

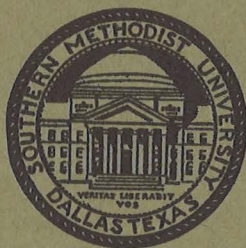
SOUTHERN METHODIST UNIVERSITY

---

BULLETIN OF THE  
SCHOOL OF LAW

I. DAY DIVISION

II. EVENING DIVISION: DALLAS SCHOOL OF LAW



*Announcements for 1940-1941*

DALLAS, TEXAS

---

## CALENDAR FOR SCHOOL OF LAW, 1940-1941

### I. DAY DIVISION

#### *First Semester*

*September 18-19*—Wednesday and Thursday: Registration.  
*September 20*—Friday: First day of instruction.  
*September 26*—Thursday: Formal Opening: University Convocation, 11 a.m.  
*September 27*—Friday: Last day for payment of accounts.  
*November 21-24*—Thursday to Sunday, inclusive: Thanksgiving recess.  
*December 20-January 2*—Friday to Thursday, inclusive: Christmas vacation.  
*January 22-February 1*—Wednesday to Saturday, inclusive: Final Examinations.

#### *Second Semester*

*February 3*—Monday: Registration and first day of instruction.  
*February 11*—Tuesday: Last day for payment of accounts.  
*April 11-14*—Friday to Monday, inclusive: Easter recess.  
*April 21*—Monday: Lawyers' Day.  
*April 24*—Thursday: Honors Convocation and Senior Recognition Day.  
*May 23-31*—Friday to Saturday, inclusive: Final Examinations.  
*June 1*—Sunday: Baccalaureate sermon: University Convocation.  
*June 3*—Tuesday: Commencement Day: University Convocation, 7:30 p.m.

### II. EVENING DIVISION

#### *First Semester*

*September 9-14*—Monday to Saturday, inclusive: Registration week.  
*September 16*—Monday: First Day of instruction.  
*December 21-January 2*—Saturday to Thursday, inclusive: Christmas vacation.  
*January 22-February 1*—Wednesday to Saturday, inclusive: Final examinations.

#### *Second Semester*

*February 3*—Monday: Registration and first day of instruction.  
*April 21*—Monday: Lawyers' Day.  
*May 23-31*—Friday to Saturday, inclusive: Final examinations.  
*June 1*—Sunday: Baccalaureate sermon: University Convocation.  
*June 3*—Tuesday: Commencement Day.



# THE SCHOOL OF LAW

## THE FACULTY

Umphrey Lee, Ph.D., D.D., *President of the University*

Charles Shirley Potts, A.M., LL.B., S.J.D., *Dean*

William Alexander Rhea, A.B., LL.M., *Secretary of the Faculty*

---

### CHARLES SHIRLEY POTTS

Professor of Law

A.B. and A.M., 1902, LL.B., 1909, University of Texas; S.J.D., 1926, Harvard; Professor of Law, University of Texas, 1909-1925, Assistant Dean, 1914-1921; Thayer Teaching Fellow, Harvard Law School 1925-1926; Professor of Law, Washington University, 1926-1927; Professor of Law and Dean, Southern Methodist University, 1927-

### WILLIAM ALEXANDER RHEA

Professor of Law and Librarian

A.B., 1892, McKinney College; LL.B., 1894, LL.M., 1895, University of Texas. General Practice in Dallas, 1895-1919; Professor of Law, University of Texas, 1919-1925; Professor of Law, Southern Methodist University, 1925-

### ROY WILLIAM McDONALD\*

Professor of Law

LL.B., 1927, University of Texas; General practice in Dallas, 1927-1938; Part-time instructor, Dallas School of Law, 1929-1937; same Southern Methodist University, 1937-1938; Professor of Law, Southern Methodist University, 1938-

### ROY ROBERT RAY

Assistant Professor of Law

A.B., 1924, Centre College; LL.B., 1928, University of Kentucky; S.J.D., 1930, University of Michigan; Instructor in Law, Southern Methodist University, 1929-1931; Assistant Professor of Law, 1931-; Visiting Professor of Law, Vanderbilt University, 1937-1939.

### CLYDE EMERY

Assistant Professor of Law

A.B., 1921, University of Wisconsin; Rhodes Scholar at Oxford, 1921-1923; LL.B., 1930, Harvard; General Practice in Dallas, 1930-1936; Associate Professor of Law, Baylor University, 1936-1938; Assistant Professor of Law, Southern Methodist University, 1938-

### FRED A. DEWEY

Assistant Professor of Law

A.B., 1931, J.D., 1933, University of Iowa; Augustus Leobold Morris Fellow, Columbia University, 1933-1934; LL.M., 1934, Columbia University; General practice in Cleveland, Ohio, 1934-1938; Assistant Professor of Law, Southern Methodist University, 1938-

### ROBERT BENTON LOWRY

Instructor in Law

B.S.L., 1935, LL.B., 1937, Northwestern University; Austin Scholar at University of Berlin, 1932, and London School of Economics, 1933; Aide to Deputy Administrator, NRA, Washington, 1933-1934; General Practice in Chicago, 1937-1938; Instructor in Law, Southern Methodist University, 1938-

---

\*Absent on leave, 1940-1941.

