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UNIVERSITY OF MONTANA BULLETIN

STATE UNIVERSITY SERIES

NO. 332

STATE UNIVERSITY

The School of Law

ANNOUNCEMENTS FOR
1932-1933

MISSOULA, MONTANA
JULY, 1932



Published monthly at Missoula, Montana. Entered as second-class matter at the postoffice at Missoula, Montana, under Act of Congress, August 24, 1912.

THE UNIVERSITY OF MONTANA

MELVIN A. BRANNON, Chancellor of the University

The University of Montana is constituted under the provisions of Chapter 92 of the Laws of the Thirteenth Legislative Assembly, approved March 14, 1913 (effective July 1, 1913).

The general control and supervision of the University are vested in the State Board of Education. The Chancellor of the University is the chief executive officer. For each of the component institutions there is a local executive board.

Montana State Board of Education

| | |
|---|----------------------------|
| JOHN E. ERICKSON, Governor..... | Ex-Officio President |
| L. A. FOOT, Attorney General..... | Ex-Officio |
| ELIZABETH IRELAND, Supt. of Public Instruction..... | Ex-Officio Secretary |
| FRANK ELIEL..... (1933) | W. M. JOHNSTON..... (1935) |
| A. O. GULLIDGE..... (1933) | M. MURRAY..... (1935) |
| WILLIAM MEYER..... (1934) | E. C. CARRUTH..... (1936) |
| HOWARD TOOLE..... (1934) | W. S. DAVIDSON..... (1936) |

The University comprises the following institutions, schools and departments:

The State University, Missoula

Established February 17, 1893, and consisting of

| | |
|----------------------------------|--|
| The College of Arts and Sciences | The School of Business Administration |
| The School of Law | The School of Education |
| The School of Pharmacy | The Summer Session |
| The School of Forestry | The Biological Station (Flathead Lake) |
| The School of Journalism | The Public Service Division |
| The School of Music | The Graduate Division |

Charles H. Clapp, President

The State College, Bozeman

Established February 16, 1893, and consisting of

| | |
|--|-------------------------------------|
| The College of Agriculture | The School of Music |
| The College of Engineering | The Secondary School of Agriculture |
| The College of Applied Science | The Agricultural Experiment Station |
| The College of Household and Industrial Arts | The Agricultural Extension Service |

Alfred Atkinson, President

The Montana School of Mines, Butte

Established February 17, 1893, and consisting of

| | |
|----------------------------------|---|
| The Course in Mining Engineering | The Course in Metallurgical Engineering |
| The Bureau of Mines and Geology | The Course in Geological Engineering |

Francis A. Thomson, President

The State Normal College, Dillon

Established February 23, 1893, and consisting of

| | |
|-----------------------|--------------------------------|
| The Two-Years Course | The Summer Quarter |
| The Four-Years Course | The Teachers' Service Division |

Sheldon E. Davis, President

The Eastern Montana Normal School, Billings

Established March 12, 1925, and consisting of

| | |
|----------------------|--------------------|
| The Two-Years Course | The Summer Quarter |
|----------------------|--------------------|

Lynn B. McMullen, President

The Northern Montana College, Havre

Established March 8, 1913, and consisting of

| |
|---|
| The Two-Years Liberal Arts and Pre-professional Courses |
|---|

G. H. Vande Bogart, President

For publications and detailed information concerning the different schools and colleges address the Registrar of the particular institution concerned. Communications intended for the Chancellor of the University should be addressed to the State Capitol, Helena, Montana.

STATE UNIVERSITY CALENDAR, 1932-1933

1932

Spring Quarter

| | |
|-------------------------------------|------------------------------|
| March 22, Tuesday..... | Registration of New Students |
| March 23, Wednesday..... | Instruction Begins |
| May 11-13, Wednesday to Friday..... | Interscholastic Meet |
| May 30, Monday..... | Memorial Day, a Holiday |
| June 4, Saturday..... | Class Day |
| June 5, Sunday..... | Baccalaureate Exercises |
| June 6, Monday, 2:00 p. m..... | Commencement |
| June 7-10, Tuesday to Friday..... | Examinations |

Summer Session

| | |
|------------------------|-----------------------------|
| June 20, Monday..... | Registration |
| June 21, Tuesday..... | Instruction Begins |
| July 4, Monday..... | Independence Day, a Holiday |
| August 19, Friday..... | Session Ends |

