, rights of stockholders, transfer of stock, dissolution, consolidation and merger, creditors' rights, legislative control. Richards' Cases on Corporations, third edition. Two hours a week, both semesters. Mr. McDearmon.

CONSTITUTIONAL LAW—(4 sem. hrs.). A general course covering those parts of the Constitution of the United States that are most

frequently involved in litigation. Evans' Cases on Constitutional Law, fourth edition. Two hours a week, both semesters. Mr. Catterall.

Electives

- SALES**—(4 sem. hrs.). Transfer of title, conditional sales, rights and remedies of seller and buyer, security, warranty, inspection. Williston and McCurdy's Cases on Sales. Two hours a week, both semesters. Mr. Barnett.
- CONVEYANCES**—(2 sem. hrs.). Accretion, statutes of limitation, prescription, description of property conveyed, landlord and tenant, methods of creating easements and profits, covenants for title, execution of deeds, recording statutes, estoppel by deed, dedication. Warren's Cases on Conveyancing. Two hours a week, second semester. Mr. Herrink.
- FUTURE INTERESTS**—(2 sem. hrs.). Rights of entry for condition broken, escheat, right of reverter, reversions, vested and contingent remainders, executory interests, future interests in personal property, rule in Shelley's Case, construction of limitations including questions of vesting, the determination of classes, etc., powers, rule against perpetuities, restraints on alienation. Kale's Cases on Future Interests. Two hours a week, first semester. Mr. Herrink.
- DOMESTIC RELATIONS AND PERSONS**—(2 sem. hrs.). Parent and child, infancy, contracts to marry, marriages, husband and wife, divorce and separation. Woodruff's Cases on Domestic Relations and Persons, third edition. Two hours a week, first semester. Mr. Drinard.
- BILLS AND NOTES**—(4 sem. hrs.). Formal requisites, inception and transfer of rights and defenses, including fraud, illegality, and incapacity, holders in due course, accommodation paper, overdue paper, reacquisition by secondary parties, alterations, quasi-contractual recover of money paid on a bill or note under a mistake, fraudulent impersonation. Campbell's Cases on Bills and Notes. Two hours a week, both semesters. Mr. Barnett.
- TRUSTS**—(4 sem. hrs.). Nature of a trust, creation of a trust, elements of a trust, resulting and constructive trusts, administration of trusts, liabilities to third persons, transfer of interest of beneficiary, persons bound by a trust, termination of a trust. Scott's Cases on Trusts, third edition. Two hours a week, both semesters. Mr. Wiltshire.
- CONFLICT OF LAWS**—(4 sem. hrs.). The law relating to all acts and transactions in which any operative fact occurs outside the state

where legal proceedings are instituted, or which involve other significant extrastate elements. Domicil; legislative jurisdiction of states, with special attention to taxation; judicial jurisdiction, including jurisdiction for divorce; enforcement of foreign judgments. The law applicable to procedure; marriage, legitimacy, adoption, and guardianship; property, sales, mortgages, and trusts; contracts, bills and notes, and insurance; wrongs, including torts; agency, partnership, and corporations; inheritance and administration of estates. The theoretical bases of Conflict of Laws, including the problems of renvoi and of qualifications. Beale's Cases on Conflict of Laws (shorter selection), second edition. Four hours a week, second semester. Mr. Smithers.

PRACTICE COURT—(2 sem. hrs.). Law office management, interviewing clients, fixing fees, examination of witnesses, preparation of trial briefs, trial technique, examination of titles to real property. One hour a week, both semesters. Mr. Cudlipp.

***JURISPRUDENCE**—(2 sem. hrs.). An introductory course in Jurisprudence, conducted as a seminar, to be offered for the first time in 1941-42. Open only to seniors of high standing. Materials to be announced. One hour a week, both semesters. Seminar lecturers: Messrs. Doubles, Muse, Barnett, and Smithers.

RESEARCH—(2 sem. hrs.). This course is designed to encourage and offer opportunity for independent research by the student. Credit is conditioned upon the completion of an acceptable thesis on some topic approved in advance by the instructor under whose supervision the research is conducted. Open to seniors only.

