

BULLETIN
WILLAMETTE UNIVERSITY

Salem, Oregon

COLLEGE OF LAW

1934 - 1935



FIFTIETH ANNIVERSARY

1883 - 1933



A HALF CENTURY OF TRAINING YOUNG PEOPLE
FOR LEADERSHIP

VOL. XXVII

MAY, 1934

NO. 4

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WILLAMETTE UNIVERSITY IS JUST TO THE RIGHT OF THE CAPITOL

THE FACULTY

Carl Gregg Doney, Ph.D., LL.D., President.
 I. H. VanWinkle, LL.B., Dean Emeritus.
 Roy M. Lockenour, LL.M., J.D., Acting Dean and Professor of Law.
 Claire M. Inman, LL.B., Professor of Law.
 Willis S. Moore, LL.B., Professor of Law.
 Ray L. Smith, A.B., LL.B., Professor of Law.
 William P. Ellis, LL.B., Instructor in Blackstone.
 Victor R. Griggs, A.B., LL.B., Instructor in Conflict of Laws.
 Walter E. Keyes, LL.B., Instructor in Negotiable Instruments.
 A. Max Page, LL.B., Instructor in Crimes and Criminal Procedure.
 William H. Trindle, A.B., LL.B., Instructor in Equity.
 Edw. M. Gillingham, Instructor in Legal Bibliography and Use of Law Books.

Following is a partial list of members of the bench and bar who will deliver one or more lectures each during the school year 1934-5:

Charles H. Carey, State Corporation Commissioner.
 Willis C. Hawley, Ex-President of the University and Former Congressman.
 Percy R. Kelly, Justice of the Oregon Supreme Court.
 Locius G. Lewelling, Circuit Court for the Third Judicial District.
 John L. Rand, Chief Justice of the Oregon Supreme Court.
 Alfred A. Schramm, State Superintendent of Banks.
 Charles M. Thomas, State Public Utilities Commissioner.
 Arlie G. Walker, Circuit Judge for the Twelfth Judicial District.
 Walter C. Winslow, President of the Marion County Bar Association.

HISTORICAL STATEMENT

Willamette University, founded in 1842, is the oldest institution of higher learning west of the Missouri River. The College of Law, established in 1883, is now fifty years old, the second oldest law school on the Pacific Coast. It has been associated with the University from the beginning, and in 1927 was made a full-time day school and became a professional College of the institution.

LOCATION

The College is directly across the street from the State Capitol Building and other state buildings, and is only a few blocks from the Municipal, Justice, County and Circuit Courts. Accordingly, our students have an excellent opportunity to observe both the making and the application of the law. Near by are the State Hospital, the Penitentiary, and the Home for the Feeble Minded. The Classroom building is only four blocks from the center of the city's business district, which is a significant advantage to students who must work part time.

BUILDING AND EQUIPMENT

Excellent class rooms, offices, library rooms, and a modern practice court room are provided for the College of Law in Waller Hall on the University Campus.

The College has exceptional library facilities. The state Law Library, the largest of its kind in Oregon and one of the largest on the Coast, is housed in the Judicial building across the street. To this library the students of the College have free access. The College Library contains approximately 9,500 volumes. The University Library is at hand and the excellent City Library is across the street from the campus.

PURPOSE OF THE COLLEGE

The purpose of Willamette University College of Law is to train and equip men and women to render service and achieve success in the practice of the law. To that end it seeks to develop in its students, among other things, (1) a scholarly knowledge of the fundamental principles of law and equity, with the history of their development and reasons underlying them; (2) a practical understanding of court practice and procedure, including the preparation of legal documents and the trial of causes; (3) legal methods of reasoning and habits of thought; (4) intellectual power and acumen, and (5) a high sense of honor and professional duty.

