

A BRIEF HISTORY OF THE STANFORD LAW SCHOOL, 1893-1946

By

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## Introduction

Until the second decade of the nineteenth century training for the practice of law in the United States was, by law, almost entirely restricted to apprenticeship. The number of apprentices which any one lawyer could have at any one time was usually severely restricted, frequently to as few as two, and the periods of apprenticeship were long, ranging up to ten years. Such a system made the development of law schools impossible. Only William and Mary College was an exception. There, as a result of the influence of Thomas Jefferson, and the fact that apprenticeship requirements in Virginia were the least severe in the country, a law school of sorts was established in 1779. In 1793 at King's College (now Columbia University) James Kent was made professor of law. Only his own clerks and two students enrolled in 1795, no one in 1796, and only eight by 1798 when he resigned. This discouraging experience indicates one reason why universities generally did not attempt legal instruction in this early period.

With the advent of the Jacksonian democracy there came a breaking down of barriers to all professions and vocations and, as a consequence, both limitations on the number of apprentices and on the period of apprenticeship were reduced or abolished. As a result, law schools, or possibly more accurately, law classes began to appear. For the most part they consisted of instruction by practising lawyers in what can only be termed "trade school" form. The most famous of these was the Litchfield Law School in Connecticut. While it was established in 1784, it did not come to full flower until the second decade of the nineteenth century when it achieved a registration of 55 students.

The universities were still slow to take up instruction in law. No doubt the most important reason was the strong prejudice against digressing from the classical and mathematical curricula then in vogue. Slowly and timidly, however, they did enter the field but, unfortunately, they usually simply took over a practitioner school or class without changes in personnel, methods or objectives. This process is exemplified by the early efforts of

Harvard beginning in 1817 and Yale in 1824. There were, of course, some great figures in these early university law schools but they were as few as they were great.

Requirements for admission were, ordinarily, only those exacted for admission to the freshman class of the college. Even as late as 1890 forty-three schools out of sixty-one in the country were in this category, and the Association of American Law Schools organized in 1900 and made up almost entirely of university schools, decided that, at the outset, it could demand that its members require no more than a high school education for admission.

Up to the Civil War the course of study was usually one year in length and no law school required more than two years. As late as 1890 only seven of the sixty-one schools were requiring the three years of study first set by Harvard in 1878. Even under the Harvard requirement only two years had to be spent in residence, but the third year was checked by examination. (See Professor Whittier's comment on his own experience, post).

Instruction was by lectures, usually based on assigned readings in text books. In 1871, however, Langdell published his case book on Contracts and used it in his classes at Harvard. The case method was refined by Ames and others. It would be an overstatement to say that it took legal education, generally, by storm but it was gradually adopted by university law schools. As late as 1928, 22% of the members of the Association of American Law Schools were still not genuine case method schools, and the percentage in non-member schools was undoubtedly far higher.

It was into a law school world of this general nature that the Stanford Law School was born.

### Beginnings

The dramatic story of the founding of Stanford University has been fully told elsewhere and will not be repeated here. Suffice to say that it started auspiciously. Instead of the 200 students expected to enroll, 559 registered in the first year of operation, 1891-92. To meet the needs of

this large student body the contemplated faculty of 15 was increased to 37. David Starr Jordan assembled a remarkably able and young group of teachers within six months of the date of his own selection as President. The second year showed a registration of 764 students and the addition of 29 to the faculty. No instruction in law was given in the first two years but plans were made to inaugurate it in 1893. The University Register for 1892-93 sets forth this resume of what was contemplated:

The department of law will conform in all respects to the other departments of the University. The requirements for admission will be the same; the courses will be open for election as major or minor subjects the same as in other departments; the same degree will be granted to those who have taken law as a major subject; in short the work will be that of a regular University Department and not that of a professional school.

The ultimate aims of the department, when fully developed, will be (1) To furnish such instruction in the elementary principles of Anglo-American law as may properly form a part of the education of an American citizen; (2) To furnish such instruction in commercial law as may be adapted to the needs of those who intend to become merchants, bankers, brokers, etc., or to follow other lines of business; (3) To provide for students intending to enter the public service, adequate instruction in public and international law; (4) To furnish to students of political and social science, training in special branches of law related to such subjects; (5) To provide for the study of jurisprudence as a science and therewith of legal history and legal institutions; (6) To furnish to students intending to adopt law as a profession a complete and thorough course of instruction, which shall fit them for practice in any of the American States, or wherever the common law of England prevails.

The work, therefore, when fully developed, will include a wide range of studies. While it is yet too early to make a definite announcement of future courses, it may be said that instruction will be offered in the English substantive law, including the law of persons and of personal rights with the special limitations growing out of infancy, coverture, incorporation, etc. The law of property and of property rights, the law of commerce and of commercial and business relations, and the special jurisdiction of the courts of equity and admiralty; in the law of procedure and evidence in all the courts; in constitutional and international law; in legal history and institutions; in legal bibliography and legal material, in the civil law; and in general and comparative jurisprudence. Such courses will be added from year to year as the needs of the department and the number of instructors may warrant.

In addition to the courses which will form the undergraduate work of those electing law as a major subject, it is expected to provide fifth year or graduate courses especially adapted to the needs of those who intend to enter upon the practice of law as a profession, thereby enabling a student to complete in five years a thorough course in law in the same way in which he is now enabled to complete a course in any other specialty. Such courses when announced will be strictly graduate courses and will be open only to graduates of this University or other similar institutions.

To initiate the study in Law two appointments were made: As Non Resident Professor of Law, Benjamin Harrison, A.B., LL.D., Miami University, President of the United States 1889-93, who was to give a course of lectures on Constitutional and International Law, and, as Professor of Law, Nathan Abbott, A.B., Yale University, 1876; LL.B., Boston University, 1893; Professor of Law, University of Michigan, 1891-2; Professor of Law, Northwestern University, 1892-.

The following courses were planned for 1893-4: (semester units in parenthesis) Elementary Law (3), Contracts (4), Torts (3), Constitutional Law (2), International Law and Diplomacy (1), Seminary in Politico-Legal Questions (1), Constitutional and International Law.

The last mentioned course was to be President Harrison's course of lectures. The others were to be taught by Professor Abbott. But it didn't work out according to plan. Within a period of a few months in 1893 the University was struck by three catastrophes: Senator Stanford died in June, the great financial panic struck with full force immediately thereafter and, toward the end of the year the United States sued to establish a claim against the Senator's estate for \$15,237,000, allegedly due under the California stockholders liability law for money loaned by the United States to the Central Pacific Railroad Co. to aid in the construction of the railway.

From the University's point of view the resulting situation was exceedingly serious. While the Stanfords had conveyed some properties to the University, they had retained practically all the income earning assets. Furthermore, their fortune was the separate property of the Senator or community property, both of which were subject to administration in his estate. The panic seriously depleted the value of the assets

in the estate as well as impairing the income therefrom and the law suit delayed administration. Had it not been for the dedication of Mrs. Stanford, the loyalty of the faculty in accepting reductions in salary, amounting for a time almost to obliteration, and the cooperation, of an understanding Probate Judge in making Mrs. Stanford a generous family allowance, most of which she used for the expenses of the University, the institution probably would have closed. But it didn't and the storm was weathered. The United States lost its suit in the Federal Circuit Court ((1895) 69 Fed. 25), which dismissed the bill, and in the Circuit Court of Appeals ((1895), 70 Fed. 346), and, finally, in the United States Supreme Court, ((1896), 161 U.S. 412), both of which affirmed the dismissal. The Supreme Court ruled that the legislation under which the loan was made did not contemplate the liability of stockholders as security for the United States. It might be added that the debt was paid by the principals when it fell due.

To return to the summer of 1893, Professor Abbott writes in a letter dated February 1, 1933:

"Later I started for Stanford and was as far as St. Paul, Minnesota, when I saw in a morning paper such news as to the litigation that I telegraphed to Dr. Jordan asking if he still wished me to continue on to Stanford. He replied to the effect that I could decide the question and if I wished to return to Chicago, he would give me a year's leave of absence, and I decided to return."

To get work underway, President Jordan turned to Edward Hamlin Woodruff who had graduated from the Cornell Law School with its first class in 1888. He had also had several years of experience in library administration and had taught English for two years at Cornell. He came to Stanford in 1891 as University Librarian. In a letter dated February 4, 1933, he recalls his connection with law at Stanford:

"Your request for a statement from me as to the early history of the Law Department at Stanford is rather perplexing, inasmuch as it calls for the recollection of events of forty years ago. When Glendower boasted, "I can call spirits from the vasty deep". Hotspur retorted, "Why, so can I, and so can any man, but will they come when you do call for them". So too I can call spirits from the pioneer days of Stanford University, but will they come?"