***EQUITABLE RELIEF AGAINST TORTS**—(2 sem. hrs.). Injunctions against and specific reparation for particular torts, bases of specific relief, types and scope of relief, defenses, protection of public and social interests. Chafee's Cases on Equitable Relief Against Torts and Pound's Cases on Equitable Relief Against Defamation and Injuries to Personality, second edition. Two hours a week, second semester. Mr. Muse.

***INSURANCE**—(2 sem. hrs.). General principles of fire and life insurance at common law and under modern statutes: insurable interest, form of contract, consideration, consummation, representations and warranties, illegality, rights to benefits, waiver and estoppel, subrogation, remedies, construction of contract and interpretation of particular terms. Woodruff's cases on Insurance, second edition. Two hours a week, second semester. Mr. Muse.

***PUBLIC UTILITIES**—(2 sem. hrs.). Historical study of the public utility concept, the more important utilities—carriers, innkeepers,

warehousemen, gas and electric companies, telephone and telegraph companies; the rights and obligations of the utility, the effect of state and federal legislation, rate making, proceedings before state and federal commissions. Robinson's Cases on Public Utilities. Two hours a week, first semester. Mr. Herrink.

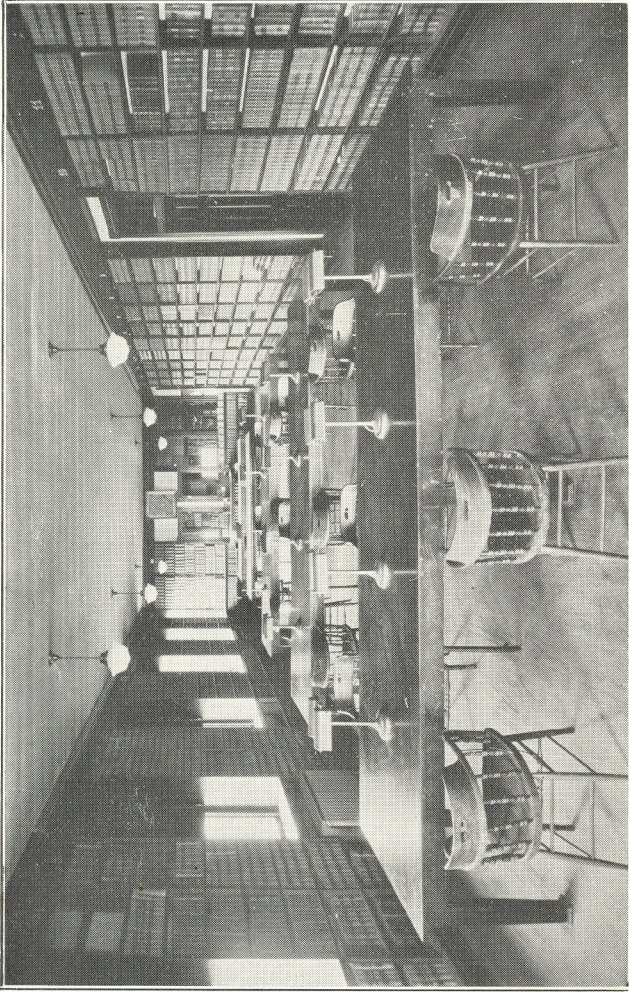
EQUITY AND FEDERAL PROCEDURE—(2 sem. hrs.). Parties—necessary and proper, the bill of complaint, multifariousness, demurrers, the answer, cross bills, pleas, the replication. The drafting of pleadings and other papers in a selected chancery suit is required. The course embraces a brief consideration of the present practice under the Federal Rules of Civil Procedure. Hinton's Cases on Equity Pleading. Two hours a week, first semester. Mr. Herrink.

*CREDITORS' RIGHTS—(4 sem. hrs.). General assignments, compositions, receiverships and bankruptcy; the rights of creditors in voidable transactions of the insolvent debtor. Casebook to be announced. Two hours a week, both semesters. Mr. Barnett.

SECURITY—(4 sem. hrs.). This is a companion course to Creditors' Rights. It comprises a study of the more frequently used security devices and the rights and remedies of the creditor thereunder. Topics covered include the pledge and repledge of stocks, letters of credit, trust receipts, chattel mortgages, the rights, powers, duties, liabilities, defenses and remedies of parties in the principal and surety relationship. Hanna's Cases on Security and Langmaid's Cases on Suretyship. Four hours a week, first semester. Open to seniors and superior juniors. Mr. Doubles.

