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Bulletin of the University of Kentucky College of Law - 1912

University of Kentucky College of Law

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Bulletin of the State University of Kentucky

College of Law

Published by the State University of Kentucky
LEXINGTON

Entered as Second Class Matter December 29, 1908, at the Post Office, Lexington, Kentucky, under the Act of July 16, 1894
College of Law

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Executive Committee

Charles B. Nichols,
Chairman.

Cassius M. Clay,
Hywel Davies,
Claude B. Terrell,
Richard C. Stoll.

William T. Lafferty,
Secretary of the Board and of the Executive Committee.
Organization

**College of Arts and Science:**
- School of Arts. Departments: English, Mathematics, History and Economics, Latin, Greek, Modern Languages, Philosophy.
- School of Science. Departments: Geology, Zoology, Anatomy and Physiology, Physics.
- School of Chemistry.
- School of Education.

**College of Agriculture:**
- Experiment Station.
  - Division of Graduate Work.
  - Division of Chemistry.
  - Division of Entomology and Botany.
  - Division of Animal Husbandry.
  - Division of Agronomy.
  - Division of Fertilizer Inspection.
  - Division of Food Inspection.
  - Division of Feed Inspection.
- School of Agriculture. Departments: Agronomy, Soil Physics, Horticulture and Botany, Animal Husbandry, Bacteriology and Entomology.
- School of Home Economics.
- School of Extension.

**College of Civil Engineering:**
- School of Civil Engineering.
- School of Highway Engineering.

**College of Mechanical and Electrical Engineering:**
- School of Mechanical Engineering.
- School of Electrical Engineering.

**College of Mines and Metallurgy:**
1. School of Mining Engineering.
   - (a) Mining Engineering.
   - (b) Mining, two years' course.
   - (c) Practical Miners' Course.
2. School of Metallurgical Engineering.
   - (a) Metallurgy.
   - (b) Ore Dressing.
3. School of Extension.

**College of Law:**

**Additional General Departments:**
- Department of Physical Education for Men.
- Department of Physical Education for Women.
- Department of Military Science.

**Graduate School.**
ADMISSION.

Applicants for admission to the first year classes of the College of Law must be at least eighteen years of age. Each of such applicants, if required must present evidence of good character. This may be in the form of a certificate of credit from the school last attended by the applicant, or by a letter signed by a reputable citizen. Students who carry their full line of work in other Departments of the University may, during their Senior year and by the consent of their Dean, have the privilege of attending, free of charge, any of the lectures and recitations of the College of Law. All law work is done in the afternoon, and the schedule is arranged so as to not interfere with other University work. No law student will be required to drill or do any kind of military duty.

ENTRANCE REQUIREMENTS.

All students who are candidates for graduation must be able to offer credit for fifteen units of High School or other secondary school work. This credit can be secured:

1. By examination.
2. By certificate from an accredited school.
3. By transfer from some other University or College.

Of the fifteen units required for admission, 9½ are specified as follows:

<table>
<thead>
<tr>
<th>Subject</th>
<th>Units</th>
</tr>
</thead>
<tbody>
<tr>
<td>English</td>
<td>3</td>
</tr>
<tr>
<td>Algebra</td>
<td>1½</td>
</tr>
<tr>
<td>Plane Geometry</td>
<td>1</td>
</tr>
<tr>
<td>History</td>
<td>2</td>
</tr>
<tr>
<td>Foreign Language</td>
<td>2</td>
</tr>
</tbody>
</table>

The remaining 5½ units may be selected at will from the following list:

- Trigonometry: ½ to 1
- Solid Geometry: ½ to 1
- Surveying: ½ to 1
- French: 1 to 3
- German: 1 to 3
- Spanish: 1 to 3
- Latin: 1 to 4
- Greek: 1 to 3
- History: 1 to 3½
- Physics: 1
- Botany: ½ to 1
- Chemistry: ½ to 1
- Zoology: ½ to 1
- Physiology: ½ to 1
- Geology: ½ to 1
- Agriculture: ½ to 1
- Physical Geography: ½
- Civil Government: ½
- Manual Training: ½
- Bookkeeping: ½
- Free Hand Drawing: ½
- Teaching one year or more on First Class
- Certificate: 1

A student will be received and classified as first year Law student if he offers as many as thirteen of the fifteen units, but he must make up the two additional units before the beginning of his last year's work.
Students applying for admission from other states will be received and classified as first year Law students, if the credits offered would admit them to the University of the state from which they come.