However, I do remember quite well one incident of the beginnings of the Stanford Law Department because it was the fortuitous occasion of my introduction to a vocation which I followed from 1893 until my retirement from the Cornell Law Faculty in 1926.

In August 1891, some weeks prior to the formal inauguration of what has now become one of our greater universities, I went to Stanford upon the invitation of Dr. Jordan to become the first librarian of the institution and continued in that capacity until the end of the academic year 1894-5.

The Law Department was opened in 1893. Professor Nathan Abbott of the law school at Northwestern University had been appointed to the first law professorship at Stanford. I had not participated in the formulation of plans for the inception of the work of the new department, but when the beginning of instruction in law became imminent and a number of students had planned to "major" in law, Dr. Jordan received word from Professor Abbott that, due to some emergency, he could not begin his work until the following year.

At this juncture, Dr. Jordan who was acquainted with whatever qualifications I may have had for acting as a substitute law teacher, requested me to take and carry on the instruction in law until Professor Abbott's arrival. Although I was a law school graduate, a member of the New York Bar, and had acquired experience as a law office clerk, I demurred vigorously because my time was fully occupied by duties as university librarian and especially because I had scarcely opened a law book for the four preceding years. But he waved aside my objections by saying that he could provide any additional necessary assistance in the library, that I could give an hour or so a day to supervision of the library, and that I could devote to the law work substantially all of the time I deemed necessary. Finally, after further discussion I consented, but upon the condition that at the first meeting of the law class he would appear and explain by some preliminary words the unusual circumstances under which I was assuming the unexpected task.

But Dr. Jordan did not appear, so I made a frank explanation of the situation to the members of the class and stated that we would study law together.

Thus the work started with Robinson's Elementary Law as the first text book. Later we began a course on Contract, using as material, cases selected by me from time to time and mimeographed for distribution to the class. Incidentally, these cases were the inception of Huffcutt and Woodruff's Cases on Contract, for

which in its earlier editions Dean Huffcutt was entitled to the larger part of the credit. After the arrival of Professor Abbott I added Torts to my teaching repertoire, using as the text Professor Francis M. Burdick's Cases on Torts, which had been published in 1892.

What most pleasantly remains with me of this first experience of mine in law teaching is the recollection of the earnestness, buoyancy, and considerate, co-operative spirit of those young men who joined with me in the emergent adventure.

When Professor Abbott arrived he brought to the work of the department all the experience and legal learning of his already markedly successful career as teacher and scholar. His pedagogical method was, I think, unique (although I am sure he would have disdained any of the popular connotations of the word pedagogue). Especially he had few rivals as teacher or scholar in the field of Property. His approach to a problem was gentle but his solution was vivid. He subsequently became a member of the Law Faculty of Columbia University, where his instruction was lauded by his students, until he retired by the age limit after many years of service on that Faculty.

While absent on leave from Stanford during the year 1895-6, I accepted a professorship in the Cornell Law School, but not without hesitation, for I was devoted to the life and friends at Stanford in those unconventional days of 1891 to 1895. Yet, when the call came from my alma mater in my native city, it was not to be resisted. My active career for thirty-three years as law teacher began at Stanford and concluded at Cornell."

President Harrison gave his lectures in 1893-4 but apparently did not repeat them.

The University Register shows a registration of 46 students in Law--3 graduate, 35 undergraduate and 8 special. It must be remembered that Law was a Department of the University and as such accepted students entering the University as freshmen. No distinction was officially made between pre-legal and professional students so far as the statistics go.

#### 1894-95

Professor Abbott began his work at this time. Some of his recollections are of interest. In a letter dated February 1, 1933, he says:



"Unless you already have the data, there is considerable that might be said as to President Jordan's preliminary selection of teachers and the topics assigned to each. Two or three years before the school opened he came to Chicago to talk the matter over with Professor Ernest W. Huffcutt whom Dr. Jordan had chosen to be head of the faculty and who was to go to Stanford and open the school. Later I was asked to follow him the next year. During this first visit, and at subsequent visits there was a number of meetings at which I was present and heard the discussions by Dr. Jordan and Prof. Huffcutt in which much was said as to the scope of instruction and the men who should be asked to teach. Prof. Huffcutt also discussed these matters with me, and I made many notes of what he thought as to these matters and the organization of the school. Unfortunately these have been destroyed and he is dead, but if you wish it I will try to recall as much of this as I can.

You probably know that after he had agreed to go to Stanford he was asked to go to Cornell, and decided to do so. His principal reason for so doing was the lack of a law library at Stanford, the improbability that it would have one within several years, because of litigation; and also because the Moak Library had just been given to Cornell. When Prof. Huffcutt withdrew Dr. Jordan asked me if I would take his place which I agreed to do."

In a letter dated March 3, 1933, Professor Abbott comments on the beginnings of the Law Library:

"The absence of any law books for the use of the students also had its effect on our program. . . . I advised the buying of the American Decisions because of the extensive notes which the students could refer to in the absence of text books which Pres. Jordan did not feel the University could afford to buy. I believe I am correct in saying that before the Decisions were received the Bancroft Whitney Company gave us a set of books called "The Pony Law Series". I remember making a little book case about fifteen inches long and seven or eight inches high and five inches deep to hold these books. At this time the students had no place in the quadrangle to study and we were given the first room on the left hand (ground floor) of the entrance to Encina Hall. I remember hanging this book shelf, like a picture, on the wall of this little room and it was the beginning of your Law Library."

During the year Mr. Woodruff continued to teach and Dr. Ewald Flugel, Professor of English Philology gave a course in Anglo Saxon laws.

At the end of the year the first degrees were awarded by the Law Department--four Bachelor of Arts.

An enlarged curriculum of 18 courses is outlined in the Register but obviously most of them could not be taught with a two man faculty.

#### 1895-96

Mr. Woodruff first appears as Professor of Law. Prior to this time he is listed only as University Librarian. He was, however, on leave for the year and resigned to become Professor of Law at Cornell, a position which he held until his retirement in 1927. From 1916 to 1921 he was Dean at Cornell. He died on July 8, 1941. A memorial statement regarding him appears in the Handbook of the Association of American Law Schools 1941) p. 247.

John Norton Pomeroy, A.B., Yale, 1887; A.M., 1889, LL.B., 1891, University of California; served as Instructor for this year only. Joseph Hutchinson, a San Francisco lawyer, is first listed as a Lecturer but no course assignment appears. It is likely that he lectured on California Practice, a subject which he later taught for some years,

In this year there appears the first reference to Moot Courts; six clubs of nine members each had been organized.

The degree of Master of Arts was awarded to four students in law. These were the only degrees of this type ever given in law at Stanford.

#### 1896-97

Frank J. Polley, B.L., Northwestern University, 1882, who had engaged in the practice of law in Southern California and in teaching history at Throop Polytechnic Institute was appointed Instructor to assist Professor Abbott.

#### 1897-98

Clarke Butler Whittier, A.B., Stanford, 1893; LL.B., Harvard, 1896; took Instructor Polley's place. Fortunately we have his recollections of his first five years as a member of the Faculty. He writes:

"My connection with Stanford law teaching began in the fall of 1897. The faculty for the first semester consisted of Professor Nathan Abbott and Instructor Whittier. Mr. Abbott received his A.B. at Yale in 1877 and his LL.B. at Boston University in 1880. After some ten years at the bar he was called to Michigan in 1891 and the succeeding year Northwestern induced him to join their law faculty. In 1893 President Jordan invited him to come to Stanford and organize the law school. In three years at Stanford he had become thoroughly popular with law students and greatly admired by his colleagues on the University faculty. I considered it a real privilege to work under him.

My qualifications were meager. I had graduated from Stanford with history as a major subject in 1893. The next two years I was a student in the Harvard Law School, and after a year in absentia, as was then allowed, during which I practiced law in Los Angeles, I received my LL.B. in 1896. The year 1896-7 I was a graduate student in history at Stanford and completed the courses in "Education" required for the high school teacher's certificate.

At this time the Law Department used two recitation rooms at the most westerly end of the Engineering buildings. The law library was housed in a single bedroom on the lower floor of Encina Hall, the dormitory for men and then the most easterly building on the campus. Between these separated habitations there stretched a long half mile. We all kept physically fit walking this distance several times a day.