The Law Library contains 21,000 selected books, including practically all reported cases of the national government and all the states, from the American Revolution to the present time, and practically all English reported cases from the time of Henry VIII to the present time. It subscribes to forty-six legal periodicals, and has complete files of thirty-six. It also has a good collection of digests, statutes, and textbooks. In addition, the general library of the University is available to law students.

### ADVANTAGES

Nearly all the classes in the School of Law are small, containing from ten to forty students. As a result, students have the advantage of individual attention and personal relations with their teachers. The case method of instruction is used, and all students prepare materials for class presentation and participate in classroom discussions.

The location of Southern Methodist University is another advantage for law students. Dallas, with its State and Federal courts, its great wholesale, banking, and oil interests, and its wealth of interesting litigation, presents a laboratory for the law student and an opportunity for the student to become acquainted with the work of outstanding members of the bench and bar.

The Advisory Committee of the School of Law includes some of the most distinguished lawyers of Texas. The Lecturers, prominent practicing lawyers who offer certain courses in the Day and Evening Divisions, give instruction in the specialized fields in which they have won recognition.

### LENGTH OF THE LAW COURSE

*Day Division.*—The law course in the Day Division requires six semesters, that is, three scholastic years; or four semesters (two scholastic years) and three summer sessions. It may take a longer period if the student fails in some of his courses or accumulates an excess of D grades.

*Evening Division.*—The law course in the Evening Division requires a minimum of eight semesters (four scholastic years) or an equivalent amount of time in long sessions and summer sessions combined.

### EXPENSES

#### DAY DIVISION

*Tuition.*—The tuition in the Day Division of the School of Law is \$115 per semester.

*Student Activity Fee.*—All regular students in the University, including law students in the Day Division, pay the Student



Activity Fee of \$11.50 per semester, which is assessed by the Students' Association.

*Medical Fee.*—All students who live on the campus pay the medical fee of \$3. Law students not living on the campus are not required to pay it.\*

*Library Deposit.*—All students make a library deposit of \$5 at the beginning of the first semester. It is returned to the student at the end of the year less any deductions for damages or fines.

*Payment of Accounts.*—Tuition and other fees are payable at the beginning of each semester, but arrangements may be made with the Business Manager of the University to pay in two or four instalments for a small carrying charge.

#### EVENING DIVISION

*Tuition.*—The tuition in the Evening Division is \$67.50 per semester.

*The Student Activity Fee* is optional for students in the Evening Division.

*The Library Deposit* is the same as in the Day Division.

*Payment of Accounts.*—Tuition is payable by the month. A five per cent discount is allowed for the payment of a semester's tuition in advance.

#### ROOMS AND BOARD

The University dormitories are open to students in the School of Law.

Law students are not required to live in the dormitories, and those desiring accommodations in private homes will find many attractive rooms and apartments at reasonable prices in the University community.

#### SCHOLARSHIPS

The following scholarships are offered to graduates of senior colleges who enter the Day Division of the School of Law:

Two scholarships, each paying \$62.50 per semester, donated by an alumnus.

Two scholarships, each paying \$72.50 per semester, established by the Board of Trustees.

These are awarded by the Dean of the School of Law on the basis of scholastic record and general effectiveness. Application, on a blank furnished on request, should be made to the Dean before

---

\*All students entering the University are required, however, to present evidence that they have been successfully vaccinated, and those not paying the medical fee must present a certificate of physical examination from a reputable physician.

July 1. It should be accompanied by a transcript of the applicant's scholastic record and the names of three references.

### STUDENT SELF-SUPPORT

Dallas offers unusual opportunities for self-support, and many students in the School of Law earn a portion of their expenses by part-time employment. The University maintains a bureau to assist students in finding places.

### CASE CLUBS

In the Day Division two clubs are maintained for the trial of moot questions of law. The student-attorneys submit carefully prepared briefs of the questions involved, and at a later time argue the cases orally before a judge or group of judges selected from the bench or bar. On Lawyers' Day, April 21, the work culminates in the presentation of arguments before the Justices of the Supreme Court of Texas, who decide the final contest and name the winners of the Arthur A. Everts Award. Credit toward a degree not to exceed one semester-hour is allowed for a satisfactory record in the case-club work.

In the Evening Division, the Barristers' Club holds frequent dinner-meetings, with addresses on live legal topics by prominent attorneys and others. In each division there is maintained a general organization of the students of the division for handling matters in which they are interested.

### ENTRANCE REQUIREMENTS

*Regular Students.*—Applicants must be nineteen years of age or over and must have completed two full years of college work in an approved institution, with credits amounting to 60 semester-hours\* or the equivalent, and with grade-points\* at least equal in number to the number of semester-hours of college work undertaken, that is, with an average of C or above.

While no particular college courses are prescribed, the following are recommended as furnishing a satisfactory foundation for law study:

#### RECOMMENDED PRE-LAW COURSE

| First Year                            | Second Year                          |
|---------------------------------------|--------------------------------------|
| English Composition, 6 semester-hours | English Literature, 6 semester-hours |
| English History, 6 semester-hours     | American History, 6 semester-hours   |
| Mathematics, 6 semester-hours         | A second science, 6 semester-hours   |
| Economics, 6 semester-hours           | Government, 6 semester-hours         |
| A natural science, 6 semester-hours   | Accounting, 6 semester-hours         |

If a foreign language is selected, it should be Latin.