PREPARATION FOR LAW SCHOOL WORK

The practice of law covers a field so wide that it is impossible to indicate what studies a student intending to take law should pursue. Any study thoroughly done will be of service. The student should be especially grounded in English composition and public speaking, and should be trained to be precise and accurate. Latin is valuable, although not absolutely essential, and should be taken in preference to any other foreign language. Pre-law students should take at least one course each in sociology, psychology, philosophy, science, public speaking, and English history, and should have several courses each in economics and political science.

Before registering for pre-law work the student should consult the Dean of the College of Law.

Additional information as to pre-law work may be found on page thirty-three of the University General Catalogue.



ROY M. LOCKENOUR



CLAIRE M. INMAN

REQUIREMENTS FOR ADMISSION

To be admitted as a student in the College the applicant must have completed ninety term hours or sixty semester hours in an approved college or university. He must furnish satisfactory proof of good moral character, and his pre-law work must have been of such quality as to indicate that he will be able to pursue work in law successfully.

Special students are admitted in exceptional cases only upon vote of the faculty. The number shall not exceed ten per cent of the average number of students admitted as beginning regular law students during the two preceding years. No special student will be given a degree, but upon completion of his course will receive a certificate that will admit him to the Bar examination. A special student must be at least twenty-three years of age.

Law aptitude tests are given prospective students each year in May and September.



RAY L. SMITH

INSTRUCTION

A combination of the lecture and the recitation method is employed. Since classes are small, each student ordinarily has an opportunity to recite one or more times each class period. In many courses the student is required to study both a casebook and textbook, together with Oregon cases cited by the instructor. In some courses a casebook only is used, the instructor citing texts and assigning Oregon cases. In still other courses only a text is used, annotated with Oregon cases and leading cases from other jurisdictions. Individual thinking is encouraged and intellectual independence is developed. Opportunity for self expression is provided and the student is required to think as a practical lawyer would think.

EMPHASIS ON THE PRACTICAL

The practical side of legal education is emphasized at all times, but not to the detriment of the theoretical. Especially strong courses are offered in evidence, pleading, and practice and procedure. Practice Court work is required of all students, the seniors acting as attorneys, the juniors as assistants and witnesses, and the freshmen as jurors and spectators. During the two years of Moot Court practice the student has the opportunity of handling a large number of cases in both law and equity. He files pleadings, argues motions, pleads to the jury, and does everything that a lawyer must do in the carrying of an actual case through the courts. Courses are given in briefing and in the use of law books. The legislature is visited, as are the various courts. Clinics are held at the State Insane Hospital and at the Home for the Feeble Minded, and the State Penitentiary is visited. Heads of certain of the state departments lecture to the students on the subject of their specialty.



WILLIS S. MOORE

Each member of the Faculty has engaged in the

active practice of the law, no one for less than seven years and some for as much as thirty-three years. All courses except three are taught by instructors who have ten or more years of experience in teaching, one having twenty-five years and another twenty-three years experience.

ATTENDANCE AND SCHOLARSHIP

Attendance at eighty-five per cent of all lectures, recitations, and trial practice is required for promotion or graduation. No absences will be excused. Tardiness will be considered equivalent to absence.

A uniform system of grading is used in all colleges of the University. It is as follows: A, Excellent; B, High; C, Average; D, Passing; E, Condition; Inc., Incomplete; F, Failure. Any student not averaging a "C" will be dropped. The Faculty reserves the right to drop any student at any time, if in their judgment it is for the best interest of the student, the University, or the legal profession.

DEGREES

The degree of Bachelor of Laws will be conferred on students who have completed all required courses, and have earned at least seventy-six semester credit hours.

Advanced standing may be secured by presenting credits from other approved law schools, but the last year must be in residence at Willamette University College of Law.

Students who have completed ninety semester hours (135 term hours) in the College of Liberal Arts and have met the specific degree requirements of that College, may be admitted to both the A.B. and LL.B. degrees on completion of the course in law.