The library consisted of a single set of California reports, some recent volumes of United States Supreme Court reports and a small collection of text books. It was the time when the suit by the federal government against the University, based on alleged defaults of Senator Stanford and his Associates in building the Central (now Southern) Pacific Railroad, was pending. The University was in danger and pressed for funds. There was little money for books or anything else. Professor Abbott did find a few dollars for books on Common Law Pleading which I was to teach. Contracts was my other initial offering. It is a fact that my total annual salary for the first year was to be one hundred and fifty dollars, perhaps another sign of University poverty and certainly a contributing cause of mine. Some men in other departments were reported to be teaching gratis. We wanted experience and a chance to show what we could do. Before the end of the year President Jordan unearthed four hundred and fifty dollars more for me. The total of six hundred dollars was subjected to the ten per cent cut which all Stanford salaries suffered that year to help pay for the defense to the government's suit. The suit was won. Five years later I accepted a professorship at the University of Chicago at a salary of five thousand five hundred a year.

Professor Abbott had made law popular. Three courses on Property, certainly not frothy subject matter, he taught entertainingly. So my courses were well attended, about seventy in Common Law Pleading and about fifty in Contracts. They were a fine lot of students, eager to learn law and I enjoyed every recitation. During this and subsequent years I took not a few trips to San Francisco to look up particular matters in the large law library in the Court house.

For the second semester our ranks were augmented by the appointment of Lester J. Hinsdale, a Stanford A.B., to teach a course in Elementary Law. He was a very able man and his course was well received. At the end of the year he decided that he wanted to practice and left us for an opening in Sacramento where he became a leader at the bar. Also in the spring semester a course in Code Pleading was given by Mr. Joseph Hutchinson of the San Francisco bar, a graduate of the University of California and its affiliated Hastings College of Law. Mr. Hutchinson lived in Palo Alto and his course developed into one on California Practice. He was with the Department for a considerable period. His work was greatly appreciated and led to his outline volume on California Practice, the beginnings of the present thorough treatment by Professor Owens, Mr. Hutchinson was all the time a successful lawyer in San Francisco."

1898-99

Of this year Professor Whittier promoted to Assistant Professor) writes:

"In my second year I added a course on Torts to my repertoire. This gave me three courses or full work. We were allotted the use of two more bedrooms in Encina. One became the Department office and the other gave us additional study space for students. The most important innovation of the year was a course on Mining and Irrigation by Judge Curtis H. Lindley of San Francisco. That Judge Lindley was a scholar is attested by his well-known two volume work on Mining Law--certainly a leading text in that field. The writer can testify that he was a kindly gentleman of distinguished appearance, an interesting lecturer and a high-class attorney."

1899-1900

While the suit brought by the United States had been won in 1896, the University was still not out of the woods, financially. The estate had many obligations and most of its assets could be liquidated only at great loss--the panic was still making itself felt. However, the situation was improving as is shown by Professor Whittier's statement:

"My third year, 1899-1900, saw a very considerable advance in the growth of the School. Two new men were added to the faculty, men who like Mr. Abbott and me, were to give all their time to law teaching, Jackson E. Reynolds and Charles Re Lewers. Mr. Reynolds was a graduate of Stanford in 1896 and of the Columbia University Law School in 1899. He had been in practice one year in New York City. He undertook courses in Equity, Agency and Corporations. It was a great loss to the Department when he resigned, after two years with us, to accept a Position in the legal department of the Central Railroad of New Jersey. His subsequent career has been one of great and worthy success as a lawyer, as a professor and trustee of Columbia University, as president of a great New York bank and as, a leader in international banking. His work at Stanford was the product of ability and diligence. Mr. Lewers was a graduate of Nevada in 1893 and of Stanford in 1896. He had spent a year in advanced law study at Harvard and had had considerable experience in practice. He was with the Department for several years but finally resigned to enter private practice because the University was unable to advance salaries as rapidly as he had hoped. He was an enthusiastic and successful teacher and his addition to the resident faculty raising our number to four made us feel for the first time that we might manage to give enough courses to prepare a student adequately for the practice of law. Mr. Lewers offered Criminal Law, Carriers and Damages and Trusts. After he resigned from the Department he became a prominent member of the San Francisco bar and won some extremely important cases for the Southern Pacific Railroad.

Unfortunately Mr. Abbott was absent on leave during 1899-1900. That left but three of us to carry on. But we were young and enthusiastic. The government suit no longer hung threateningly over the University; the suit had been won. A new library building for the University rendered available for the Department of Law the library's old quarters in the inner and original quadrangle. We thus fell heir to a one story building about fifty feet by one hundred and twenty in size. The University partitioned this for us into two recitation rooms, three offices and a stack room and reading room combined. We were given some wooden

stacks which the University Library (with its new steel equipment) had discarded. We were too proud for words. Our large recitation room would hold over one hundred students and our small one about fifty. If we needed an extra recitation room we might find one vacant at hours to be arranged in the building of some other department.

Our meager supply of books looked very lonesome in our commodious stacks. This we remedied somewhat by inducing the West Publishing Company to make us a tentative sale of the Reporter System and put it on our shelves. The sale was to become real if President Jordan could find the money to complete it. He did. The stacks facing the reading room at least were filled. Next year when Mr. Abbott returned, he persuaded the President to buy a quite complete set of English Reports. A fair number of text books for the new courses were added. We could at least know pretty well the present English and American law on the subjects taught."

It should be added that when Mr. Reynolds died he bequeathed funds to the University sufficient to liberally endow two professorships. One of these has been assigned to the Law School.

During this year Professor Whittier was an Associate Professor and Mr. Reynolds and Mr. Lewers were Instructors. The latter were both promoted to Assistant Professorships for the following year.

The first separate department announcement -was published in May 1900 for the year to follow.

In the summer of 1900 the Association of American Law Schools was organized under the aegis of the Section on Legal Education of the American Bar Association. Although it had not as yet given a single professional degree, Stanford was welcomed as one of the 27 charter members.

Before leaving this early period, a few words should be said of a vital service to the University by two men who had been students in law at Stanford: George E. Crothers, M.A. in Law, 1896, and Francis V. Keesling, A.B. in Law, 1898. Judge Crothers became a trusted advisor of Mrs. Stanford and in that connection he discovered serious flaws in the basic documents on which the University was established. The problem is too complicated to be discussed here. Judge Crothers' own statement of the situation appears in his Outline of the History of the Founding of The Leland Stanford Junior University, 33 Stanford Illustrated Review, No. 1. Suffice it to say that he found it necessary to have an amendment of

the Constitution of the State of California adopted which should ratify the trusts created by the Founding Grant, broaden the powers of the Board of Trustees, authorize the Legislature to (a) grant to the Trustees corporate powers and privileges, and (b) to exempt the property of the University from taxation. Judge Crothers drew the constitutional amendment and the legislative acts needed to put it into effect. He was assisted by his brother, Thomas G. Crothers, A.B. in History at Stanford, 1892; LL.B., Michigan, 1894; particularly in a later judicial proceeding to confirm the terms, validity and legal effect of the University trusts. Mr. Keesling and John F. Sheehan, A.B., History, 1895, headed up extensive campaigns to get the constitutional amendment approved by the Legislature and by the voters of the State.

#### 1900-01

After a seven year period of gestation, a really professional department was born in 1900. Again, let Professor Whittier tell the story:

"When in the spring the material for the University Register had to be prepared, we were sure that James Parker Hall, a graduate of Cornell in 1894 and of Harvard Law School in 1897, who had been practicing in Buffalo and teaching law in the University of Buffalo, was to be added to the faculty. With the return of Mr. Abbott in the fall we would have a full-time faculty of five which with Mr. Hutchinson and Judge Lindley could offer a reasonably complete curriculum. Accordingly, the announcement of the Department was entirely rewritten beginning somewhat bombastically "This Department offers such Courses in Law as are usually given in professional Law Schools." University freshmen were now excluded from law courses. Sophomores could take only Elementary Law, an introductory lecture course given by all the members of the faculty, each dealing in a cursory way with his own subjects. Juniors were eligible for two first year law courses and seniors for three, thus being able to complete the first year of the law course as undergraduates. Two years of graduate work fulfilled the requirements for the LL.B., degree. Each member of the faculty undertook to teach two courses every year and two others alternately. Mr. Abbott added Persons to his property courses. I began Evidence. Mr. Reynolds offered a second year in Equity and Mr. Lewers Conflict of Laws. Mr. Hall announced Sales, Bills and Notes,

Partnership and Constitutional Law. Also available were a course in Roman Law offered by Professor Fairclough of the Latin Department and one in International Law given by Professor Duniway of the History Department. We felt quite grown up. Moot Court work was begun and small library fees were announced to add to our meager fund for books.