*Special Students.*—A limited number of persons twenty-three years of age or over who cannot meet the entrance requirements may be admitted for special study by permission of the Dean, but no credit toward a degree can be given. A special student must satisfy the Dean that he is of good moral character and possesses sufficient capacity, training, experience, and industry to profit by the instruction offered. If his work proves unsatisfactory, he will be dropped from the school. A special student who successfully completes the law course will be given a certificate so stating.

#### ADMISSION TO ADVANCED STANDING

An applicant who is qualified to enter the School of Law as a candidate for a degree, and who has satisfactorily completed a period of study in a law school that is a member of the Association of American Law Schools, or that has been placed on the approved list of the Council on Legal Education of the American Bar Association, may be given equivalent rank in this school upon presenting a properly authenticated certificate of such work. The right is reserved to give credit only on examination and to withdraw credit if the student's work is unsatisfactory.

#### REQUIREMENTS FOR THE LAW DEGREE

The degree of Bachelor of Laws (LL.B.) will be conferred upon a candidate therefor who has credit for 78 semester-hours of law work (72 semester-hours for the Evening Division), distributed over a period not less than three scholastic years for the Day Division, and four years for the Evening Division, who is of good moral character, and who has complied with the following conditions:

1. He must have completed at least one year of residence work in the Day Division—or one year and a semester or a summer session in the Evening Division—immediately preceding the granting of the degree.

2. The work done during his last year must not have been counted toward a law degree elsewhere.

3. An average grade of at least C (70) must be made on all courses completed within the two semesters next preceding graduation. In computing this average there will be included each course in which the student shall have taken the final examination, regardless of whether credit for the course is necessary to make up the minimum requirement of semester-hours.

4. The total amount of D-grade work which a student may count toward a law degree in any one year, semester, or term, shall not exceed one-third of the total hours for which he was registered during the period involved.

5. The law degree will not be conferred upon anyone markedly

deficient in English, nor upon anyone who has not completed all the required courses.

### HONORS

Candidates for the LL.B. degree having the highest average grade, not to exceed ten per cent of the graduating class, may, by vote of the Law faculty, be awarded the degree *cum laude*. No one shall be eligible who shall have taken elsewhere more than one-third of the work offered for this degree. The average grade shall be based on work done in this school only; but to receive the degree *cum laude* a transfer from another college must have at least a B average (80 or above) in law courses in the school previously attended.

At the beginning of the second semester the faculty elects the highest ten per cent of the senior class to membership in the local scholarship society known as the Order of the Woolsack.

### A SIX-YEAR COURSE FOR TWO DEGREES

A student by pursuing one of the schedules of study suggested below may secure a degree in the College of Arts and Sciences and a degree in the School of Law in six years in the Day Division, and seven years in the Evening Division, thus saving one year's time. To do this, he must, before applying for a degree, (1) satisfy the catalogue requirements for the college degree he desires, and (2) for the B.A. complete ninety semester-hours of college work and for the B.S. in Commerce complete ninety-two semester-hours of college work, *at least thirty of which must be taken in the College of Arts and Sciences or in Dallas College*. At the end of one year of satisfactory work in the School of Law in the Day Division, or three semesters in the Evening Division, he will be granted the college degree, and at the end of four more semesters in the Day Division, or five more semesters in the Evening Division, upon satisfying the requirements of the School of Law, he will be granted the LL.B. degree.

#### RECOMMENDED SCHEDULE

#### FOR THE A.B. DEGREE

| First Year  |   |
|---|---|
| English Composition, 6 semester-hours               | English History, 6 semester-hours                   |
| Foreign language (Latin), 6 semester-hours          | Economics, 6 semester-hours                         |
| Mathematics, 6 semester-hours                       | A natural science, 6 semester-hours                 |
| A social science, 6 semester-hours                  |   |
| A natural science, 6 semester-hours                 |   |
| Second Year   |   |
| English or Comparative Literature, 6 semester-hours |   |
| Foreign language (cont.), 6 semester-hours          |   |
| Third Year  |   |
|   | English or Comparative Literature, 6 semester-hours |
|   | Government, 6 semester-hours                        |
|   | American History, 6 semester-hours                  |
|   | Religion, 6 semester-hours                          |
|   | Accounting (or an elective), 8 semester-hours       |



## SCHOOL OF LAW

9

### RECOMMENDED SCHEDULE FOR THE B.S. IN COMMERCE

|  |  |
|--|--|
| First Year   |  |
| English Composition, 6 semester-hours                  | Government, 6 semester-hours                                 |
| Mathematics, 6 semester-hours                          | Accounting, 8 semester-hours                                 |
| A social science, 6 semester-hours                     |  |
| A natural science, 6 semester-hours                    | Third Year   |
| Elective, 6 semester-hours                             | American History, 6 semester-hours                           |
|  | Commerce 53, 54 (Business<br>Organization), 6 semester-hours |
|  | Finance 55, 56 (Money and Banking),<br>6 semester-hours      |
| Second Year  | Religion, 6 semester-hours                                   |
| English or Comparative Literature,<br>6 semester-hours | Elective in School of Commerce,<br>6 semester-hours          |
| English History, 6 semester-hours                      |  |
| Economics 11, 12, 6 semester-hours                     |  |