ACADEMIC YEAR

The fifty-first academic year, 1934-35, will begin Thursday, September 20, 1934, and will end Monday, June 10, 1935. Law students will register in Eaton Hall, 8:00 A. M. to 5:00 P. M., Wednesday, September 19, 1934. Class work will begin Thursday, September 20, 1934, at 7:45 A. M.



TRIAL PRACTICE WORK IS EMPHASIZED

UNIVERSITY PRIVILEGES

The students of the College are members of the Student Body of the University and have the opportunity of engaging in the various student enterprises and activities in common with the students of other departments. They may carry a limited amount of work in the College of Arts with permission of the Dean, and may participate in debate and oratory.

PRIZES

The American Law Book Company offers an annual prize to the freshman student attaining the highest grade of scholarship in the course in the Use of Law Books. The prize consists of as many volumes of Corpus Juris as there are members of the class.

Callaghan and Company awards an annual prize which consists of the choice of any law school text published by it, to the student maintaining the highest scholastic standing during his junior year.

The Bancroft-Whitney Company gives a set of Jones' Commentaries on Evidence, six volumes, to the senior doing the most commendable work in trial practice.

Law students are eligible to compete for certain prizes offered in the College of Arts.

HONORARY SOCIETY

The Wolverton Senate of the national honorary legal fraternity of Delta Theta Phi was installed on the campus in 1927. Membership is based on scholarship, character, service and leadership.

EXPENSES

The tuition and incidental fee is \$65 each semester, payable in advance. Students taking less than the full course will be charged \$5.50 per semester hour; all other students must pay full tuition. The Library and Health Service fee is \$2.00 each semester.

The Student Association fee is \$10 per semester. A fee of \$2 is charged for special examinations. A diploma fee of \$5 is required of each candidate for a degree, and must be paid by April first of the senior year. A total of \$100.00 per semester will cover all necessary University expenses for tuition, fees, books, etc. The amount \$245.00 should cover all necessary expenses for each half year, including board, room and incidental expenses.

Room and board in Salem costs from \$20 to \$30 per month. Since Willamette University is located in a city of approximately 26,000 the opportunities for student employment are favorable. Probably no city in the state furnishes the student a better opportunity to work his way through school.