The year 1900-01 lived up to the promises of the Register. There was a fine spirit in the Department; the more dignified title, School of Law, was to come later. Mr. Abbott was in his prime and the rest of us were young fellows trying to win a modest place in the sun and enthusiastic about the new Department and its future. The students seemed to think we were a lot of "wise guys" and that before long Harvard Law School would have to look to its laurels. Then as now the students were high class young men that you were proud to see sitting in your classes and proud to know personally if they gave you the chance. The few young women who joined our ranks were not in any separate category from the men. They found their individual places in class work and in records just as so many extra men would have done. There seems to be no Sustainable objection to the admission of women to law schools."

The full curriculum follows. Semester hours are given-in parenthesis and courses given in alternate years are marked with an asterisk.

First Year

Elementary Law (4)

Contracts (6)

Property I, Personal Property, Real property- estates,  
rights in land, etc. (6)

Torts (6)

Criminal Law and Procedure (6)

Equity I (4)

Second Year

Agency (4)

Bills and Notes (6)

\*Carriers) (2)

\*Damages )

Equity II - Trusts (4)

Evidence (6)

\*Persons (4)

\*Pleading (6)

Property II - Conveyances and Wills (6)

\*Sales (4)



Third Year

- \*Conflict of Laws (4)
- \*Constitutional Law (6)
- \*Corporations (6)
- \*Equity III (6)
- \*Partnership (4)
- \*Property III - Future Interests (6)

Special Courses

- California Practice (2)
- Mines and Irrigation (2)
- International Law (4)
- International Law (with special reference to the Fur Seal question) (0)
- Roman Law and Institutions (1 or 2)

The system of alternating courses continued for a good many years but the number of courses alternated decreased as the faculty grew in number. The case method of instruction was employed by all of the full time teachers. The announcement contains an extended statement by Dean Keener of Columbia Law School setting forth its advantages. This reflects the heated controversy over the merits of text, lecture and case methods which had been going on for a quarter of a century and was to continue nearly as much longer into the future. The case method was being taken up by most university law schools by 1900 and had become the badge of "modernism" in the teaching world. Non-university law schools, usually commercial in character, were slow to adopt the method.

As to the period of cultural and professional study required for the law degree, Stanford was taking an advanced position in demanding six years. In Present Day Law Schools in the United States and Canada, by Alfred Z. Reed, (1928), Carnegie Foundation For the Advancement of Teaching, Bulletin 21, page 529, it is stated that in 1899-1900 only two law schools out of 102 in the United States required more than five years.

The three year law course was required in 1899-1900 by only 47 of the 102 schools (Reed, p. 111).

All in all, the new Law Department was setting a high standard.

In the spring of 1901 the Department conferred its first professional degree, LL.B., upon James Taylor Burcham. He had taken his A.B. degree in 1897.

### 1901-02

Mr. Burcham became an Instructor to replace Assistant Professor Reynolds. In May three students were given LL.B., degrees.

The Register for the year gives a glimpse of the law library situation which shows marked improvement:

The Law Library contains complete sets of all English and Irish reports, and those of the leading American jurisdictions; most of the Canadian reports; all of the recent American reports, and a large number of text books and works of reference on legal topics.

At the close of the year Associate Professors Hall and Whittier resigned to join the law faculty of the University of Chicago, where the former served as Professor and Dean until the illness which culminated in his death in 1928, and the latter served until his return to Stanford in 1915. A memorial statement regarding Dean Hall will be found in the Handbook of the Association of American Law Schools, (1929), P. 150.

### 1902-03

Two new men joined the faculty: (1) John Elwood Blair as Assistant Professor. He took the A.B. degree at Mercerburg College in 1891, LL.B. at Harvard 1898, did graduate work at Harvard in 1898-99, and was Assistant Dean and Professor of Law at the University of North Dakota, 1899-1902. (2) George Luther Clark, as Instructor. He held the A.B. degree from Kenyon College, 1896, and LL.B. from Indiana University, 1899, and had studied at Harvard Law School 1900-02.

Eight LL.B., degrees were given.

1903-04

At the close of the year Assistant Professor Blair and Instructor Clark resigned.

1904-05

New appointees were Assistant Professor William Cullen Dennis, A.B., Earlham College, 1896; A.B., 1897, A.M., 1898, LL.B., 1901, Harvard University; and Instructor Arthur Martin Cathcart, A.B., Stanford, 1896, After a year's study in law at Harvard he practised law in Colorado Springs, Colorado until 1904,

Mr. Cathcart remained on the faculty until his retirement in 1938, but at the close of the year 1904-05, Assistant Professors Lewers, Burcham and Dennis resigned.

The first published report of the Department to the President states that there were 7940 volumes in the library.

1905-06

The following new appointments were effective: Assistant Professor Charles Henry Huberich, LL.B., University of Texas, 1897, LL.M., 1898; D.C.L., Yale University, 1899; J.U.D., University of Heidelberg, 1905. He was Instructor in Political Science and Law at the University of Texas, 1900-03, and Adjunct Professor, 1903-05.

Instructor Roy Valentine Reppy, A.B., Stanford, 1902; LL.B., Harvard University, 1905, who, however, resigned in October.

Instructor Leon Patterson Lewis, Ph.B., University of Chicago, 1902, J.D., 1905.

Instructor Wesley Newcomb Hohfeld, A.B., University of California, 1901; LL.B., Harvard University, 1904.

It was announced that for students entering after 1906 the LL.B. degree would be displaced by that of Juris Doctor (J.D). This matter of law degrees has had a rather interesting history. Apparently William and Mary College conferred the first law degree in this country in 1793. It was that of "Batchelor of Law". This degree in the form of L.B. or B.L.

was adopted elsewhere and persisted for more than a century. Harvard introduced, in this country, the Bachelor of Laws (LL.B.) and by 1900 it came to be the chief law degree conferred. When, in 1900, Harvard began requiring graduation from a college for admission to its Law School, it seemed to its faculty inappropriate to give a second bachelors degree and, by analogy to the M.D. and Ph.D., it proposed that the degree of Juris Doctor (J.D.) be given to those graduating from the Law School. The proposal was rejected by the University authorities, but it was taken up by the newly established University of Chicago Law School in 1902 for use in its combined six year course. Stanford and the University of California were the first to follow, both in 1905. Twenty years later 32 law schools were awarding the J.D. degree, but thereafter quite a number, including Stanford, returned to the LL.B.

As previously pointed out, the Department of Law accepted freshmen students and supervised their three years of cultural study. Up until this year it has simply been said in published announcements that these students would pursue a cultural program under the advice and direction of the Law Faculty. For the first time we find in the Register for 1905-06 a more definite delineation of what they were to study:

"In arranging courses in general culture subjects it is expected that 60 [semester] units will be applied as follows: to Latin, 4; to either French, German or Spanish, 6; to English, 10; to History, 15; to Economics, 13; to Mathematics, 6; and to one of the sciences, 6. English Composition (English 8) is required of all candidates for degrees."

English 8 was 4 units and the law courses required for the A.B. degree totaled 32 units, leaving the students 24 units of optional cultural work.

The year closed in violent fashion. On April 18, 1906, shortly after five A.M. a great earthquake shook the area. The Church, wings of the Museum, a new men's Gymnasium and a Library still under construction were wrecked. Considerable damage was done to the two-story buildings on the outer quadrangle and to Encina and Roble halls, but the one-story buildings were not injured, except for cracked plaster. It was impossible

to continue instruction until the plant could be inspected and repairs made, so the academic year was terminated. Fortunately, only three weeks were left in the scheduled calendar so credit was given to all students in good standing. The Law Department, being in a one-story building, suffered little physical loss, but, along with the rest of the University, it had to face a further period of plain living so that the plant could be restored--it was the practice to build out of income. The death of Senator Stanford and the difficulties connected therewith had slowed down the academic development appreciably. Then from 1899 to 1906 much income was required to catch up with plant construction. This "second stone age", as Dr. Jordan called it, seemed to be coming to an end and the faculty was looking forward to the availability of increased funds for development of the intellectual side of the University. It was a discouraging situation but the morale was excellent and all concerned joined in the effort to go forward. By August the essential repairs were made and academic work was resumed.

#### 1906-07

Prior to the earthquake it had been determined to add a sixth full time teacher to the law faculty and Charles Andrews Huston had been appointed as Instructor beginning in 1906-07. He received his A.B. from the University of Chicago in 1902, was a Fellow in Political Economy, 1902-03, Assistant in Rhetoric, 1903-04, Associate in Rhetoric, 1904-06, and received the degree of Juris Doctor in 1907, all from Chicago.

Professor Abbott was on leave for the year, teaching at Columbia University, and George Henry Boke, Ph.B., University of California, 1894; A.M., 1900, LL.B., 1905, Harvard University, who was Associate Professor of Jurisprudence at the University of California was appointed Lecturer, to give one course.