### ADMISSION TO THE BAR

Admission to the bar in Texas is now based exclusively on examinations given by the State Board of Legal Examiners in Austin, beginning on the fourth Monday of February, June, and October. All candidates are required to be bona fide citizens of Texas and of the United States. To be eligible for these examinations, a student in the School of Law must file with the Board of Legal Examiners a declaration of his intention to study law at the beginning of his course of study or within thirty days thereafter, must complete twenty-seven months of law study, and must file application for permission to take the bar examinations with the Secretary of the Board of Legal Examiners not less than thirty days before the beginning of the examinations. Graduates of the School of Law will on request be certified to the Board of Legal Examiners by the Bar Association of Dallas.

The curriculum of the School of Law substantially covers all the subjects on which the bar examinations are based.

### READING COURSE

In addition to the courses offered in the curriculum given below, students in the School of Law are urged to pursue a course of selected reading designed to broaden their conception of the law. A selected list of books suitable for each class is kept posted on the official bulletin board.

### REGULATIONS

The School of Law has its own rules governing registration, changing courses, classroom attendance, quizzes and examinations, grades and reports, failures and continuance in the school, and graduation. These rules are kept posted on the official bulletin board and the student is charged with notice of them.

## PROGRAMS OF STUDY

The following table shows the courses offered in the Day Division and the Evening Division for the year 1940-1941. All courses in the first year in both Divisions are required; and in the Evening Division, Property I and Property II in the second year are also required. All courses are subject to change or withdrawal without notice.

## I. DAY DIVISION

| FIRST YEAR               |       |                              |       |
|--------------------------|-------|------------------------------|-------|
| First Semester           |       | Second Semester              |       |
|                          | Hours |                              | Hours |
| Contracts .....          | 3     | Contracts .....              | 3     |
| Property I .....         | 3     | Property II .....            | 4     |
| Torts .....              | 3     | Torts .....                  | 2     |
| Criminal Law .....       | 3     | Agency and Partnership ..... | 3     |
| Legal Bibliography ..... | 1     | Legal Ethics .....           | 2     |
| SECOND YEAR              |       |                              |       |
| Constitutional Law ..... | 3     | Constitutional Law .....     | 3     |
| Equity .....             | 2     | Equity .....                 | 3     |
| Creditors' Rights .....  | 2     | Federal Jurisdiction .....   | 2     |
| Evidence .....           | 4     | Oil and Gas Law .....        | 3     |
| Future Interests .....   | 3     | Wills .....                  | 2     |
| Mortgages .....          | 3     |                              |       |

With permission of the Dean, second-year students may elect third-year courses to complete their schedules.

| THIRD YEAR             |   |                                |   |
|------------------------|---|--------------------------------|---|
| Corporations .....     | 4 | Bills and Notes .....          | 3 |
| Conflict of Laws ..... | 3 | Examination of Abstracts ..... | 1 |
| Mortgages .....        | 3 | Oil and Gas Law .....          | 3 |
| Trade Regulation ..... | 3 | Practice Court .....           | 2 |
|                        |   | Texas Property .....           | 3 |

Third-year students may elect additional courses from the second year, or, with permission of the Dean, from the Evening Division schedule.

## II. EVENING DIVISION

| FIRST YEAR                   |       |                              |       |
|------------------------------|-------|------------------------------|-------|
| First Semester               |       | Second Semester              |       |
|                              | Hours |                              | Hours |
| Contracts .....              | 3     | Contracts .....              | 3     |
| Torts .....                  | 3     | Torts .....                  | 3     |
| Criminal Law .....           | 3     | Legal Bibliography .....     | 1     |
|                              |       | Legal Ethics .....           | 2     |
| SECOND YEAR                  |       |                              |       |
| Equity .....                 | 2     | Equity .....                 | 3     |
| Property I .....             | 3     | Property II .....            | 3     |
| Criminal Law .....           | 3     | Agency and Partnership ..... | 3     |
| Workmen's Compensation ..... | 1     |                              |       |
| THIRD AND FOURTH YEARS       |       |                              |       |
| Constitutional Law .....     | 3     | Constitutional Law .....     | 3     |
| Conflict of Laws .....       | 3     | Oil and Gas Law .....        | 3     |
| Mortgages .....              | 3     | Trusts .....                 | 3     |
| Wills and Estates .....      | 3     |                              |       |



## DESCRIPTION OF COURSES

*Semester-hours.*—The unit for valuation of credits is the semester-hour, which represents one lecture-hour per week for a semester. The number of semester-hours of credit given for the satisfactory completion of each course is stated.

## I. DAY DIVISION

## FIRST YEAR

*Agency and Partnership.* Conduct of business by representatives; liability of principal and agent; advantages and disadvantages of conducting business through partnership; liability of partners; devices to reduce risk. Three semester-hours, second semester. Matthews, Cases on Agency and Partnership. MR. EMERY.

