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1920 July Xavier University Course Catalog
College of Law - Monthly

Xavier University, Cincinnati, OH

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### Calendar 1920

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#### FACULTY

- **James McCabe, A.M., S.J.** .................................. St. Xavier College  
  President of the College

- **Henry S. Spalding, A.M., S.J.** .................................. St. Xavier College  
  Regent of the Law School

- **Edward P. Moulinier, A.M., LL.B.** ............................ First National Bank Building  
  Formerly Assistant U. S. Attorney, Dean of the Law School

- **Elmer R. Conway, A.M., LL.B.** ................................. 612 St. Paul Building  
  Secretary of the Law School

- **Hon. Edward T. Dixon, A.B., LL.B.** ............................ Hamilton County Court  
  Judge of the Common Pleas Court of Hamilton County, Ohio

- **Hon. William A. Geoghegan, A.M., LL.B.** ................. Citizens National Bank Building  
  Formerly Judge of the Court of Common Pleas of Hamilton County, Ohio

- **Hon. Frank Gusweiler, LL.B.** ................................. Hamilton County Court  
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  Special Lecturer
The history of St. Xavier College begins on October 17, 1881, when the Right Reverend Edward D. Fenwick, D.D., the first Bishop of Cincinnati, opened what, after the fashion of the times, was called “a literary Institute” for the higher instruction of youth. This was a daring undertaking for the times, since the census of 1880 gave Cincinnati a population of less than 50,000, and of that number Catholics were a small and not very influential minority.

St. Xavier College celebrated its golden jubilee in 1890, counting the fifty years from 1840, the year in which the Jesuits assumed control.

Under the presidency of the Reverend Alexander J. Burrows, extension lectures were begun in 1894, and in the fall of 1896 a limited number of graduate courses were inaugurated. These lectures and graduate courses were carried on successfully for some years and extended the influence of the College in the community.

In the fall of 1911 a department of Commerce and Economics of college grade was added to the work offered by St. Xavier. The classes in these subjects are conducted in the evening. Summer courses in a limited number of subjects have been carried on since the summer of 1914. These classes are attended by members of the teaching Sisterhoods of the vicinity for whom they were originally designed.
Recognizing the need of trained social workers and yielding to the many requests of those interested in social service the college authorities, in August of 1918, announced a department of sociology. For the first time in its history St. Xavier opened its courses to women, large numbers of whom immediately availed themselves of the opportunity.

In March, of the year 1919, at the suggestion of and on the advice of prominent alumni, mostly of the legal profession, it was determined to add a department of law, to begin with the first semester in September, 1919.

ADVANTAGES

Class sessions of the School are held in the evening from 6 to 8 o'clock, thus making it possible for young men employed in law offices to unite the advantages of a regular, scientific course in the law under experienced instructors with the practical training afforded by their daily work. This arrangement also enables those engaged in clerical and commercial positions to give their attention to their duties and at the same time prepare themselves for the practice of the profession.

The location of the school in the commercial and financial center of the city presents splendid opportunities to those who must support themselves whilst pursuing their legal studies. The officers of the school make every effort to aid its students to secure desirable employment when seasonable application for such assistance is made.

Cincinnati also affords innumerable advantages for the study of law in all its branches; varied and important litigation is here being constantly carried on. Sessions of the Courts of Hamilton County, the Municipal Court and the Federal Courts are held daily thus affording to those, who have leisure to attend, ample opportunity of learning the trial methods of the leading lawyers at the Bar of Ohio. The library facilities of Cincinnati, open to students in the professions, are unsurpassed, and in addition, the school has a library suitable for study and research at the disposal of its students.

The school enjoys, moreover, the advantage of being maintained and supported by a college. Worthy young men, whose circumstances do not permit them to give the entire day to the study of law, may here secure their professional training and receive their law degrees from a literary college of recognized standing.

Students in the Law School are admitted to the musical and literary societies, to the gymnasium and athletic clubs of St. Xavier, and to the columns of its Journal on the same basis as students in the other departments. Thus there is fostered among the law students a spirit productive of pride in their work, and an incentive is given to better and more sustained effort. This bond of intellectual fellowship will present ideals of high achievement utterly absent in an unaffiliated law school.

AIM—METHOD OF INSTRUCTION

The aim of the school is to give its students a thorough training, both theoretical and practical, in all branches of the law. The course of studies is so arranged as to impart that knowledge of the law which is indispensable to students in whatever jurisdiction they may intend to practice.