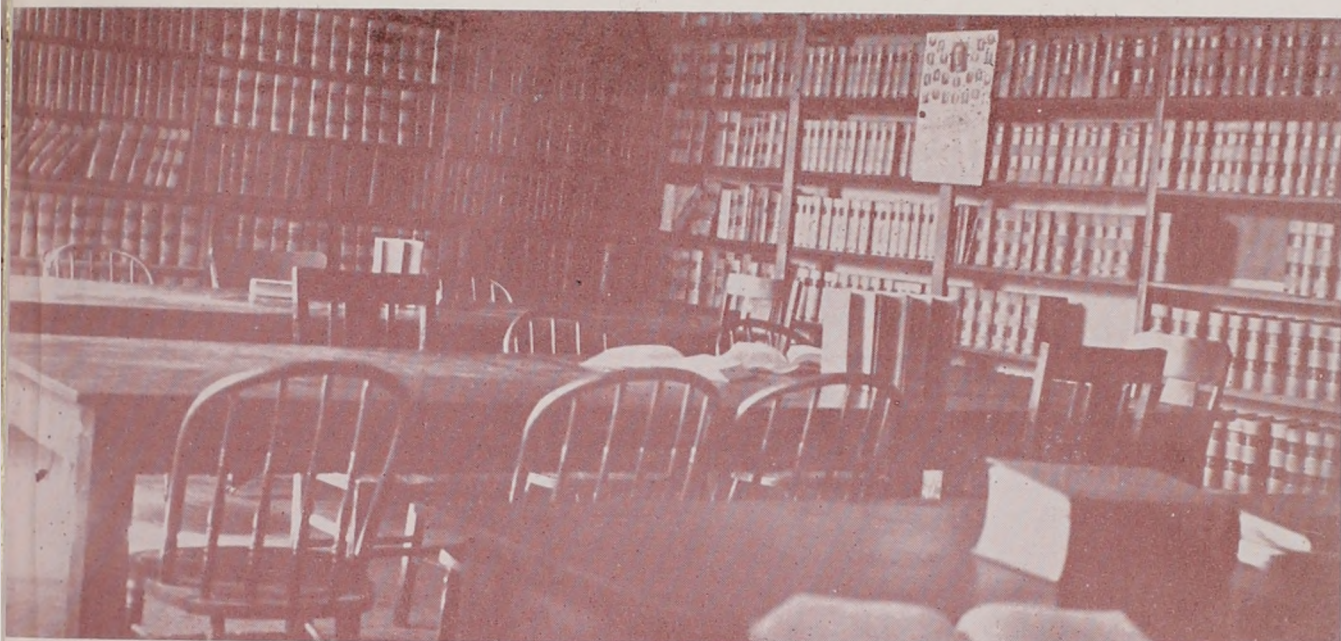
COURSES OF INSTRUCTION

First semester courses bear odd numbers and second semester bear even numbers. First year courses are numbered from 100 upwards and second and third year courses from 150 upwards. Courses are arranged alphabetically.

All classes are held in the forenoon. Practice Court is in session on Wednesday evenings. Oregon law is emphasized in all courses.



WALTER E. KEYES



A CORNER IN OUR LIBRARY

FIRST YEAR

100. AGENCY. 2 hours. *Steffen's Cases and the Restatement.*

Nature of the relation; how created and terminated; parties thereto, their rights, duties and liabilities; special classes of agents.

101. BLACKSTONE'S COMMENTARIES. 1½ hours. *Jones' Selections from Blackstone.*

Commentaries on the English common law, involving the rights and liabilities of persons as to themselves and their property.

103. CONTRACTS. 6 hours. *Costigan's Cases and the Restatement.*

Offer and acceptance; form; parties; consideration; consent; legality; operation; interpretation; assignment; performance; discharge.

105. CRIMES. 2 hours. *Clark & Marshall's Text and Assigned Cases.*

Sources of criminal law; nature of criminal acts; criminal intent; common law and statutory offenses; classification and elements of specific offenses.

102. COMMON LAW PLEADING. 2 hours. *Kegwin's Cases and Yankwich's Notes.*

Origin and development of the common law forms of action; use of particular forms; the fusion of law and equity.

104. DAMAGES. 2 hours. *Bauer's Cases.*

General principles; compensatory, exemplary, liquidated and nominal damages; damages in contracts, torts and quasi-contracts; eminent domain; employers' liability and workmen's compensation.

106. DOMESTIC RELATIONS. 2 hours. *Long's Cases and Text.*

The marital relation and its duties and obligations; dissolution; parent and child; guardian and ward; property rights.

108. LEGAL BIBLIOGRAPHY AND USE OF LAW BOOKS. 1 hour. *Eldean's How to Find the Law.*

A course on how and where to find the law: the use of reports, digests, encyclopedias, citators, treatises.

110. SALES. 2 hours. *Lewis' Cases and the Uniform Act.*

Sale and contract to sell; Statute of Frauds; warranties; conditional sales; delivery; acceptance; seller's lien; stoppage in transitu; bills of lading.

107. TORTS. 4 hours. *Bohlen's Cases.*

Trespass to the person and to property; conversion; defamation; negligence; injuries by animals; dangerous use of land; violation of statutory duties; deceit; malicious prosecution; libel and slander; infringement of patents and copyrights.