*Contracts.* Formation and performance of promissory undertakings in formal and informal business transactions, including breaches and legal remedies therefor. Three semester-hours, each semester. Havighurst, Cases on Contracts. MR. LOWRY.

*Criminal Law.* Nature of crime; defenses; combinations of persons in crime; the study of specific crimes. Three semester-hours, first semester. Casebook to be selected. MR. POTTS.

*Legal Bibliography.* Instruction in the use of a law library. One semester-hour, first semester. Weisiger, Manual for the Use of Law Books. MR. LOWRY.

*Legal Ethics.* Admission and discipline of attorneys; their duty to their clients, to the court, and to the community; unauthorized practice. Two semester-hours, second semester. Arant, Cases on Legal Ethics. MR. POTTS.

*Property I.* Possession; acquisition of title; bailments and pledges; fixtures; rights incident to the ownership of land. Three semester-hours, first semester. Warren, Cases on Property, 2nd edition. MR. DEWEY.

*Property II.* Estates and interests in land; Statute of Uses; conveyancing; covenants; profits and easements; registration. Four semester-hours, second semester. Warren, Cases on Property, 2nd edition. MR. DEWEY.

*Torts.* Assault; battery; false imprisonment; trespass; negligence; legal cause; fraud and deceit; libel and slander; malicious prosecution. Three semester-hours, first semester; two semester-hours, second semester. Casebook to be selected. MR. RAY.

## SECOND YEAR

*Administration of Estates.* Probate and administration with special reference to Texas. Two semester-hours, first semester. Mechem and Atkinson, Cases on Wills and Administration, 2nd edition; mimeographed problems. MR. W. A. RHEA. Given in 1939-1940, not offered in 1940-1941.

*Civil Procedure.* Pleading and practice in civil actions in state and federal courts; comparison of procedure under code, Texas, and Federal Rules. Three semester-hours, each semester. Stayton, Cases on Civil Procedure; Dobie and Ladd, Cases on Federal Jurisdiction and Procedure. MR. McDONALD. Given in 1939-1940, not offered in 1940-1941.

*Constitutional Law.* The American system of government; citizenship; foreign relations; taxation; regulation of commerce; due process. Three semester-hours, each semester. Dodd, Cases on Constitutional Law, 2nd edition. MR. POTTS.

*Creditors' Rights.* Enforcement of judgments; fraudulent conveyance; general assignments; creditors' agreements; receiverships. Two semester-hours, first semester. Hanna and McLaughlin, Cases on Creditors' Rights, 3rd edition. MR. LOWRY.

*Domestic Relations.* Parent and child; infants' contracts and conveyances; husband and wife; breach of promise to marry; marriage and divorce. Two semester-hours, second semester. Jacobs, Cases and Materials on Domestic Relations, 2nd edition. MR. W. A. RHEA. Given in 1939-1940, not offered in 1940-1941.

*Equity.* General principles of equity procedure; specific performance of contracts; injunction against tort and crime; bills of peace; relationship of vender and purchaser; fraud and mistake. Two semester-hours, first semester; three semester-hours, second semester. Walsh, Cases on Equity. MR. LOWRY.

*Evidence.* Presumptions; burden of proof; judicial notice; witnesses; hearsay rule; opinion evidence; circumstantial evidence; best evidence; parol evidence. Four semester-hours, first semester. Morgan and Maguire, Cases on Evidence, 1937 reprint. MR. RAY.

*Federal Jurisdiction.* Original jurisdiction of District Court; removal; venue; law applied in federal courts; jurisdiction of Circuit Court of Appeals and of Supreme Court. Two semester-hours, second semester. Dobie and Ladd, Cases on Federal Jurisdiction and Procedure. MR. RAY.



*Future Interests.* Future interests in property; reversions; remainders; executory interest; powers; perpetuities; illegal conditions and restraints. Three semester-hours, first semester. Leach, Cases on Future Interests. MR. W. A. RHEA.

*Wills.* Testamentary capacity; execution of wills; fraud and mistake; undue influence; revocation. Two semester-hours, second semester. Mechem and Atkinson, Cases on Wills and Administration, 2nd edition. MR. W. A. RHEA.

*Workmen's Compensation.* Texas Constitution, statutes, and decisions governing compensation of injured employees. One semester-hour, first semester. Selected materials. MR. MARTIN.

Second-year students may, with the permission of the Dean, elect third-year courses when needed to complete a full assignment of work.

#### THIRD YEAR

*Bills and Notes.* Form and inception of bills of exchange and promissory notes; negotiation; liability of parties; discharge. Three semester-hours, second semester. Smith and Moore, Cases on Bills and Notes, 3rd edition. MR. RAY.

*Corporations.* Formation and nature of corporations; corporate liability; powers and liabilities of promoters, shareholders, and directors; stock subscriptions and capital requirements; changes in the corporate structure. Four semester-hours, first semester. Casebook to be selected. MR. DEWEY.

*Conflict of Laws.* Enforcement of rights created and obligations assumed in states other than the state of the forum; private international law. Three semester-hours, first semester. Cheatham, Dowling, and Goodrich, Cases on Conflict of Laws. MR. EMERY.

*Examination of Abstracts.* Examination of a hypothetical abstract with written opinions thereon. One semester-hour, second semester. Mimeographed materials. MR. L. H. RHEA.