*ADMINISTRATIVE LAW—(2 sem. hrs.). A study of the constitutional, legal, procedural, and functional aspects of the administrative mechanism, including the following topics: the doctrine of separation of powers, the growth of administrative commissions, and their legislative, judicial, and administrative functions and limitations, procedure before administrative tribunals, judicial relief from administrative action. Stason's Cases and other materials on administrative tribunals. Two hours a week, first semester. Mr. Doubles.

*Not offered in 1940-41.



Lace Library Reading Room

Graduates, June, 1939

ALLEN, SAMUEL HARRISON.....	South Hill, Va.
BROWN, WILLIAM GAY.....	Parkersburg, W. Va.
CONWAY, MARTHA BELL.....	Richmond, Va.
KELL, WILLIAM LECKIE.....	Bluefield, W. Va.
KNIBB, JAMES CLOPTON.....	Bybee, Va.
LEWIS, WILBUR MARSH.....	Ashland, Va.
RICE, DAVID CLARK.....	Richmond, Va.
RYLAND, CHARLES HILL.....	University of Richmond, Va.
SWEENEY, ULYSSES LEROY, JR.....	Dumbarton, Va.
TAYLOR, GEORGE THOMAS.....	Richmond, Va.
TOWNSEND, BRAXTON BRYAN.....	Petersburg, Va.
WHITE, DAVID MEADE, JR.....	Richmond, Va.

Student Roll, Session 1939-40

- ARNOLD, ROBERT WATSON, JR. (3), Washington and Lee University,
Waverly, Va.
- BAKER, BERNARD EDWARD (1), Bluefield College.....Webster, Mass.
- BECKER, WILLIAM PRITCHARD (3), B.S. Hampden-Sydney College,
Bramwell, W. Va.
- BLAKESLEE, JOHN WILLIAM (1), University of Virginia.....North Haven, Conn.
- BLANDFORD, WILLIAM RANDOLPH (3), Hampden-Sydney College..Beaumont, Va.
- BOATWRIGHT, JOHN B., JR. (2), B.A. University of Richmond...Buckingham, Va.
- BROWN, DOUGLAS WALTER, JR. (3), University of Va., Univ. of Cincinnati,
Huntington, W. Va.
- BROWN, EDWARD PARKER (3), B.A. University of Richmond.....Suffolk, Va.
- BROWN, LEROY EDWARDS, III (2), B.S. University of Virginia.....Richmond, Va.
- CAPLAN, FRED HARRY (2), B.A. West Virginia University...Clarksburg, W. Va.
- CHENAULT, HERMAN LEWIS (1), B.S., V. P. I.....Aylett, Va.
- COLHOUN, WILLIAM HARDEE, JR. (2), College of W. and M., U. of R.,
Christiansburg, Va.
- COPLEY, ERNEST LEE, JR. (1), B.A. University of Richmond.....Richmond, Va.
- CRADDOCK, BANTZ WHITING, JR. (2), A.B. Glenville State Teachers College,
Glenville, W. Va.
- CRIDLIN, CLYDE YEAMANS (1), College of W. and M., Roanoke College,
Jonesville, Va.
- CROUCH, THOMAS CULLEN, JR. (2), B.A. Univ. of Richmond...Richmond, Va.
- DOVELL, JULIAN NEWTON (3), Bridgewater College.....Luray, Va.
- EVANS, MEREDITH EDWARD (2), Wake Forest College.....Appomattox, Va.
- EVERETT, JOHN CALHOUN (2), B.A. Pennsylvania State College...Smithfield, Va.
- FLETCHER, JAMES WILLIAM (3), University of Richmond.....Sperryville, Va.
- FULTON, JACOB RUPERT (2), University of Virginia.....Grottoes, Va.
- GASKINS, MELVIN BURGESS (2), Randolph-Macon College, V.P.I. Extension,
Richmond, Va.
- GIBSON, ROSS SHACKELFORD (3), University of Richmond.....Richmond, Va.
- GIL, FRANCISCO ANDRES (1), B.A. University of Puerto Rico,
Aibonito Puerto Rico
- GOCHENOUR, JOHN CHAPMAN (2), S.B., Harvard University.....Warsaw, Ind.
- GOODE, WILLIAM SHAKESPEARE (3), B.S., V. P. I.....Clifton Forge, Va.
- GORDON, JAMES WADDELL, JR. (2), B.A., Hampden-Sydney College;
M.A., University of Virginia...Bon Air, Va.
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- HATHAWAY, HENRY S. (1), Northwestern University.....White Stone, Va.
- HEADEN, HERBERT (3), B.S. University of Richmond.....Richmond, Va.
- HOPPER, JAMES LEWIS (1), (s).....Claremont, Va.
- HUTT, JOHN CLIFFORD (2), V. P. I.....Neenah, Va.
- ISBELL, THOMAS WINN (1), B.A. University of Richmond.....Richmond, Va.
- JONES, HAMILL DICE (3), A.B. Randolph-Macon College.....Richmond, Va.