ADMISSION AS SPECIAL STUDENTS.

Persons whose preliminary preparation is not such as to entitle them to enter the regular courses as candidates for a degree, or persons who have read law for a considerable period before making application for admission, and such reading has not been sufficiently extensive to bring them within the rules for admission for graduation are allowed to become special students, with the privilege of pursuing the courses of study, in any of the specified subjects, but without the privilege of being enrolled as candidates for a degree. All such students must satisfy the Dean that they are qualified to pursue the work with profit to themselves, and will be required to complete the subjects selected with the same thoroughness as regular students.

Should a special student desire subsequently to become a candidate for a degree, he must make up all the work required for the entrance examination before the beginning of the year in which he proposes to graduate.

ADMISSION TO ADVANCED STANDING.

Applicants for admission to advanced standing must first satisfy the foregoing entrance requirements. By presentation of satisfactory certificates issued by an approved law school, which requires entrance credits equal to above, or by examination, such applicants may then obtain any advanced credits in law to which they are entitled. For admission to the Junior year, satisfactory evidence must be shown of the completion of the work of the first year of the course in law or its equivalent. For admission to the Senior year, evidence must be shown of the completion of the work of the first and Junior years of the course in law or its equivalent. All law credits offered for advanced standing must be submitted to the Dean for adjustment. In no event will credit be given for more than two years' work done outside of this College.

COURSE OF INSTRUCTION.

FIRST YEAR.

STUDY OF THE COMMON LAW. Blackstone's Commentaries: Introduction, Book I (omitting chapters III to IX): Book II (complete). Three hours a week for sixteen weeks. (Lafferty)

DOMESTIC RELATION. Husband and wife, parent and child, guardian and ward, master and servant and infancy; instruction in the keeping of
BIRDS-EYE VIEW OF STATE UNITY, LEXINGTON, KENTUCKY
Minor’s *Conflict of Laws; Selected and Test Cases*. Two hours a week for twenty-four weeks. 


**Roman Law.** History of the Civil Law, its growth and present scope. Also its effect and influence upon the laws of the United States. Text-book: Howe’s *Studies in the Civil Law*. Two hours a week for twenty-four weeks. 

**Quasi Contracts.** Obligations based upon contractual relations, and imposed upon equitable rules. Text-book: Keener on the *Law of Quasi Contracts*: Lectures and Cases. Two hours a week for sixteen weeks. 

**Political Economy.** This subject is taught in the Arts Department of the University, but it is required of law students. Text-book and collateral reading. Two hours a week for thirty-five weeks. 

**International Law.** Course of lectures. 

**Jurisdiction and Procedure in the Federal Courts.** Course of lectures will be delivered upon the history and creation of the Federal Courts, their jurisdiction and procedure. 

**Bankruptcy.** Law and procedure. Two hours a week for eight weeks. 

**Civil and Criminal Procedure.** Practice court work, code and statute law, including all lines of work hereinafter set out under title, moot and practice court. Three hours a week for thirty-five weeks. 

**METHOD OF INSTRUCTION.**

The method of instruction pursued will be the use of text-books, lectures and illustrative cases, and such other methods as the Faculty may deem advisable. The value which the study of cases possesses, in illustrating the practical application of legal principles, is fully appreciated, and the student will be required to use the library freely, in searching for cases illustrative of the principles taught him. He will be required to present the result of his investigation in the class-room, that the subject may be discussed before the class until thoroughly understood. 

Examinations will be held on each subject as it is completed, and a general examination will be held at the end of the year upon the entire year’s work.
Any student not attending more than ninety per cent. of the recitations on any subject, must in addition to the class examination, prepare an acceptable thesis upon that subject.

MOOT AND PRACTICE COURT.

A student enters more thoroughly into the spirit of his law work and obtains a clearer understanding if he is given exercises from which he may draw conclusions by applying his knowledge of the principles of the law taught him in his class. Therefore students in each year of their course are required to do an amount of moot court work, which is based upon assumed statements of facts given by the Professor in charge. From the statement of facts, each member of the class is required to draw his own conclusion as to what principle is involved, and support his conclusion by the law he is able to gather from his investigation in the law library of Text-books and Court Decisions. The reports are made by the students and debated before the class. This plan teaches the student how to analyze facts, how to find and apply the law, and how to present his case and debate it.