*Mortgages.* Mortgage and deed of trust distinguished; rights of the parties; duties of the trustee; foreclosure; equity of redemption. Three semester-hours, first semester. Durfee, Cases on Mortgages. MR. LEDBETTER.

*Oil and Gas Law.* Landowner's rights in oil and gas; the oil and gas lease; implied covenants; drilling operations; pipe-line companies; public regulation. Three semester-hours, second semester. Walker, Cases on Oil and Gas. MR. MYERS.

*Practice Court.* Preparation and procedure in the trial of lawsuits. Two semester-hours, second semester. Goldstein, Trial Technique. MR. DEWEY.

*Taxation.* Legitimate purposes of taxation; general property tax and tax administration; excise, inheritance, and income taxes. Three semester-hours, second semester. Magill and Maguire, *Cases on Taxation*, 2nd edition. MR. WRIGHT. Given in 1939-1940, not offered in 1940-1941.

*Texas Property.* Distinctive features of Texas real property laws; adverse possession; community property; homestead exemptions. Three semester-hours, second semester. Mimeographed cases and materials. MR. W. A. RHEA.

*Trade Regulation.* Unfair competition; trademarks, trade names and trade secrets; deceptive advertising; contracts not to compete; price maintenance; price discrimination; trade associations; federal anti-trust laws; Federal Trade Commission. Three semester-hours, first semester. Oppenheim, *Cases on Trade Regulation*. MR. EMERY.

*Trusts.* The nature, creation, and essential elements of express trusts, both private and charitable; resulting and constructive trusts; administration of trusts. Three semester-hours, second semester. Scott, *Cases on Trusts*, 2nd edition. MR. PURNELL.

## II. EVENING DIVISION

As the materials presented and the casebooks used are the same in the courses given in the Day Division and the Evening Division, the descriptions of courses are not repeated. The table below shows the courses offered in the Evening Division during each semester of each year, together with the value of each course, the day of the week on which the class meets, and the instructor.

### FIRST YEAR

#### FIRST SEMESTER

|   |               |
|---|---------------|
| <i>Criminal Law.</i> Three hours, Monday  | MR. WEINSTEIN |
| <i>Contracts.</i> Three hours, Wednesday. | MR. LOWRY     |
| <i>Torts.</i> Three hours, Friday.        | MR. RAY       |

#### SECOND SEMESTER

|   |           |
|---|-----------|
| <i>Legal Bibliography, Legal Ethics.</i> Three hours, Monday. | MR. EMERY |
| <i>Contracts.</i> Three hours, Wednesday.                     | MR. LOWRY |
| <i>Torts.</i> Three hours, Friday.                            | MR. RAY   |

### SECOND YEAR

#### FIRST SEMESTER

|  |               |
|--|---------------|
| <i>Criminal Law.</i> Three hours, Monday.        | MR. WEINSTEIN |
| <i>Property I.</i> Three hours, Wednesday.       | MR. DEWEY     |
| <i>Equity.</i> Two hours, Friday.                | MR. JACK      |
| <i>Workmen's Compensation.</i> One hour, Friday. | MR. MARTIN    |



## SCHOOL OF LAW

15

### SECOND SEMESTER

|                                |                         |           |
|--------------------------------|-------------------------|-----------|
| <i>Property II.</i>            | Three hours, Monday.    | MR. DEWEY |
| <i>Agency and Partnership.</i> | Three hours, Wednesday. | MR. EMERY |
| <i>Equity.</i>                 | Three hours, Friday.    | MR. JACK  |

### THIRD AND FOURTH YEARS

#### FIRST SEMESTER

|                            |                         |               |
|----------------------------|-------------------------|---------------|
| <i>Conflict of Laws.</i>   | Three hours, Monday.    | MR. EMERY     |
| <i>Constitutional Law.</i> | Three hours, Wednesday. | MR. WRIGHT    |
| <i>Mortgages.</i>          | Three hours, Wednesday. | MR. LEDBETTER |
| <i>Wills and Estates.</i>  | Three hours, Friday.    | MR. KILGORE   |

#### SECOND SEMESTER

|                            |                         |             |
|----------------------------|-------------------------|-------------|
| <i>Trusts.</i>             | Three hours, Monday.    | MR. PURNELL |
| <i>Constitutional Law.</i> | Three hours, Wednesday. | MR. WRIGHT  |
| <i>Oil and Gas.</i>        | Three hours, Friday.    | MR. MYERS   |

### ALTERNATING COURSES

For the Third and Fourth Year—Given in 1939-1940,  
Not Offered in 1940-1941.