112. REAL PROPERTY I. 3 hours. *Bigelow's Cases on Rights in Land.*

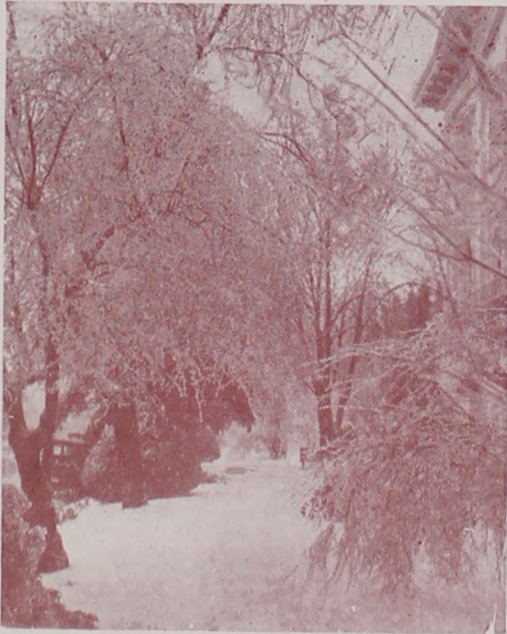
Introduction to the law of real property; titles; modes of conveyance; estates; execution of deeds; effect of deeds; covenants for title.



CAMPUS SCENE

SECOND AND THIRD YEAR

150. ADMINISTRATIVE LAW. 2 hours. *Goodnow's Text and Assigned Cases.* Administrative power and action; discretion; form and proof of judicial acts; notice; hearing and evidence; execution; relief against administrative action; jurisdiction, conclusiveness and judicial control.



ANOTHER SCENE

152. ABSTRACTS AND CONVEYANCING. 1 hour. *Brewster's Text, Oregon Code and Assigned Cases.*

Examination of titles; preparation of opinions of title; clearing titles; recording; conveying of real estate.

154. BANKRUPTCY AND FEDERAL PROCEDURE. 2 hours. *Black on Bankruptcy, Dobie on Federal Procedure and Assigned Cases.*

Jurisdiction of subject matter and persons; prerequisites of adjudication; voluntary and involuntary proceedings; administration; receiver; trustee; provable claims; exemptions; compositions; discharge.

156. BRIEFING AND LEGAL RESEARCH. 1 hour. *Cooley and Mercer's Text.*

The aim of this course is to train the student to find the law on a given point and prepare a brief just as he will be required to do in actual practice.

158. CODE PLEADING. 3 hours. *Clark's Text and a Compilation of Oregon Cases.*

The civil action; splitting and joining actions; the complaint, including the caption, the statement of facts and prayer; the answer, including general and special denials, affirmative defenses and counter claims; the demurrer; the reply; motions; bills of particulars; construction of pleadings.

160. CONFLICT OF LAWS. 2 hours. *Goodrich's Text and Assigned Cases.*

Enforcement in one state or country of rights and duties arising by virtue of the laws of another state or country.

151. CONSTITUTIONAL LAW. 2 hours. *Long's Cases.*

The application and construction of the Constitution of the United States; the powers of the Federal Government in relation to the States and to Federal agencies, as well as to individuals and to foreign nations.

153. EQUITY. 3 hours. *Cook's Cases, I Vol. Ed.*

Principles governing equitable remedies; penalties and forfeitures; priorities and notice; reformation; rescission; cancellation and specific performance; estoppel; injunction; partition; dower; interpleader; quieting title; perpetuation of testimony.

155. EVIDENCE. 4 hours. *Hughes' Text, Oregon Code and Assigned Cases.*

Circumstantial; real; kinds and number of witnesses; authentication and production of documents; hearsay; rules of exclusion; burden of proof; judicial notice.



THE GYMNASIUM



LAUSANNE HALL

162. INSURANCE. 2 hours. *Patterson's Cases and Materials.*

The contract of insurance; representations; warranties; waivers; estoppel; construction of policy.

157. MORTGAGES. 2 hours. *Parks' Cases, Oregon Code and Assigned Cases.*

Mortgages and mortgage liens upon real property; their creation, satisfaction, enforcement and foreclosure.

164. MUNICIPAL CORPORATIONS. 2 hours. *Tooke's Cases.*

Character, organization, powers, duties, liabilities and property rights.