The training given in a Law School is not complete unless the student acquires a knowledge of actual practice. This is secured by the introduction of the Practice Court, which is presided over by one of the professors. A room is especially equipped for this work, with all the furnishings usually found in a well-regulated court-room. The Court will be provided with a full corps of officers made up of the students, each of whom will alternate in official service until each member of the class has had sufficient practice to become familiar with the duties of each office.

Students will be required to prepare and file in the court pleadings in all kinds of cases, both common law and equity, and as counsel they will carry through the various steps taken in a cause from its inception to the final order. Many cases will be given in which issue will be joined. In such cases students will be assigned to each side as Attorneys, and in taking the steps leading up to the issue, practice will be given in filing demurrers and all other incidental proceedings. All steps necessary to be taken in criminal cases, from the making of affidavit preparatory to arrest up to and including the return of the indictment, will be taught in this court.

Actual controversies will be arranged and assigned for trial on issues of fact before a jury, when witnesses will be examined, arguments made before the court and jury, and all other incidents of a contested trial will be experienced.

A regular court docket will be kept, on which the style of the cases and the names of Attorneys are recorded. All steps taken in the cases will be recorded in a record book kept for that purpose. At the conclusion of a case the pleadings and other documents used will be retained
in the files. Appeals will be prosecuted to the Court of Appeals, and each student will be instructed in the preparation of the case and in the procedure before that court.

Each student before graduation is required to preside as Judge of the Court, and hear and determine contested issues which will be argued before him. He will write opinions, which, with the briefs in each case, will be kept in the department files.

Students will at intervals attend the courts of Fayette County which are in continuous session. Experience gained there and in the practice court of the College will give a good knowledge of the practical part of the course of instruction.

Students who may desire to spend some part of their spare time in the office of a practicing Attorney, in order to gain some acquaintance with the office work and the manner of handling business by the active practitioner, will have this opportunity offered them.

SPECIAL LECTURES.

Special lectures will be delivered during the year by eminent lawyers, covering many of the phases of the law and including procedure, legal ethics, and other allied subjects.

COMBINED COURSE.

Seniors in the College of Arts and Science may elect as part of the requirements for graduation courses from the first year's work in the College of Law. By so doing they will be able to shorten from seven to six years the time required to earn the degrees in both courses.

PRIVILEGES AND LIBRARY.

Students of the College of Law will be admitted to all the privileges of the literary societies, gymnasium and library, upon equal terms with other students of the University. They may also attend any of the classes or lectures in other departments of the University without extra charge. A law library of carefully selected books has been accumulated and placed in the library-rooms of the department, and is open daily for the free use of students. This library embraces collections of text-books, reports of both Federal and State Courts, Kentucky Reporter and Law Reporter, American Decisions, American Reports, American State Reports; a complete set of the National Reporter System, including Century Digest, Decennial and National Digest, Lawyers Reports Annotated, C. Y. C., Encyclopedia of Pleading and Practice. Excepting the Court of Appeals Library in Frankfort, this is the best law library in the State.
LOCATION.

The College of Law is located in commodious quarters on the University grounds, and is supplied with class-rooms, court-room, auditorium for public lectures, a large library-room, reading-rooms and offices.

LAW SOCIETY.

The Henry Clay Law Society is an organization composed of the law students, which convenes once each week in the Practice Court-room. In this society the students by study and actual practice will learn the rules of parliamentary law and its use in deliberative assemblies. They will organize legislative assemblies and learn the procedure in the framing and passage of bills, both State and Federal. Subjects of a public nature will be discussed so as to familiarize the students with the affairs of the country which will confront them in their experience as citizens and professional men.

COLLATERAL STUDY.

For the purpose of giving students every possible opportunity for thorough preparation, it is suggested to all those who have not had some training in a College or University, that it will be of great benefit to them to take in connection with their law work, some of the following courses offered in this University, which can be had without extra charge and so arranged as not to interfere with the law classes. Courses in English, courses in History, including Constitutional and Political History of the United States and of England, Political Science, Government, Psychology, Debating, and some others that may be selected.

This extra work is not required of law students, but is earnestly recommended.

CERTIFICATES.

A student who has been connected with the college for a period not entitling him to graduate, may on application to the Dean receive an official certificate of attendance, which states the time of his attendance and the degree of his attainments in the subjects taken.

GRADUATION.