#### FIRST SEMESTER

|                            |                         |              |
|----------------------------|-------------------------|--------------|
| <i>Civil Procedure.</i>    | Three hours, Monday.    | MR. McDONALD |
| <i>Bills and Notes.</i>    | Three hours, Wednesday. | MR. RAY      |
| <i>Federal Procedure.</i>  | Three hours, Friday.    | MR. EMERY    |
| <i>Domestic Relations.</i> | Three hours, Friday.    | MR. KILGORE  |

#### SECOND SEMESTER

|                         |                         |              |
|-------------------------|-------------------------|--------------|
| <i>Civil Procedure.</i> | Three hours, Monday.    | MR. McDONALD |
| <i>Insurance.</i>       | Three hours, Wednesday. | MR. ELLIOTT  |
| <i>Corporations.</i>    | Three hours, Friday.    | MR. DEWEY    |
| <i>Evidence.</i>        | Three hours, Friday.    | MR. RAY      |

---

### SUMMER SESSION, 1940

A twelve weeks' course is offered in the Summer Session. The first term begins June 7 and ends July 13. The second term extends from July 15 to August 23. Day Division classes meet on the campus of Southern Methodist University. Evening Division

classes meet at the central Y.M.C.A. from 6:30 to 9:30 p. m. on Monday, Wednesday, and Friday.

## DAY DIVISION

|                           | Hours Per Week |             | Semester-Hours<br>of Credit |              |
|---------------------------|----------------|-------------|-----------------------------|--------------|
|                           | First Term     | Second Term |                             |              |
| <i>Administrative Law</i> | 7 1/2          | --          | 2 1/2                       | MR. McDONALD |
| <i>Labor Law</i>          | 6              | --          | 2                           | MR. LOWRY    |
| <i>Legal Ethics</i>       | 6              | --          | 2                           | MR. DEWEY    |
| <i>Trusts*</i>            | 3              | 6           | 3                           | MR. RAY      |
| <i>Legal Accounting</i>   | --             | 3           | 1                           | MR. McDONALD |
| <i>Quasi Contracts</i>    | --             | 6           | 2                           | MR. LOWRY    |
| <i>Trade Regulation</i>   | --             | 6           | 2                           | MR. EMERY    |

## EVENING DIVISION

|                         |    |    |   |              |
|-------------------------|----|----|---|--------------|
| <i>Labor Law*</i>       | 3  | 3  | 2 | MR. LOWRY    |
| <i>Legal Ethics</i>     | 3  | -- | 1 | MR. DEWEY    |
| <i>Suretyship</i>       | 6  | -- | 2 | MR. RAY      |
| <i>Legal Accounting</i> | -- | 6  | 2 | MR. McDONALD |
| <i>Trade Regulation</i> | -- | 6  | 2 | MR. EMERY    |

\*No credit is given unless the course is taken in both terms.

The tuition for the Day Division is \$35 for one term, \$70 for both terms (with a five per cent discount for both terms in advance). For the Evening Division, the tuition is \$24 for one term, \$45 for both terms (with a five per cent discount for both terms in advance).