The fact that the class sessions are held in the evening has enabled the school to secure the teaching services of active practitioners at the Cincinnati Bar. Hence, the law faculty is not committed to the exclusive use of any particular system of legal instruction. The professors have been chosen because of success in their special field, and it is not deemed wise to restrict them to any particular method of imparting the knowledge they have acquired from their study and experience. Matter, whether text or adjudicated cases, assigned for home study
is first gone over in lecture by the professor, who explains what is obscure or difficult and illustrates by practical examples the principles involved.

REQUIREMENTS FOR ADMISSION

Regular Students.—Applicants for admission to the school must be not less than eighteen years of age, and must present proof of the successful completion of a four-year high school course in a school of recognized standing. Graduates or students of private institutions with credits equivalent to those of high school graduates, will be admitted as regular students on proof of such credits.

At the time of matriculation, students must present proof of their preliminary education either by way of diploma or certificate, from the principal or director of the school from which they come. In no case will a student be admitted to the department who has not successfully pursued a four-year high school course, or work equivalent thereto.

Extract from Rule 14 in regard to admission to the Ohio Bar:

"As sufficient showing of general education any one of the following certificates or diplomas will be accepted:

"A diploma with the degree of "A. B." from St. Mary's College, St. Ignatius College, St. Xavier College, St. Joseph College, St. John's College, Muskingum College, Ohio Northern University, St. Gregory College, of Cincinnati; Notre Dame University, Baldwin University, or German Wallace College.

"A certificate of matriculation in the Freshman year, or a higher class in the Academic Department of any of the following institutions, to-wit: St. Ignatius College, St. Xavier College, St. John's College, St. Mary's College, Muskingum College, University of Notre Dame, Baldwin University, German Wallace College, Case School of Applied Science."

"SECTION 5. Every resident of the state who commences the study of law on and after January 1, 1898, either under the tuition of an attorney-at-law, or at a law school, whether located in this state or elsewhere, shall file with the Clerk of the Supreme Court a certificate of such attorney or of the chief officer of such law school, as the case may be, showing his name, age and residence, and the date when he commenced the study of law, which certificate shall be accompanied by a fee of fifty cents. As to all such persons the three years' study of law required by section 1701 General Code (800 R. S.) shall date from the filing of such certificate."

When matriculating students must deposit fifty cents for the above certificate.

ADVANCED STANDING.—Students who have successfully prosecuted a portion of their law course in a law school with equivalent courses and requirements may be admitted to the second or third year classes of the school upon proof of such prior study.

FEES AND EXPENSES

Matriculation.—In all cases a matriculation of five dollars is charged when a student is first registered. The fee is paid but once and is not returnable.

Tuition.—The tuition fee for regular students is sixty dollars, payable at the beginning of each term. A discount of five dollars will be allowed to students who pay the year's tuition in advance before October 1st.

Fee for Extra Examination. . . . . . $2.00

Graduation.—Upon graduation of students a diploma fee of ten dollars will be charged.

Those desiring to take only certain courses will make arrangements with the Secretary of the Department; charges in such cases will be based on hours of classroom work.

DEGREES

Upon successful completion of the entire regular course, as outlined, students are entitled to receive the degree of Bachelor of Laws, but before the degree is conferred each student is required to pass a satisfactory written examination embracing the whole field of the law. In preparation for this examination a review course is given in the third year class, one evening each week for the entire year. The papers in this general examination are marked by the Executive Board of the Department.

Under no circumstances will a degree in law be conferred upon a student who has not completed one entire year of work in the Department.
TIME OF OPENING

Classes will begin on Monday, October 4, 1920.

ACKNOWLEDGMENTS

Grateful acknowledgment is here made to Mr. Horace A. Reeve for a donation to the law library of 463 volumes, including: American and English Encyclopedia of Law, Wendell's Reports, U. S. Supreme Court Reports, and other valuable books.

To James Farrell for a set of Ohio Reports.

To other benefactors for several minor donations.

NOTICE OF FOUR-YEAR COURSE

Beginning in October, 1920, the law course will extend over a period of four years. The outline of this four-year course will be issued later. Only those students whose names appear in this bulletin will be permitted to finish the course in three years.

COMBINED SIX-YEARS' COURSE

Students who are able to satisfy the entrance requirements of the College of Arts may enroll for both the Bachelor of Arts and Bachelor of Laws degree. During their first two years in the College, only work of college grade may be carried, but during both the Junior and Senior years, one-half of the Freshman law course may be taken, the degree Bachelor of Arts being conferred at the end of the fourth year of successful work. During the last two years of the Six-Year Course, the students confine themselves to law studies, on satisfactory completion of which the degree Bachelor of Laws will be conferred.

CLASS SESSIONS—COURSE OF STUDIES

The regular course covers a period of three years, divided into a First, Second and Third Year.