During the year Professor Abbott resigned to accept a professorship at Columbia University Law School where he remained until his retirement in 1922. He died in 1941. The high regard in which he was held at Stanford is indicated by the fact that in the year 1907-08 by unanimous action

of the Law Faculty and with the cordial approval of President Jordan he was urged to return, but he could not see his way clear to do so. A memorial statement regarding him will be found in 41 Columbia Law Review 577.

1907-08

To fill the vacancy caused by the resignation of Professor Abbott, Frederic Campbell Woodward was appointed Professor of Law and Professor Huberich was made Executive Head of the School. Professor Woodward graduated from Cornell University Law School with the degrees of Bachelor of Laws in 1894 and Master of Laws in 1895. In 1902 he was made an honorary Master of Arts by Dickinson College. After three years of practice in New York City he became Professor of Law at Dickinson (1898-1902) and at Northwestern University (1902-1907).

To fill the position left by the refusal of Mr. Lewis to accept reappointment as Instructor, Joseph Walter Bingham was appointed Acting Assistant Professor. Professor Bingham graduated from the University of Chicago with the degree of Bachelor of Arts in 1902 and Juris Doctor in 1904. After a year of practice in Chicago, he served for two years as Acting Assistant Professor of Law at Cornell.

Also effective at the beginning of the academic year 1907-08, Professor Huberich was promoted to Professor, Professor Cathcart to Associate Professor and Mr. Hohfeld to Assistant Professor.

Also for this year, Mr. John S. Partridge, of the San Francisco Bar was appointed lecturer to give the course in California Practice.

A number of changes in course assignments occurred in 1907-08. Woodward took over Contracts from Cathcart and Cathcart took over Torts from Lewis. Bingham took over Property from Abbott.

In March of 1908 the Faculty voted to substitute a course on Business Law for the former Elementary Law course and to exclude Law majors therefrom. It was also decided to initiate a course in Introduction to the Study of Law.

1908-09

Effective at the opening of the year, Assistant Professor Hohfeld was promoted to Associate Professor, Instructor Huston to Assistant Professor, Acting Assistant Professor Bingham was made an Assistant Professor, and Professor Woodward became Executive Head of the Department.

The Department began the year with enlarged quarters. Since 1900 the Department had occupied the building on the Inner Quadrangle to the east of Memorial Court. During the summer of 1908 the building next to the east, formerly occupied by the Mathematics Department, was turned over to the Law School and was remodeled to provide one large and two small classrooms. This made it possible to convert the old classrooms into additional stack room for the law 'Library and four offices in addition to the three then available. The School continued in these quarters until 1950. The number of books in the library had grown to 13,502.

When the University first opened no student fees were charged but during the difficult days of litigation a fee of ten dollars for regular and fifteen dollars for special students was levied. In 1907 the California Legislature exempted certain of the property of the University from taxation but with the proviso that:

" . . . no fees shall be charged residents of this state for tuition at such University, except that such fees may be charged in professional and engineering courses..."

In compliance with this statute the University fees were thereafter waived for students who were residents of California but a tuition fee of two dollars per unit, with a maximum of twenty-five dollars per semester was charged for all those enrolling in professional courses in Law.

Law had originally been set up as a Department of the University. As such it accepted freshmen students and supervised their academic training as well as their professional study. The Bachelor of Arts degree was given "in Law". This seemed to give the impression that the A.B. was a professional degree. To obviate this the diploma was altered to indicate that the degree was "in the pre-legal curriculum". The Law Faculty also felt that it marked an impairment of prestige to be known as a Department when over the country the term School was in general use. So in November,

1908, it recommended that the term Law School be substituted for Law Department. The Board of Trustees approved by adopting this resolution:

"That the recommendation of the President that the use of the term 'Law School' be authorized to designate the professional work in law within the Department the relation of the Law Department and its students to the University at large to be in no wise changed by the use of this phrase, be approved". (December 18, 1908).

Thereafter the term Law School was employed but organically it remained a Department. In fact it was not until 1916 that the Executive Head came to be called Dean.

In the spring of 1909 the California Legislature amended the Code of Civil Procedure S 280b to provide that any person producing evidence of having satisfactorily completed the three year's course of law study presented by the Law School shall be entitled to a license to practice law in all the courts of the state. This privilege had originally been given only to the Hastings College of Law. In 1907 it was extended to the University of Southern California and in 1909 to Stanford and the University of California.

#### 1909-10

Beginning with the year 1909-10 Associate Professors Cathcart and Hohfeld became Professors and Assistant Professors Huston and Bingham, Associate Professors. Professor Huberich was on leave teaching at the University of Wisconsin under an exchange arrangement which brought Professor Howard L. Smith to Stanford as Acting Professor for the year.

#### 1910-11

In his report to the President covering the year 1910-11 Professor Woodward says:

"For the first time in the history of the Law School, a summer term was held. It opened on May 31 and continued for eight weeks, enlisting the services of Professors Woodward, Cathcart, Huston and Bingham. The attendance was thirty, most of whom were regular students in the Law School who welcomed the opportunity to shorten the period of their preparation for



the bar. The enthusiasm and diligence of the students were most gratifying and it is believed that if the experiment is repeated the attendance will be considerably larger."

It was not, at this time, the practice of the University generally to give summer instruction on the campus. Only the Marine Biological Station at Pacific Grove did so except that the Geology Department offered summer field work.

### 1911-12

Associate Professor Huston became a Professor at the opening of the year 1911-12. Professors Huberich and Hohfeld were absent on sabbatical leave and Professor Howard L. Smith of the University of Wisconsin was again Acting Professor. Mr. S. W. Charles, an attorney in Palo Alto, took over the course in California Practice which had been given by Mr. Partridge since 1907.

During the year the degree of Bachelor of Laws was reinstated to be awarded for successful completion of two years of academic study in the pre-legal curriculum and three years of professional law study, no degree of Bachelor of Arts to be given in this program. The requirements for the Juris Doctor degree (three years of academic study and three years of law study) continued unchanged. It was also decided to abolish the classification of "special" student which had been heretofore open without a minimum age limit to those who were not candidates for a degree, and to institute the classification of "unclassified" student open to non-candidates for a degree over twenty-three years of age and "who have had experience in business or who evince uncommon ability."

The summer session was omitted owing to the small number of students interested. At the request of the Medical School the members of the law faculty agreed to give a series of lectures on Medical Jurisprudence. These continued for some years.

A chapter of the Order of the Coif, the national law scholarship fraternity, was installed and four members of the graduating class were elected.

At the end of the year Professor Huberich resigned. He had long been interested in and had written on the commercial laws of many nations. He entered upon the practice of private international law in Europe, having offices in various cities, and later also in New York City. He died in 1945. Judge Emlin McClain was appointed Professor to take his place. He had an imposing list of degrees: Ph.B., 1871, A.B., 1872, LL.B., 1873, A.M., 1882, LL.D., 1891, all from the State University of Iowa, and LL.D., 1891, from Findlay College. He had been Professor of Law at Iowa from 1881-87, Vice Chancellor of the Law Department, 1887-90 and Chancellor, 1890-1900. From 1901-13 he was a Justice and also Chief Justice of the Supreme Court of Iowa.

### 1912-13

Associate Professor Bingham was made Professor and Marion R. Kirkwood was appointed Assistant Professor. He took his Bachelor of Arts degree in 1909 and Juris Doctor in 1911, both at Stanford. During 1911-12 he was Assistant Professor of Law at the University of Oklahoma. His appointment marked an enlargement of the Law Faculty from six to seven full time teachers.

Professor Huston was on sabbatical leave doing advanced study at the Harvard Law School where he earned the S.J.D. degree.

During the year, the Board of Trustees announced that a new University library building would be erected. The Law Faculty adopted resolutions pointing out that the present quarters of the School were overtaxed and urging that the Thomas Welton Stanford Library building be converted to the use of the Law School when vacated by the University Library. This did not eventuate until 1950, the building being used for administrative purposes in the meantime.

At the end of the year 1912-13 President David Starr Jordan became Chancellor of the University and was succeeded as President by Professor John Casper Branner. This is not the place to evaluate Dr. Jordan's services and qualities, but the following statement by Professor John M. Stillman sums them up tersely and truly:

"For twenty two years President Jordan has been the inspiration of Stanford University. What it is is due mainly to his high ideals, his breadth of outlook and warm sympathy."

1913-14

During the year Professor Woodward was absent on sabbatical leave during the first semester, and Professor Bingham during the second. Professor Cathcart served as Executive Head while Professor Woodward was absent.