| 1940      |    |    |    |    |    |    | 1941     |    |    |    |    |    |    |
|-----------|----|----|----|----|----|----|----------|----|----|----|----|----|----|
| September |    |    |    |    |    |    | January  |    |    |    |    |    |    |
| S         | M  | T  | W  | T  | F  | S  | S        | M  | T  | W  | T  | F  | S  |
| 1         | 2  | 3  | 4  | 5  | 6  | 7  | ..       | .. | .. | 1  | 2  | 3  | 4  |
| 8         | 9  | 10 | 11 | 12 | 13 | 14 | 5        | 6  | 7  | 8  | 9  | 10 | 11 |
| 15        | 16 | 17 | 18 | 19 | 20 | 21 | 12       | 13 | 14 | 15 | 16 | 17 | 18 |
| 22        | 23 | 24 | 25 | 26 | 27 | 28 | 19       | 20 | 21 | 22 | 23 | 24 | 25 |
| 29        | 30 | .. | .. | .. | .. | .. | 26       | 27 | 28 | 29 | 30 | 31 | .. |
| October   |    |    |    |    |    |    | February |    |    |    |    |    |    |
| ..        | .. | 1  | 2  | 3  | 4  | 5  | ..       | .. | .. | .. | .. | 1  | .. |
| 6         | 7  | 8  | 9  | 10 | 11 | 12 | 2        | 3  | 4  | 5  | 6  | 7  | 8  |
| 13        | 14 | 15 | 16 | 17 | 18 | 19 | 9        | 10 | 11 | 12 | 13 | 14 | 15 |
| 20        | 21 | 22 | 23 | 24 | 25 | 26 | 16       | 17 | 18 | 19 | 20 | 21 | 22 |
| 27        | 28 | 29 | 30 | 31 | .. | .. | 23       | 24 | 25 | 26 | 27 | 28 | .. |
| November  |    |    |    |    |    |    | March    |    |    |    |    |    |    |
| ..        | .. | .. | .. | .. | 1  | 2  | ..       | .. | .. | .. | .. | 1  | .. |
| 3         | 4  | 5  | 6  | 7  | 8  | 9  | 2        | 3  | 4  | 5  | 6  | 7  | 8  |
| 10        | 11 | 12 | 13 | 14 | 15 | 16 | 9        | 10 | 11 | 12 | 13 | 14 | 15 |
| 17        | 18 | 19 | 20 | 21 | 22 | 23 | 16       | 17 | 18 | 19 | 20 | 21 | 22 |
| 24        | 25 | 26 | 27 | 28 | 29 | 30 | 23       | 24 | 25 | 26 | 27 | 28 | 29 |
| ..        | .. | .. | .. | .. | .. | .. | 30       | 31 | .. | .. | .. | .. | .. |
| December  |    |    |    |    |    |    | April    |    |    |    |    |    |    |
| 1         | 2  | 3  | 4  | 5  | 6  | 7  | ..       | .. | 1  | 2  | 3  | 4  | 5  |
| 8         | 9  | 10 | 11 | 12 | 13 | 14 | 6        | 7  | 8  | 9  | 10 | 11 | 12 |
| 15        | 16 | 17 | 18 | 19 | 20 | 21 | 13       | 14 | 15 | 16 | 17 | 18 | 19 |
| 22        | 23 | 24 | 25 | 26 | 27 | 28 | 20       | 21 | 22 | 23 | 24 | 25 | 26 |
| 29        | 30 | 31 | .. | .. | .. | .. | 27       | 28 | 29 | 30 | .. | .. | .. |
|           |    |    |    |    |    |    | May      |    |    |    |    |    |    |
| ..        | .. | .. | .. | .. | .. | .. | S        | M  | T  | W  | T  | F  | S  |
| ..        | .. | .. | .. | .. | .. | .. | ..       | .. | .. | .. | .. | 1  | 2  |
| ..        | .. | .. | .. | .. | .. | .. | 4        | 5  | 6  | 7  | 8  | 9  | 10 |
| ..        | .. | .. | .. | .. | .. | .. | 11       | 12 | 13 | 14 | 15 | 16 | 17 |
| ..        | .. | .. | .. | .. | .. | .. | 18       | 19 | 20 | 21 | 22 | 23 | 24 |
| ..        | .. | .. | .. | .. | .. | .. | 25       | 26 | 27 | 28 | 29 | 30 | 31 |
|           |    |    |    |    |    |    | June     |    |    |    |    |    |    |
| ..        | .. | 1  | 2  | 3  | 4  | 5  | 1        | 2  | 3  | 4  | 5  | 6  | 7  |
| 6         | 7  | 8  | 9  | 10 | 11 | 12 | 8        | 9  | 10 | 11 | 12 | 13 | 14 |
| 13        | 14 | 15 | 16 | 17 | 18 | 19 | 15       | 16 | 17 | 18 | 19 | 20 | 21 |
| 20        | 21 | 22 | 23 | 24 | 25 | 26 | 22       | 23 | 24 | 25 | 26 | 27 | 28 |
| 27        | 28 | 29 | 30 | 31 | .. | .. | 29       | 30 | .. | .. | .. | .. | .. |
|           |    |    |    |    |    |    | July     |    |    |    |    |    |    |
| ..        | .. | .. | .. | .. | 1  | 2  | ..       | .. | 1  | 2  | 3  | 4  | 5  |
| 3         | 4  | 5  | 6  | 7  | 8  | 9  | 6        | 7  | 8  | 9  | 10 | 11 | 12 |
| 10        | 11 | 12 | 13 | 14 | 15 | 16 | 13       | 14 | 15 | 16 | 17 | 18 | 19 |
| 17        | 18 | 19 | 20 | 21 | 22 | 23 | 20       | 21 | 22 | 23 | 24 | 25 | 26 |
| 24        | 25 | 26 | 27 | 28 | 29 | 30 | 27       | 28 | 29 | 30 | 31 | .. | .. |
|           |    |    |    |    |    |    | August   |    |    |    |    |    |    |
| 1         | 2  | 3  | 4  | 5  | 6  | 7  | ..       | .. | .. | .. | .. | 1  | 2  |
| 8         | 9  | 10 | 11 | 12 | 13 | 14 | 3        | 4  | 5  | 6  | 7  | 8  | 9  |
| 15        | 16 | 17 | 18 | 19 | 20 | 21 | 10       | 11 | 12 | 13 | 14 | 15 | 16 |
| 22        | 23 | 24 | 25 | 26 | 27 | 28 | 17       | 18 | 19 | 20 | 21 | 22 | 23 |
| 29        | 30 | 31 | .. | .. | .. | .. | 24       | 25 | 26 | 27 | 28 | 29 | 30 |
| ..        | .. | .. | .. | .. | .. | .. | 31       | .. | .. | .. | .. | .. | .. |

## INDEX

|   | Page   |
|---|--------|
| Admission to Advanced Standing . . . . .    | 7      |
| Admission to the Bar . . . . .              | 9      |
| Course of Study: Day Division . . . . .     | 10     |
| Course of Study: Evening Division . . . . . | 14     |
| Description of Courses . . . . .            | 11     |
| Entrance Requirements . . . . .             | 6      |
| Expenses . . . . .                          | 4, 5   |
| History School of Law . . . . .             | 3      |
| Libraries . . . . .                         | 3, 4   |
| Pre-Law Courses . . . . .                   | 6      |
| Requirements for Admission . . . . .        | 6      |
| Requirements for Law Degree . . . . .       | 7, 8   |
| Scholarships and Helps . . . . .            | 5, 6   |
| Six-Year Combination Course . . . . .       | 8, 9   |
| Small Classes, Advantages of . . . . .      | 4      |
| Summer Session . . . . .                    | 15, 16 |
| Transfers from Other Law Schools . . . . .  | 7      |
| Tuition and Fees . . . . .                  | 4, 5   |