166. NEGOTIABLE INSTRUMENTS. 2 hours. *Britton's Cases and the Uniform Act.*

Formal and essential requirements of negotiability; rights and liabilities of parties; presentment; acceptance; dishonor and notice; defenses.

167 and 168. OREGON LAW. 5 hours. *Oregon Statutes and Oregon Cases.*

A survey of the Oregon statutory law and decisions interpreting same; also a study of assigned cases in non-statutory fields.

170. PARTNERSHIP. 2 hours. *Rowley's Cases.*

Nature, formation and classifications of partnerships; nature, extent, and duration of partnership liabilities; powers, rights and duties of partners; actions between partners and between partners and third persons; limited partnerships; termination.

171 and 172. PRACTICE COURT. 4 hours. *Required of all students, credit to seniors only.*

Preparation of pleadings; examination of witnesses; arguments to the court, and to the jury; and all other procedure just as in the handling of cases in actual practice.

159. PRIVATE CORPORATIONS. 3 hours. *Canfield & Wormser's Cases.*

Creation; nature; stock subscriptions; promoters; powers and liabilities; ultra vires transactions; duties and liabilities of officers and directors; stock; rights and liabilities of stockholders; creditors; foreign corporation; dissolution.

174. REAL PROPERTY II. 3 hours. *Aigler's Cases.*

Rights of possession; rights of support; rights in air; in streams, in drainage, in surface and sub-surface water; easements; licenses, profits, covenants running with the land; building restrictions; rents, waste, public rights in streams, highways.

176. LEGAL ETHICS. 2 hours. *Hick's Cases.*

The qualifications, admission and discipline of lawyers; ethical duties of the lawyer to the courts, to his clients and to the general public.

178. TRUSTS. 2 hours. *Bogart's Text and Assigned Cases.*

Nature, kinds and purposes of trusts; express, resulting and constructive trusts; appointment, qualifications, powers, duties and removal of trustee; interest and remedies of the Cestui Que Trust; termination.

180. SURETYSHIP. 2 hours. *Langmaid's Cases.*

Elements of the contract; rights and remedies as between (a) surety and principal, (b) co-sureties, (c) principal and creditor and third person; discharge of surety.