Autumn Quarter

| | |
|--|---|
| September 27-October 1, Tuesday to Saturday..... | Freshman Week |
| September 29, Thursday..... | Registration of Freshmen |
| September 30-October 1, Friday to Saturday..... | Registration of Former Students and New Students with Advanced Standing |
| October 3, Monday..... | Instruction Begins |
| November 24, Thursday..... | Thanksgiving Day, a Holiday |
| December 15-19, Thursday to Monday..... | Examinations |
| December 19, Monday, 5:20 p. m..... | Quarter Ends; Christmas Recess Begins |

1933

Winter Quarter

| | |
|------------------------------------|------------------------------|
| January 3, Tuesday..... | Registration of New Students |
| January 4, Wednesday..... | Instruction Begins |
| February 17, Friday..... | Charter Day |
| March 13-17, Monday to Friday..... | Examinations |
| March 17, Friday..... | Winter Quarter Ends |

Spring Quarter

| | |
|-------------------------------------|------------------------------|
| March 21, Tuesday..... | Registration of New Students |
| March 22, Wednesday..... | Instruction Begins |
| May 10-12, Wednesday to Friday..... | Interscholastic Track Meet |
| May 30, Tuesday..... | Memorial Day, a Holiday |
| June 3, Saturday..... | Class Day |
| June 4, Sunday..... | Baccalaureate Exercises |
| June 5, Monday, 2:00 p. m..... | Commencement |
| June 6-9, Tuesday to Friday..... | Examinations |
| June 9, Friday..... | Spring Quarter Ends |

Summer Session

| | |
|------------------------|-----------------------------|
| June 19, Monday..... | Registration |
| June 20, Tuesday..... | Instruction Begins |
| July 4, Tuesday..... | Independence Day, a Holiday |
| August 18, Friday..... | Session Ends |

Autumn Quarter

| | |
|---|---|
| September 26-30, Tuesday to Saturday..... | Freshman Week |
| September 27, Wednesday..... | Registration of Freshmen |
| September 29-30, Friday to Saturday..... | Registration of Former Students and New Students with Advanced Standing |
| October 2, Monday..... | Instruction Begins |
| November 30, Thursday..... | Thanksgiving Day, a Holiday |
| December 18-22, Monday to Friday..... | Examinations |
| December 22, Friday, 5:20 p. m..... | Quarter Ends; Christmas Recess Begins |

An act of the Seventeenth Legislative Assembly provides that schools shall not be dismissed on the following days: February 12 (Lincoln's Birthday), February 22 (Washington's Birthday), second Tuesday of May (Arbor Day), June 14 (Flag Day), October 12 (Columbus Day), November 1 (Pioneer Day), November 11 (Armistice Day).

SCHOOL OF LAW

Officers of Administration and Instruction

OFFICERS OF ADMINISTRATION

MELVIN A. BRANNON, Ph.D.....Chancellor of the University
CHARLES H. CLAPP, Ph.D.....President of the State University
CHARLES W. LEAPHART, M.A., S.J.D.....Dean and Professor of Law

OFFICERS OF INSTRUCTION

Staff of the School of Law

CHARLES W. LEAPHART, M.A., S.J.D. (Harvard).....Professor of Law
DAVID R. MASON, B.A., S.J.D. (Harvard).....Professor of Law
WALTER L. POPE, B.A., J.D. (University of Chicago).....Professor of Law
J. HOWARD TOELLE, B.A., LL.M. (Harvard).....Professor of Law
ALBERT N. WHITLOCK, M.A., LL.B. (Harvard).....Professor of Law
ALLEN K. SMITH, A.B., J.D., LL.M. (Columbia).....Assistant
Professor of Law

GENERAL STATEMENT

The School of Law is located in a modernly equipped law school building with adequate class, office, library and court room facilities. The school has a good working library of 23,000 volumes. To a very great extent the library is the result of the generous gifts and legacies of Mrs. W. W. Dixon, and gifts of Judge John J. McHatton and the Anaconda Copper Mining Company. The school is a member of the Association of American Law Schools and is one of the schools approved by the American Bar Association.

Requirements for Admission

Applicants for admission must have completed 90 credits of work acceptable for the Bachelors' degree in the University of Montana, in addition to the credit earned in required Physical Education. Students who have not been exempted and who have not completed the Physical Education may substitute six quarter credits of work in other fields. Applicants must offer for admission as many grade points as credits earned.

Although students may be admitted who have successfully completed two years of college work (i. e., normally 96 credits), three years of pre-legal preparation are recommended.

No prescribed pre-legal schedule seems advisable. Besides the restricted electives required of freshman and sophomore candidates for the Bachelor of Arts degree, the prospective law student is advised to devote as much time as is available to English, History, Economics, Political Science, Philosophy, Psychology, Sociology, Mathematics and Latin.

Special students are not admitted to the School of Law.