Class sessions are held on Monday, Tuesday, Wednesday, Thursday and Friday evenings from 6:00 to 8:00. Regular and punctual attendance on the part of the students and also daily preparation for class recitations are prerequisites, and delinquency in either particular will be deemed sufficient cause for cancellation of the delinquent’s registration.

An average of 70 per cent. must be attained upon the written examination in each subject for students to continue with their class. Those who fail to attain 70 per cent. in any topic may, in the discretion of their professor, be given a second examination, but no student who fails to attain such average in two topics will be allowed such re-examination.

The following schedule shows the required law courses arranged according to years:

FIRST YEAR

Elementary Law. Two hours per week for 15 weeks.
Text: Robinson's Elementary Law.

The Law of Contracts. Two hours per week for 30 weeks.
Texts: Instructor's printed syllabus, Huffcut and Woodruff's Cases on Contracts.

The Law of Torts. Two hours per week for 30 weeks.
Text: Burdick on Torts.

The Law of Crimes and Criminal Procedure. Two hours per week for 30 weeks.
Text: May on Criminal Law.

The Law of Property, A. Two hours per week for 30 weeks.
Texts: Smith on Personal Property.
Instructor's Syllabus.
The Law of Persons and Domestic Relations. Two hours per week for 15 weeks.
Text: Long on Domestic Relations.

Common Law Pleading. Two hours per week for 15 weeks.
Text: Andrew Stephen’s Common Law Pleading.

SECOND YEAR

The Law of Principal and Agent. Two hours per week for 30 weeks.
Text: Huffcut on Agency.

The Sale of Goods. Two hours per week for 15 weeks.
Text: Benjamin’s Principles of Sales.

The Law of Property, B. Two hours per week for 30 weeks.
Text: Burdick on Real Property.

The Law of Evidence. Two hours per week for 15 weeks.
Text: Hughes on Evidence.

Equity Pleading and Practice. Two hours per week for 15 weeks.
Text: Rush, Equity Pleading and Practice.

Equity Jurisprudence. Two hours per week for 15 weeks.
Text: Bispham’s Principles of Equity.

Wills and the Administration of Decedent’s Estate. Two hours per week for 15 weeks.
Texts: Rood on Wills,
Instructor’s Typewritten Notes.

The Law of Suretyship. Two hours per week for 15 weeks.
Text: Spencer on Suretyship.

The Law of Insurance. Two hours per week for 15 weeks.
Text: Thompson on Insurance.

THIRD YEAR

The Law of Private Corporations. Two hours per week for 15 weeks.

The Law of Public Corporations. Two hours per week for 15 weeks.

Constitutional Law. Two hours per week for 15 weeks.
Text: Body’s Cases on Constitutional Law.

The Law of Bailments and Carriers. Two hours per week for 30 weeks.
Text: Elliott on Bailments.

The Law of Partnership. Two hours per week for 15 weeks.
Text: Mechem’s Elements of Partnership.

The Law of Negotiable Instruments. Two hours per week for 15 weeks.
Text: Bunker on Negotiable Instruments.

Code Pleading. Two hours per week for 15 weeks.
Texts: Instructor’s Notes; Smith’s Court to Court.

The Law of Bankruptcy. Two hours a week for 15 weeks.
Text: To be assigned later.

Conflict of Laws. One hour per week for 15 weeks.
Text: Minor’s Conflict of Laws.

The Law of Public Utilities. Two hours per week for 15 weeks.
Text: To be assigned later.

Legal Ethics. Ten lectures of 1 hour each.

Review Course. Four hours per week for 15 weeks; 1 hour per week for 24 weeks.

Practice Court. Two hours per week for 15 weeks.
REGISTRATION OF STUDENTS, 1919-1920

Bird, Joseph C.  
Bradley, James W.  
Breiding, Leonard J.  
Dorger, Raymond J.  
Dorr, Edward Ralph  
Doyle, John H.  
Eshman, Robert A.  
Frey, Arthur R.  
Frey, John H.  
Gallagher, Thomas A.  
Gardiner, George H.  
Gellenbeck, Albert, Jr.  
Gutting, Gordon  
Hadley, Walter F.  
Hellenthal, Michael A.  
Kennealy, George, Jr.  
Klausmeyer, David M.  
Kyte, Lawrence H.  
McCoy, Raymond J.  
Manley, Raymond  
Mengher, Paul T.  
Molony, Wm. F  
Oberschmidt, Leo E.  
Overman, Anne M.  
Poetker, Lawrence  
Prout, Mary L.  
Roche, Carroll E.  
Rogers, John P.  
Scruggs, Baxter S.  
Stephan, Robert F.  
Welsh, Joseph  
Williams, Gregory H.  
Wilson, Howard