To attain the degree of Bachelor of Laws (LL. B.), a student must have satisfactorily completed the prescribed work of the course; at least one year must be resident work; must have reached the age of twenty-one years; have satisfied the entrance requirements, and have performed all the required exercises and passed the regular examination. Students who fail to obtain their degree in due course, because of conditions (other than those for entrance), will be permitted to remove those conditions at
any time not later than one year after the graduation of their regular class. Further time may, however, be granted by a vote of the Law Faculty.

ADVANCED DEGREE.

Persons who can offer the required entrance credits and are regular graduates from an acceptable Law School, or have been actively engaged in the practice of law for the period of five years, may become candidates for the degree of Master of Laws (LL. M.). For this degree, one year’s resident work will be required.

EXPENSES.

Tuition is free to all students who are residents of Kentucky, but each will pay an incidental fee of $10.00. Non-resident students will each pay a tuition fee of $10.00 and an incidental fee of $10.00. Students entering after the Christmas holidays will each pay one-half of these fees. Each graduate will pay a diploma fee of $5.00. The books for the required work will cost about $25.00 per year. Good board can be had in private families at prices varying from $3.00 to $4.50 per week.

SUMMER COURSE IN LAW.

In connection with the summer courses of instruction offered by State University, the College of Law will offer special courses in law, beginning June 11, 1912, and continuing eight weeks. These courses will be given on the subjects set out in the regular courses, and are offered for the benefit of those who have not completed the work of the previous year and wish to continue the law course to its completion; for those who are preparing for admission to the bar, and have had no training in a Law School; for those who wish to review the law to familiarize themselves with the theory, or to prepare for advanced standing in pursuing the law course to graduation in this University. Work successfully completed during the summer term will be credited as if done during any regular term, thereby lessening to that extent the period of time necessary for graduation.

Students who enter the Summer Law School will be permitted to supplement their law studies by taking instruction in any of the classes in other departments of the University without extra charge. The surroundings of the University are peculiarly favorable for summer work. The campus of fifty-two acres is well located, well elevated, and covered with trees and shrubbery.

The tuition for the summer term is $10.00. Students will be allowed to room in either of the two large dormitories, including use of furniture and lights, for a nominal sum. Meals may be had at prices ranging from $2.00 to $3.00 per week.
REGISTER OF STUDENTS