Fees and Expenses

The general University fees are: Entrance, \$5; incidental, \$10; student activity, \$5; student Union Building, \$1; health service, \$2.50. Students in the School of Law are charged in addition a tuition fee of \$5 per quarter. The fee for non-residents of Montana is \$25 a quarter additional. The cost of books in the School of Law will average about \$35 a year.

Requirements for Graduation

Candidates for the Bachelor of Laws degree are required to complete:

- (1) The requirements for admission listed above.
- (2) A total of 126 credits in Law with an average of at least one grade point for each credit.
- (3) The following courses: Contracts, Property I and II, Torts, Criminal Law and Procedure, Forms of Action, Agency, Pleading, and Practice Court.
- (4) Nine quarters of work in a Law School of recognized standing, the last three of which must be completed in residence. Two summer sessions of approximately 6 weeks each will be counted as one quarter.

Candidates for the Bachelor of Arts degree with Law as a major must meet the regular University and College of Arts and Sciences requirements for graduation.

No student will be recommended for a degree in Law who is markedly deficient in English, nor who, in the opinion of the majority of the members of the faculty of the School of Law, is unfitted for admission to the practice of law by reason of a lack of honesty and integrity.

Senior Examinations will not be given except to candidates for Honors.

General Information

No student will be allowed credit in any one quarter for over 15 hours of work in the School of Law; except that in addition, within the discretion of the Dean, a student may be allowed to take an examination to remove a condition and be given credit upon satisfactory passage of the same.

The case system of instruction is employed. Special attention is given to practice court work, in which the students are required not only to argue legal questions, but to try cases, prepare appeals, and go through all the steps incident to the trial of a law suit. A thorough course is given in the use of law books.

Where courses extend over more than one quarter, credit is provisional upon the completion of and final satisfactory examination over the whole course. In continuous courses examinations also will be given at the end of the first quarter. Conditions may be removed only in the regular examinations at the end of a repetition of the course.

The honor system has been in successful operation since the foundation of the School.

The curriculum of the School of Law is designed to afford preparation for the practice of law in any of the United States, but special attention will be given in all courses to the codes and decisions of Montana.

Graduates of the School of Law may, in the discretion of the Supreme Court of Montana, be admitted to practice in the Courts of Montana without further examination.

Curriculum

First Year

| | Autumn Quarter Credits | Winter Quarter Credits | Spring Quarter Credits |
|----------------------------------|------------------------------|------------------------------|------------------------------|
| Contracts | 3 | 3 | 3 |
| Property I | 3 | 3 | 3 |
| Torts | 3 | 3 | 3 |
| Criminal Law and Procedure | 3 | 3 | 3 |
| Forms of Action | 2 | 2 | 3 |
| Agency | 2 | 2 | 2 |
| Property II | 2 | 2 | 3 |

Second and Third Years

| | | | |
|--------------------------------|---|---|---|
| Legal Ethics | 2 | 2 | 2 |
| Pleading | 2 | 2 | 2 |
| Equity I | 2 | 2 | 2 |
| Evidence | 2 | 2 | 2 |
| **Irrigation Law | 2 | 2 | 2 |
| Wills and Administration | 3 | 2 | 2 |
| *Mining Law | 2 | 2 | 2 |
| Private Corporations | 2 | 2 | 2 |
| Trusts | 2 | 2 | 2 |
| Sales | 2 | 2 | 2 |
| Practice Court | 1 | 1 | 1 |
| Appellate Practice | 1 | 1 | 1 |
| Conflict of Laws | 2 | 2 | 2 |
| **Public Utilities | 2 | 2 | 4 |
| *Bills and Notes | 2 | 2 | 4 |
| Partnership | 2 | 2 | 3 |
| Constitutional Law | 3 | 3 | 3 |
| Suretyship and Mortgages | 2 | 2 | 2 |
| Use of Law Books | 1 | 1 | 2 |
| *Municipal Corporations | 2 | 2 | 2 |
| *Creditors' Rights | 2 | 2 | 2 |
| **Insurance | 3 | 3 | 3 |
| **Quasi Contracts | 2 | 2 | 3 |
| **Equity II | 2 | 2 | 2 |

*Will be given in 1932-33, but not in 1933-34.

**Will be given in 1933-34.

In addition to the above curriculum, second and third year students taking International Law in the Department of History may apply credit received in it toward a law degree.

Description of Courses

First Year

Contracts. Williston's Cases on Contracts (third edition). Mr. Leaphart.

Property I. Warren's Cases on Property. Mr. Smith.

Torts. Bohlen's Cases on the Law of Torts (third edition). Mr. Toelle.

Criminal Law and Procedure. Sayre's Cases on Criminal Law. Mr. Mason.