Tuition in the Law School was increased to \$100 per year.

At the close of the year Professor McClain resigned to become Professor of Law and Dean of the Law School of the University of Iowa.

1914-15

Professor Hohfeld was on sabbatical leave. To carry his work and that of Professor McClain, two temporary appointments were made: as Acting Professor of Law, John Begg Cheadle, A.B., 1898, LL.B., 1902, University of Kansas; Professor of Law at the University of Oklahoma; and, as Assistant Professor of Law, Hector Galloway Spaulding, B.S., University of Minnesota, 1900; LL.B., Harvard University, 1903, who had been engaged in practice in Chicago.

The Summer Session was resumed in 1915.

At the close of the year Professor Hohfeld resigned to become Professor of Law at Yale University. He continued there until his death in 1918. A memorial statement regarding him appears in 28 Yale Law Journal 166 and an evaluation of his contributions to the science of law in 28 Yale Law Journal 721.

Professor Cheadle returned to Oklahoma and Assistant Professor Spaulding re-entered practice. He later taught at George Washington University Law School for many years.

At the opening of the year the faculty adopted the first codification of its rules and regulations. It appears that some changes had been made in the pre-legal requirements since 1905-6, which were previously listed.

It may be interesting to compare them:

	<u>1905-06</u>	<u>1914-15</u>
Latin	4 (Sem. Units)	0
French, German or Spanish	6	
A language or languages other than English		12
English Composition	4	4
History	15	
English & American History		9
English	10	0
Economics	13	6
Mathematics	6	
Science	6	
Mathematics, Logic, Chemistry or Physics		6
Introduction to Law	<u>        </u>	<u>  3  </u>
TOTAL	64	40

1915-16

After an absence of thirteen years, during which he had been a member of the faculty of law at the University of Chicago, Professor Clarke Butler Whittier returned to Stanford as Professor of Law.

William B. Owens was appointed instructor. Mr. Owens had received his LL.B. degree from Stanford in May of 1915.

It was decided that, beginning with 1916-17 classes should be scheduled for Saturday mornings.

On January 1, 1916, Ray Lyman Wilbur, who had been Dean of the Medical School, succeeded Dr. Branner as President of the University.

In the spring the faculty, at the request of President Wilbur, made a survey of the Museum building and reported that it might be altered to provide an adequate home for the Law School. Nothing came of this proposal.

On March 31, 1916 the Board of Trustees approved the appointment of Professor Woodward as "Dean of the Law School".

At the close of the year Professor Woodward resigned to accept a professorship in law at the University of Chicago. He went on to become Vice President and Acting President of that University. He died in 1956. A memorial statement regarding him appears in the University of Chicago Magazine, April, 1956, p. 18.

Mr. Owens resigned to enter practice. He returned to the Faculty at a later date as will appear.

The curriculum had now increased from twenty-five courses in 1900-01 to forty in 1915-16. The library had over 20,000 volumes. The faculty had seven full time members rather than five. There were now 217 pre-legal and 190 professional students, a total of 407 compared to 195 in 1900-01. (At the latter date the statistics do not distinguish between pre-legal and professional students.) In 1900-01 thirty-one A.B. and one LL.B. degrees were awarded. In 1915-16, thirty-one A.B., twenty-three J.D. and 7 LL.B. degrees were given.

#### 1916-17

Following the resignation of Frederic C. Woodward as Dean, in the summer of 1916, President Wilbur appointed Charles Andrews Huston as Dean of the Law School. He was the unanimous choice of the faculty of the Law School which at that time consisted of Charles Andrews Huston, Arthur Martin Cathcart, Joseph Walter Bingham, Clarke Butler Whittier, Chester Garfield Vernier, professors; Marion Rice Kirkwood, associate professor; and Thomas Armitage Larremore, instructor. Mr. Larremore received his A.B. degree at Yale University, 1911; LL.B. Columbia University, 1916.

Professor Vernier received his A.B. from Butler College, 1903; Ph.B. 1904, J.D. (cum laude) 1907, University of Chicago. He had taught at the Universities of Indiana, Nebraska and Illinois from 1907 to 1916.

During the academic year 1916-17, a total of forty courses were offered, including California Practice and Moot Court. In addition to the professional courses, a few special lectures were given by members of the California Bar. The course in California Practice was given during the first semester until his death by Samuel Watson Charles of Palo Alto. During the second semester this course was given by Mr. Henrie Granville Hill of the San Jose Bar, a graduate of the Stanford Law School. There were seven full time members of the faculty.

Students who met any of the following requirements could secure admission to the Law School:

(a) Students who had received the degree of Bachelor of Arts from this University or some other institution of recognized collegiate rank;

(b) Students with credit for two years of work in the pre-legal curriculum at Stanford, or with the substantial equivalent thereof in some other institution of recognized collegiate rank;

(c) In the discretion of the faculty of law, students over twenty-three years of age who had experience in business and evinced uncommon ability, and who had been admitted to the University in regular standing. Such students were termed "unclassified". The provision for unclassified students was liberalized for the duration of World War I, but was later restored to its original form, as set out above.

The LL.B. degree was awarded upon completion of the five year course, the first two years of Law being taken in the Junior and Senior years

The J.D. degree was awarded upon completion of the six year course, the last two years of Law being taken after the A.B. degree.

There had been some discussion of dropping the Pre-Legal Department but no action was taken until some time later.

### Change to Quarter System

In his report for the academic year 1915-16, President Wilbur discussed the "four quarter plan," and stated that the Academic Council had directed the Executive Committee to study the situation "and formulate a plan for the University." In his report for the academic year 1916-17, the President stated that a plan had been fully developed by a subcommittee of the Executive Committee, which had been adopted by the Academic Council on December 7, and approved by the Board of Trustees, December 28, 1916. The plan was put into effect with the beginning of the academic year 1917-18.

### 1917-18

The academic year 1917-18 began with the same Law School Faculty as in the preceding year, with the addition of William Campbell Dalzell,

who had just graduated from the Law School, as a teaching assistant. As indicated above the Four Quarter Plan went into operation at the beginning of the year.

World War I, however, soon seriously disrupted the work of the Law School. During December, 1917, Dean Huston and Professor Bingham were granted leaves of absence to accept appointments to important positions with the Intelligence Department of the War Trade Board. They were absent during the last three quarters. Professor Cathcart was appointed "Acting Dean."

In May, 1917, Instructor Larremore had been granted a leave of absence for the academic year 1917-18, to enable him to enter the military service.

These absences necessitated some rather drastic readjustments. Some courses were indefinitely postponed; for others special provision was made. Adjustments were also necessary to provide for the additional courses required by the adoption of the Four Quarter Plan.

Several special appointments were made, as follows: Professor George Purcell Costigan, Jr., of Northwestern University as acting professor for the summer quarter. Mr. William Campbell Dalzell as teaching assistant for the winter, spring and summer quarters and, in anticipation of Instructor Larremore's continued absence, Mr. Dalzell was appointed Acting Instructor for the winter, spring and summer quarters of 1918-19. Professors Vernier and Cathcart were each employed for a term of extra teaching during the summer quarter, and Professor Kirkwood taught both terms of that quarter.

In addition to their teaching, Professors Vernier, Kirkwood and Cathcart served as associate members of the Legal Advisory Board of Santa Clara County. Professor Whittier, during the spring quarter, and Mr. Dalzell during the summer quarter, maintained a Legal Aid Bureau for the enlisted men of Camp Fremont in Menlo Park. Advanced students, in consultation with the Director of the Bureau, gave advice, and prepared legal papers in many cases. Professors Cathcart and Kirkwood gave lectures and short talks on war topics at Camp Fremont.

At the beginning of the year (1917-18) the practice of accepting, as pre-legal majors, students eligible to enter the University expecting to study law, but not as yet eligible to study law, was discontinued. Students already enrolled as pre-legal majors were permitted to continue as such. This change did not affect the total amount of work required for the A.B., LL.B. and J.D. degrees. It simply meant that the Law School no longer registered the students and supervised their programs, prior to their enrolling in professional law courses.

There was a considerable loss in the number of regular law students, obviously due to the war and the duty of military service owed by students in the normal age group in professional courses.

The requirements for the A.B. degree were liberalized (for the duration of the war), to permit students to count two years of law toward this degree, rather than the one year limit previously imposed. Also students were permitted to begin the study of law in their sophomore year. This would enable students to complete a substantial part of their professional education before they would normally be called for public service, without jeopardizing their candidacy for the A.B. degree.