JONES, LIGON LEE (1), B.S. Randolph-Macon College.....	Hopewell, Va.
JORDAN, FRANK HERBERT, JR. (2), B.S. V. P. I.....	Dublin, Va.
KINCHELOE, WILDMAN SUDATH, JR. (3), B.A. University of Richmond,	Crewe, Va.
KUZNER, TED (1), B.A. West Virginia University.....	Hollidays Cove, W. Va.
LONG, ARA LANGDON (3), Glenville College, West Virginia University,	Pine Grove, W. Va.
MASE, SADI J. (3), University of Berlin.....	Richmond, Va.
MCCAUL, EUGENE WILLIAMSON (2), B.S. University of Richmond,	Richmond, Va.
MCCRAY, BERNARD WINN (3), B.A. V. M. I.....	Richmond, Va.
MCLEMORE, JAMES LATINUS (3), Randolph-Macon College.....	Suffolk, Va.
NANNINI, ELIO JOHN (3), A.B. Duquesne University.....	Washington, D. C.
PARKER, FRANCIS BYRON (1), B.A. University of Richmond.....	Richmond, Va.
PARSONS, LESTER SHIELDS, JR. (1), College of William and Mary....	Norfolk, Va.
PATTEN, NEAL JOSEPH (1), University of Richmond.....	Newport News, Va.
PEARSALL, JOHN WESLEY (2), B.S. Randolph-Macon College.....	Richmond, Va.
PICKUS, MILTON (1), West Virginia University.....	Beckley, W. Va.
POLINO, JOSEPH DELSHARDO (1), West Virginia University....	Fairmont, W. Va.
PRICE, LEONARD S. (1), University of Virginia.....	New Castle, Va.
ROSS, HUGH RUDASILL (2), B.S. University of Richmond.....	Criglersville, Va.
SANDERS, JOHN PERSHING (3), University of Richmond.....	Richmond, Va.
SAVAGE, JOSEPH LYNN, JR. (1), B.A. V. M. I.....	Fredericksburg, Va.
SCHRIEBERG, HENRY J. (3), University of Richmond.....	Richmond, Va.
SHETTER, BOOKS POORMAN (3), B.S. University of Richmond.....	Richmond, Va.
SHIELDS, GEORGE MUSE (1), University of Virginia.....	Charlottesville, Va.
STALLINGS, MOODY EASON (3), Hampden-Sydney College.....	Suffolk, Va.
STAPLES, ABRAM PENN, JR. (3), University of Richmond.....	Richmond, Va.
SWINK, GILBERT ROSCOE, JR. (2), A.B. Washington and Lee University,	Norfolk, Va.
TEMPLE, WILLIAM D. (3), Hampden-Sydney College.....	Petersburg, Va.
TUCKER, RANDOLPH WILEY (3), Washington and Lee University,	Newport News, Va.
TYLER, STOCKTON HETH, JR. (1), Washington and Lee University....	Norfolk, Va.
WALKER, FLAVIUS BARFOOT, JR. (1), B.A. University of Richmond,,	Richmond, Va.
WASSOM, JOHN T. (2), King College, Bluefield College.....	Wytheville, Va.
WHEELER, JAMES ERROLL (1), Concord College.....	Narrows, Va.
YEATTS, WILLIAM REAVES (1), B.S. Union College.....	Danville, Va.
YOUNG, HUGH PARKER (1) (s), Univ. of Richmond, College Wm. and Mary,	Richmond, Va.

The letter (s) indicates special students unable to qualify as candidates for the degree. The numeral indicates the class.