Forms of Action. Cook and Hinton's Cases on Common Law Pleading. Mr. Toelle.

Agency. Mechem's Cases on Agency (second edition). Mr. Pope.

Property II. Aigler's Cases on Titles. Mr. Smith.

Second and Third Years

Legal Ethics. Costigan's Cases on Legal Ethics. Mr. Mason.

Pleading. Sunderland's Cases on Code Pleading. The Montana Code of Civil Procedure. Mr. Toelle.

Equity. Ames' Cases in Equity Jurisdiction (volume one). Mr. Leaphart.

Evidence. Thayer's Cases on Evidence (revised edition). Mr. Whitlock.

Irrigation Law. Selected Cases. Mr. Toelle.

Wills and Administration. Costigan's Cases on Wills. Montana Code. Mr. Toelle.

Mining Law. Costigan's Cases on Mining Law. Mr. Toelle.

Private Corporations. Warren's Cases on Corporations (second edition), and Berle, Cases on Corporation Finance. Mr. Smith.

Trusts. Scott's Cases on Trusts (second edition). Mr. Leaphart.

Sales. Williston and McCurdy's Cases on Sales. Mr. Smith.

Practice Court. Montana Code of Civil Procedure, selected cases and practical exercises. Mr. Pope.

Appellate Practice. Selected cases. Mr. Whitlock.

Conflict of Laws. Beal's Cases on Conflict of Laws (1927, two-volume edition). Mr. Smith.

Public Utilities. Part I. Burdick's Cases on Public Service, Common Carriers, and Innkeepers. Mr. Mason.

Bills and Notes. Smith and Moore, Cases on Bills and Notes (third edition). Mr. Mason.

Partnership. Mechem's Cases on Partnership (fourth edition). Mr. Mason.

Constitutional Law. Hall's Cases on Constitutional Law. Mr. Mason.

Suretyship and Mortgages. Langmaid's Cases on Suretyship. Campbell's Cases on Mortgages. Mr. Leaphart.

Use of Law Books. No book is used. Mr. Mason.

Quasi Contracts. Thurston's Cases on Contracts.

Equity II. Casebook to be announced.

Insurance. Vance's Cases on Insurance.

Creditor's Rights. Hanna's Cases on Creditor's Rights. Mr. Toelle.

Municipal Corporations. Tooke's Cases on Municipal Corporations (1931 edition). Mr. Mason.

LAW SCHOOL STUDENTS, 1931-1932

3rd Year

| | |
|----------------------|------------------------|
| Anderson, Harold K. | Ironside, Fred A., Jr. |
| Dean, Harold G. | Morrow, James H., Jr. |
| FitzStephens, Joe | Murphy, Walter T. |
| Hannifin, Dorothy M. | Pierson, Dalton T. |
| Hoven, Vernon B. | Schulz, Leonard A. |
| Small, Floyd O. | |

2nd Year

| | |
|-----------------------|----------------------|
| Arnoldson, Astrid | Grande, Martin T. |
| Blair, Carl W. | Harrington, James E. |
| Boone, William T. | Joslyn, Lewis |
| Bovingdon, George | Keller, Paul |
| Colgrove, Roland V. | Lamb, Franklin A. |
| Currie, John W. | Lemire, Hugh J. |
| Dignan, Thomas | Marrs, Don F. |
| Erickson, John C. | Mayland, Jennings |
| Fitzgerald, J. Harold | Murrills, Lloyd A. |
| Flint, Glen T. | Smith, Allan |
| Gilfeather, Pat J. | Taylor, William R. |

1st Year

| | |
|-----------------------|-----------------------|
| Alexander, Edward C. | McCaffery, Joe, Jr. |
| Archibald, Helen G. | Martin, James W. |
| Busey, Elliott | Mayo, J. E. |
| Chagnon, Raymond R. | Meyer, Russell H. |
| Coleman, John M. | Michaelson, Ernest H. |
| Corette, Robert | Norris, George |
| Davenport, William | Patterson, Philip |
| Dean, Walter B., Jr. | Pitt, Carl |
| Dussault, Edward T. | Robinson, John D. |
| Fitzgerald, David B. | Ross, John |
| Gallagher, Francis A. | Sheehan, J. Elmer |
| Hauck, John C. | Smoot, Thurlow |
| Hendon, Robert | Stapp, Sterling |
| Kelleher, Grant | Toole, Jack C. |
| Kellogg, Perry | Veeder, William H. |
| Loftsgaarden, Owen | Wold, Oliver |

Yule, Laurence

Taking Some Courses

| | |
|-------------------------|----------------------|
| Brown, William A. | O'Brien, John |
| Mackenstadt, Von Robert | Wilson, Geraldine W. |