#### 1918-19

Professor Huston returned from Washington and resumed his work as Dean and Professor of Law at the beginning of the academic year 1918-19. Professor Bingham remained in Washington until December (1918) and did not return to work in the Law School until the spring quarter. Professor Kirkwood's promotion to a full professorship became effective at the beginning of the academic year. Mr. Larremore was absent on leave until the spring quarter when he was released from his engagement as instructor and accepted an appointment as professor of law at the University of Oregon. Mr. Dalzell taught the winter, spring and summer quarters. Professors Cathcart and Kirkwood also taught in the summer quarter.

The attendance of regular law students was very small during the autumn quarter but it gradually increased during the winter and spring quarters. Students returning from military service who had been previously registered in the pre-legal department were permitted to continue in that category.



There was a very considerable increase in attendance in the summer quarter, and those who taught during that quarter felt that the amount and quality of the work of the students indicated that the availability of a fourth quarter whereby students could shorten the period of professional study had proven of such value as to fully justify adequate financial support for this additional service.

The establishment of the S.A.T.C. at Stanford necessitated the providing of instruction in military law, and in international law. The burden of meeting these demands fell upon the Law School. Three sections in military law and practice were organized, two of which were conducted by Professor Whittier and the third by Professor Vernier. A single section in international law was conducted by Professor Huston.

Requests from other departments of the University, particularly the Department of Economics, led to the resumption by the Law School of a non-professional course in Business Law, open to students in other departments. This course was taught during the winter and spring quarters by Mr. Dalzell. Such a course had previously been given, but had been discontinued for some time.

The adoption by the State of California of a requirement of three years of professional law study as a prerequisite for admission to the bar examination, which examination was for the first time required of all students seeking admission to practice, was heartily endorsed by the faculty. Prior to the establishment of these requirements graduates of many law schools in the state were admitted to practice, on motion, with no written examination required. This privilege, originally, was extended only to graduates of Hastings College of Law, but it was soon extended to the graduates of U.S.C., Stanford and the University of California law schools. Theoretically this privilege was to be limited to law schools with recognized high scholastic standards. Pressures on the Legislature, however, led to its extension to so many schools (some of which were of doubtful scholastic merit) that the larger schools joined in urging the Legislature to abandon "admission by diploma," and to require a written examination of all candidates for admission to the bar, in addition to the requirement of three years of professional law study to be eligible to take the written

examination. Stanford was in the forefront of the campaign to obtain such legislation, the success of which was noted in the "hearty endorsement" referred to above.

The Legal Aid Bureau was continued by Professor Whittier and Mr. Dalzell for the enlisted men, first at Camp Fremont and, after the abandonment of the Camp, for the men at the Base Hospital.

Messrs. Cathcart, Kirkwood and Huston gave addresses to the men in service, at the Base Hospital and elsewhere,

### 1919-20

In the spring of 1920, William Brownlee Owens was appointed acting associate professor, and taught during the spring and summer quarters. He became a regular member of the Law Faculty, as associate professor, at the beginning of the academic year 1920-21.

Mr. Dalzell was not listed as teaching during this (1919-20) academic year. The course in Business Law was not given during this year, but was scheduled for the year 1920-21, to be given by Mr. Owens.

Mr. Owens received his LL.B. degree at Stanford in 1915, and was Instructor in Law at Stanford 1915-16. From 1916 to 1917 he was engaged in the practice of law in Los Angeles; was called to Washington to serve during the war with the Law Department of the Food Administration, and as Head of the License Division of the Food Administration, and after the war was with the Trust Department of the Title Insurance and Trust Company in Los Angeles. He returned to Stanford in May of 1920.

In addition to the regular professional curriculum, Professors Huston and Vernier gave courses in Military Law. Professors Huston, Whittier, Cathcart and Vernier gave a series of lectures on Medical Jurisprudence for students of the Stanford Medical School.

The faculty noted that the cause of thorough preparation for the practice of law had been greatly furthered by the creation of a Board of Bar Examiners, and the establishment by them of written examinations as tests for admission to practice in California.

1920-21

No new members were added to the regular Law Faculty during this year.

On the faculty for the summer quarter (1921) were several teachers from other law schools, among them Assistant Professor George Edward Osborne of the University of West Virginia College of Law, who later joined the regular faculty of the Stanford Law School.

The need for an increase in the number of the faculty was urgently stressed in the Dean's Annual Report to the President:

"As long as the faculty is not numerous enough to enable the School to offer the complete law curriculum every year, it will be necessary to provide some courses only in alternate years; or, as is the case at present, even less frequently than once in two years. By providing some of these courses in the summer quarter the hardship of the alternating plan--is somewhat mitigated. It is, however, desirable, in view of the fact that the curriculum in law is well defined and its students are examined upon it when they seek admission to the bar, that the number of the faculty be increased at a very early date, so as to make it possible for any student, who spends here the nine quarters of residence required for the professional degree, to have an opportunity to cover the complete curriculum."

This problem was intensified by the fact that much of the time of the members of the Law Faculty was spent in giving courses outside of the regular professional curriculum. During this year members of the Law Faculty gave the following non-professional courses: Introduction to the Study of Law, Professor Kirkwood; Medical Jurisprudence lectures, Professors Huston, Cathcart, Whittier and Vernier. Business Law, for non-law majors, Associate Professor Owens.

These service courses were all valuable, but the time devoted to them detracted from the time available for the teaching of professional law courses.

In 1920 Mr. Ira S. Lillick of the class of 1897, and Mrs. Lillick each established a scholarship of the value of \$500, to be awarded annually to a worthy student, preferably in Law. These scholarships were continued, annually, for many years.

Prior to the academic year 1920-21, tuition could be charged only in the professional schools. This limitation was imposed by action of the State Legislature. The limitation was later removed by the Legislature and, beginning with the year 1920-21, the Tuition Fee in all departments of the University (except Medicine), was fixed at \$75,00 per quarter.

### 1221-22

The report to the President, made by Professor Cathcart, for the academic year 1921-22 contained the following paragraph:

"Upon July 19, 1922, the Law School sustained an irreparable loss in the sudden death of its dean, Charles Andrews Huston. A ripe scholar, an inspiring teacher, an able executive, he endeared himself to his colleagues and to his students by rare qualities of mind and heart. His death was a shock to the whole University community. The loss falls heaviest upon those who knew him best."

A tribute to Dean Huston, written by Professor Clarke B. Whittier, was published in the Stanford Illustrated Review for October, 1922.

The same non-professional courses were given as were given the preceding year.

Leonard Saxton Lyon was named as lecturer in Patent Law.

Professor Kirkwood was asked by the President to handle the administration of the Law School for the balance of the summer following the death of Dean Huston.

### 1922-23

Professor Kirkwood became Acting Dean of the Law School at the beginning of the year. Austin Tappan Wright of the University of California served as acting professor in the fall quarter; Leslie James Ayer of the University of Washington served as acting professor in the winter and spring quarters. Such additions were necessitated by the death of Dean Huston.

Professor Wright received his A.B. at Harvard, 1905; LL.B. in 1908. He was a student at Oxford University 1906-07; practiced in Boston, 1908-16; Associate Professor of Law, University of California, 1916-18;

Professor since 1918; Assistant Counsel, U.S. Shipping Board 1918-19; Proctor in Admiralty, San Francisco, since 1918.

Professor Ayer received the B.S. degree from Upper Iowa University in 1899; J.D. 1906, University of Chicago Law School; Professor of Law, University of Montana, 1913-16; Professor of Law, University of Washington since 1913.

Members of the faculty continued to give the non-professional courses in Business Law, Introduction to the Study of Law, and the Medical School lectures.

The amount of time devoted to the course in Practice was doubled, and the scope of the course enlarged.

Members of the Law Faculty for many years have been called upon to serve on various committees of the University and have carried their full share of general University administration through such committee assignments. This has been noted in detail in the reports made by the Deans to the President, and is noted here without detailing individual assignments.

During the fall quarter the students of the Law School decided to raise some money with which to endow a collection of law books in memory of Dean Huston, Contributions were secured from students, faculty and graduates of the School. About \$2,500.00 was secured.

Again, the need for new and larger quarters for the Law School was stressed by the faculty. The normal increase in the student body, and in the books in the law library, intensified this need. Many of the classes had to be conducted in classrooms far from the offices and library, and the reading room could accommodate only a small part of the students. Some relief was obtained by putting some of the books in the basement of the Administration Building, and by raising the height of some of the stacks in the library. Despite such pressures and inconveniences, permanent relief was still in the distant future.

#### Stanford Law Association and Law Societies

On June 1, 1923, the "second annual dinner" of the Stanford Law Association was held at the new Union. About one hundred persons, mostly alumni, attended. President Wilbur and Chief Justice Curtis D. Wilbur of the California Supreme Court addressed the meeting.