161. WATER RIGHTS. 1 hour. *Bingham's Cases and the Oregon Code.*

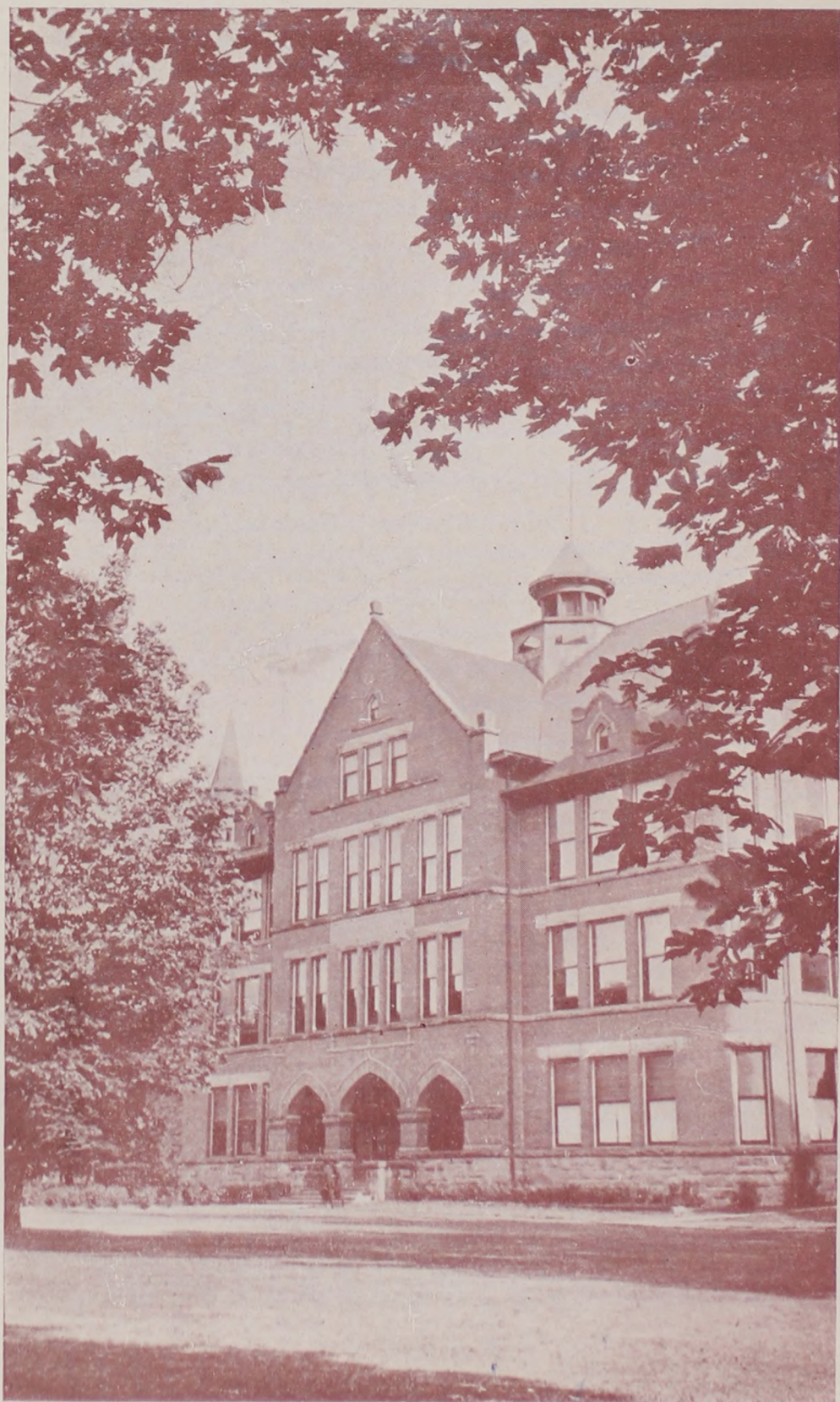
Riparian rights and liberties; prior appropriation; relative rights; rights in underground waters; interstate streams; federal and state control; special attention given to irrigation law.

182. WILLS AND PROBATE. 2½ hours. *Costigan's Cases.*

Form of wills; power of disposition; revocation; construction; probate of estates.



SCIENCE HALL



ATTENTION ALUMNI AND FORMER STUDENTS

Are you coming to the Golden Anniversary Banquet of the Law School to be held at the Marion Hotel, Salem, on Saturday, May 26, at 6:30 p.m.? Chief Justice Walter Beals of the Washington Supreme Court will deliver the main address. Other speakers will be President Carl G. Doney, Chief Justice John L. Rand of the Oregon Supreme Court, Attorney General I. H. VanWinkle, Judge Arlie G. Walker, Judge Locius Guy Lewelling, and Dean Roy M. Lockenour—and of course there will be impromptu talks. Judge James W. Crawford will be toastmaster. Music by the Willamette Mixed Quartet.

The Supreme Courts of Oregon and Washington and the Circuit Judges of Oregon are invited. Alumni and former students from all over the Pacific Coast will be there. The Banquet Committee is planning on an attendance of at least 250, help make it 251. Come. It'll be the big event of your life. Tickets, seventy five cents. Reservations may be obtained from the following: Chas. W. Redding, Mead Bldg., Portland; Roy B. Harland, Masonic Bldg., Salem; Warren A. McMinnimee, Tillamook; Ben C. Flaxel, North Bend; Leland Duncan, McMinnville; or the Dean's Office, Salem.

If you are ill, or if you live in such distant points as the Dutch West Indies, Maine or Alaska, or if the political campaign has taken all your shekels, then write, wire or radio a message to be read at the banquet. Tell about yourself, your family, your days at Willamette, or anything else that will bear telling.

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