Allen, Leeburn ................................................. Campton
Auxier, John Friend ........................................ East Point
Bablitz, August Adolph ...................................... Lexington
Baker, Fred Reed ................................................ Lexington
Barren, William Evans ........................................ Lexington
Baxter, William Jefferson .................................... Nicholasville
Bennett, Roy Coleman ....................................... Centertown
Bryson, Arthur Titus .......................................... South Portsmouth
Brandstetner, Carl ............................................ Covington
Brown, McAuliffe ............................................ Hardinsburg
Burnaugh, Harry Maurice .................................. Paris
Burruss, Thomas Harris, Jr ................................ Madison, Ga.
Byrd, Carl Beecher ........................................... Lexington
Campbell, Joseph BircheI .................................... Barbourville
Chrisman, George Addison .................................. Nicholasville
Coleman, James Henry ....................................... Oak Grove
Crenshaw, Albert Dabney ................................... Cadiz
Croft, Carl C. .................................................. Fulton
Culton, Thomas Bain ......................................... Crab Orchard
Day, John Franklin ............................................ Flemingsburg
De Atley, Harry Barkley .................................... Tolesboro
Decker, Elmer H. .............................................. Barbourville
Duncan, Henry Russell ....................................... Avoca
Dunn, Edgar Hart .............................................. Murray
Eastin, John Withrow ........................................ Lexington
Elliott, Alvin Clarence ....................................... Eubank
Faulkner, Frank Vernon ..................................... Barbourville
Felix, Douglas Duncan ....................................... Hartford
Garred, Richard Vinson ...................................... Hartford
Gill, Jones Otho ............................................... Marion
Gooch, John Thomas .......................................... Hanson
Goodman, George Edwin .................................... Cedar Hill, Tenn.
Guyn, Leslie Lee ............................................. Lexington
Haggard, Rodney .......................... Winchester
Hall, Asa Morrison .......................... Lexington
Hamilton, William Duncan .......................... Greenville
Hardin, Henry Townes .......................... Sebree
Hargis, Thomas Frazier .......................... Jackson
Herndon, John M., Jr. .......................... Owenton
Hite, Paul .......................... Frankfort
Hood, Richard Hall .......................... Murray
House, Taylor N. .......................... Richmond
Ihrig, Chas. D. .......................... Butler
Jacobs, Silas .......................... Brooksville
Jones, George Enoch .......................... Sturgis
Jones, William Henry .......................... Hazel
Kelly, Hugh .......................... Calhoun
Kahn, David Effron .......................... Lexington
Lester, Hodge .......................... Cadiz
Lee, Thomas Jefferson .......................... Inverness, Miss.
Lowry, Tom White .......................... Catlettsburg
Mackenzie, Alexander St. Clair .......................... Lexington
Magruder, William Marion .......................... Lexington
Mahan, Thomas Elmer .......................... Williamsburg
Martin, Rebel .......................... Vest
McElroy, Howard D. .......................... Buda, Texas
Miller, Jesse L. .......................... Lexington
Miller, John Elvis .......................... Aid, Mo.
Moore, Herbert Holbrook .......................... Louisa
Moore, L. D. .......................... Lexington
Morrison, Geo. Bain .......................... Lexington
Murphy, John Thomas .......................... Crittenden
Myre, Robert Lewis .......................... Benton
Nutter, James Harcourt .......................... Lagrange
Otey, Charles .......................... Marion, Ill.
Pannell, Stephen Lamont .......................... Greenville
Perkins, Walton .......................... Williamsburg
Pfanstiel, James Garfield .......................... Morning View
Pool, Gaston LaFayette .......................... Murray
Preston, Roscoe Conkling .......................... Inez
Ramsey, Dexter Whittinghill .................................................. Sebree
Rawls, Burton H ................................................................. Pelham, Ga.
Rowe, Walter E ................................................................. Lexington
Saddler, Reuben Batson ......................................................... Lexington
Sandford, W. J., Jr ............................................................... Covington
Schmidt, Mamie Elizabeth ....................................................... Lexington
Scudder, Dilver ...................................................................... Warsaw
Sewell, Nathan B ................................................................. Oakley
Shuff, Jesse Hawkins ............................................................. Georgetown
Sowards, Everett Hugh .......................................................... Pikeville
Smith, Edward Harold .......................................................... Lexington
Smith, Wilbur Rush, Jr .......................................................... Columbus, O.
Spears, Howell Davis ............................................................. Lexington
Spencer, Henry L ................................................................. Spring City, Tenn.
Stanfill, William Abner ........................................................ Barbourville
Sweetland, Edwin Regur ........................................................ Ithaca, N. Y.
Tackitt, Duran Keel ............................................................... Virgie
Tartar, Elmer Ellsworth ........................................................ Brady
Threlkeld, Polk Lafoon ........................................................... Waverly
Terrell, Robert Craig ............................................................. Lexington
Thompson, Layton L ............................................................. Lexington
Tompkies, Frank H ................................................................. Lexington
Townsend, William Henry ....................................................... Glensboro
Tye, Joshua J ................................................................. Barbourville
Utley, Newton Willard, Jr ....................................................... Eddyville
Wall, James William ............................................................. Humphrey
Webb, Erle Benton ................................................................. Willard
Wesley, Edward Perry .......................................................... Middleburg
White, William B ................................................................. Cloverport
Whittinghill, Helen ............................................................... Glendean
Whitacre, P. A ................................................................. Greenville, O.
Williams, John H ................................................................. Cannel City
Wilmore, James Azure ......................................................... Gradyville
Wilson, Charles C ................................................................. Canmer
Worthington, Elmer F .......................................................... Lexington
Yeager, Ward C ................................................................. Warsaw
Young, William T ................................................................. Guthrie
SPECIAL STUDENTS.

Barrows, Willard Dante................................. Dixon
Claggett, Harry Northcutt.............................. Bowling Green
Cocke, Paul Lucas...................................... Louisville
Earle, Thomas Evans.................................... Dawson Springs
Lewis, Joseph Millett.................................. Owensboro
McMurtry, John Dallas................................ Burksville
Nagel, Herbert Lincoln................................ Bellevue
Robertson, John Edward................................ Waddy
Robinson, Robert Ambrose.............................. St. Louis, Mo.
Robinson, Earle Parker................................ Richwood
Schimpeler, Ernest Francis............................. Louisville
Scott, George Atwell.................................... Paducah
Skiff, Ralph.............................................. Erlanger
Thomas, John Barrett................................... Falmouth
Wadsworth, John Henry................................ Ashland
Watson, John Rudolph.................................. Lexington
Winston, Algernon Sidney.............................. Sturgis