This association, with some others bearing the same name, was a forerunner of the Stanford Law Societies of Northern and Southern California, subsequently so successfully organized. The activities of these early associations were largely limited to holding an annual meeting, which generally was open to both students and alumni. Although the Dean's report to the President for the academic year 1922-23 refers to the "second annual meeting" of the Association, there is, in the records, a post-card announcing "the Third Annual Dinner" of the Stanford Law Association on May 3, 1912, at the University Club, San Francisco, evidently primarily an alumni affair. About forty members attended this meeting. There is also reference to a prior "Stanford Law School Association" which evidently had ceased to function, prior to 1912. Efforts were made during 1912 to raise scholarship funds for the Law School through this earlier Stanford Law Association. Mr. George Crothers gave \$100 for a scholarship and Messrs. Edward F. Delger, Louis D. Beedy, and Francis V. Keesling jointly, gave \$100 for a scholarship. There was some correspondence during 1912, mostly in the form of letters relating to the "Third Annual Dinner" referred to above, and to the two scholarships above mentioned. Evidently these "Stanford Law Associations" were "in and out" organizations which existed sporadically at varying times from about 1910. Their activities at such times seem to have been limited to holding an "annual" dinner and some attempts to aid the Law School through scholarships. Sometimes the term referred to a student organization, sometimes to an alumni association.

Dean Kirk wood had, for some time, been concerned over the lack of effective and active contacts with the graduates of the Law School. Soon after becoming Dean he began a series of efforts to secure a stable organization of the Stanford Law School alumni. There is evidence indicating that in February of 1927 a temporary organization was effected, but "probably due to differences of opinions relating to University policy, the movement lay dormant." Francis V. Keesling of the San Francisco Bar, and Mr. James E. Brenner of the Stanford Law School staff were active, in association with the Dean in furthering this project. Charles A. Beardsley of Oakland was also very active in the early activities to bring about an effective organization, as was Homer Spence of the

District Court of Appeals. The "movement" referred to above apparently "lay dormant" until about 1932. This lack of progress was undoubtedly largely due to the fact that most of this period was during the depression, beginning in 1929. Also there had been a suggestion by the Administration that the Lower Division of the University be dropped, which had aroused strong and widespread opposition among the alumni, resulting in alienating many of them, including some of the Law School graduates.

Early in 1932, Mr. Keesling renewed the effort to complete organization of an effective association of Law School graduates. He sent letters to a group of Stanford lawyers in San Francisco and Oakland, asking them to attend an organization meeting in April, 1932. It was suggested that the motif of the dinner might well be the completion by Professor Walter J. Bingham of twenty-five years of service in the Law School, and it was stressed that no solicitation of funds was to be made.

The response from the Stanford lawyers was very gratifying. At a meeting at the Clift Hotel in San Francisco on April 22, 1932, attended by some 210 Stanford lawyers from San Francisco and the Bay Area, the first Stanford Law Society was organized, and a constitution adopted. Mr. Francis V. Keesling was elected its first President. The purposes were stated in the Constitution, as follows:

"The purposes of this society are to bring together as members those persons interested in the welfare of the Law School of Leland Stanford Jr. University; to promote cordial relationship and closer cooperation among said members; and to marshal the activities and influence of said members to the end that a law school of high standing may be maintained at said University."

Thus the first Stanford Law Society came into existence. From the start of the discussions regarding the organization, it had been contemplated that similar societies should be formed in other parts of the state, particularly in Southern California. Even before the organization meeting in San Francisco on April 22, 1932 interested alumni in Los Angeles had been alerted to the activities of the San Francisco group in organizing the graduates of the Law School, and had expressed interest in forming a similar group in the south. Robert R. Murphy of

Los Angeles was active in this regard. During the year following the launching of the Northern California Society the effort to form a similar society in Southern California was continued. In his report to the President for the academic year 1932-33, Dean Kirkwood stated:

"Professor Kirkwood attended an enthusiastic meeting held in Los Angeles in May (1933) at which the organization of this (Southern California) Society was perfected."

George W. Dryer was elected its first President. The Northern California Society covers the area as far south as Bakersfield, to, (but not including) Santa Barbara, and northern Nevada. The Southern California Society includes the area from Santa Barbara south to San Diego, and southern Nevada.

The name "Law Society" was chosen, instead of "Law Association," because the latter name had for some years been used to designate a Law student association.

The annual meetings of the Societies over the years have been attended by steadily increasing numbers of enthusiastic graduates and friends of the Law School. Through them and their individual members, many scholarships have been secured, substantial contributions to the Law School Fund obtained, and their aid to the library, in providing prizes for the Moot Court Competitions; and in job placement of graduates, has been invaluable.

#### 1923-24

Professor Kirkwood was appointed Dean of the Law School, effective at the beginning of the academic year 1923-24. Associate Professor William B. Owens was promoted to full professor; George Edward Osborne was added to the faculty as professor of law; Harold Shepherd was added as associate professor; and Benjamin Leroy Holland was added as acting associate professor. The addition of Associate Professor Shepherd marked an increase from seven to eight resident instructors and made it possible to enrich the curriculum and more adequately meet the needs of the students.



Professor Osborne received his A.B. degree from the University of California in 1916; LL.B., Harvard, 1919; S.J.D., 1920; Assistant Professor of Law, West Virginia University, 1920-21; Assistant Professor of Law, University of Minnesota, 1921-23; Professor of Law, Columbia, summer session, 1923. Mr. Osborne was President of the Board of Editors of the Harvard Law Review while attending the Harvard Law School.

Associate Professor Shepherd received his A.B. degree at Stanford, 1919; J.D., 1922; Associate Professor of Law and Dean of the Law School, University of Wyoming, 1922-23.

Acting Associate Professor Holland received his LL.B., Kansas, 1920; A.B., 1921; J.D., Yale, 1922.

Professor Whittier was on sabbatical leave during the year and Mr. Holland was appointed to fill this vacancy.

The same non-professional courses as previously given for non-law students, and the service of members of the faculty on University administrative committees, and in other extra-curricular activities, continued.

The third annual dinner of the Law Association, the student organization, was held at the Union on the evening of April 25. Addresses were made by Mr. W. C. Shelton, '08, of the Los Angeles Bar, Associate Justice John E. Richards, and Chief Justice Louis W. Meyers of the California Supreme Court. It was noted that attendance at these meetings was increasing and they were beginning to play an important part in developing the professional life of the Law School.

The steady increase in the number of students developed several problems. It was felt that the case method of instruction could not be effectively employed in large classes, already exceeding 100 in number in first year classes. As a temporary expedient a scholarship requirement for admission to the Law School was adopted. Further consideration of the problem led to the conclusion by the faculty that the time had come to place the School upon a purely graduate basis. The size of the classes was not the only consideration leading to this conclusion. It was recognized that the growing complexity of the law, and its interrelation to the economic, social, industrial and political life of the

nation required that law students be well grounded in the fundamental principles relating to these matters, and it was felt that more time could profitably be spent in undergraduate studies.

Before finally recommending the change, a representative group of graduates engaged in practice was consulted. The response was a practically unanimous approval of the change. A recommendation was made to the President and the Board of Trustees, and on June 27, 1924, the Board of Trustees adopted the following resolution:

"Admission to the professional curriculum in law is to be granted only to students who have received the degree of bachelor of arts, or an equivalent degree, from this University or from some other institution of recognized collegiate standing: provided, however, that students who have matriculated in Stanford University prior to November 1, 1924, shall be admitted to the law school upon fulfilling the requirements in force on May 1, 1924."

The Dean's report to the President and Board of Trustees for the year 1923-24 stated:

"It is... a pleasure to report that the President and Trustees have designated a law building as the most pressing need of the University in the way of additional equipment, and that steps are now being taken to secure the funds necessary for the erection of such a building."

Unfortunately, some 25 years were to elapse before such a building became a reality.

#### 1924-25

During the year 1924-25 the faculty remained as in the preceding year, with the addition of Stanley Morrison as resident lecturer, devoting half his time to University instruction.

The appointment of Mr. Morrison enabled the School to enrich its program of courses, and it was stated that Mr. Morrison would, in the next year, give full time as an associate professor. Mr. Morrison received his A.B. degree from Yale University in 1915; he took his LL.B. from Harvard University in 1919, was law secretary to Justice Oliver Wendell Holmes of the United States Supreme Court in 1919-20. Since

1920 he was engaged in practice in Ban Francisco. He was on the Board of Editors of the Harvard Law Review while attending the Harvard Law School.

The Dean's report to the President dealt largely with the many non-professional and administrative activities of the members of the faculty performed in addition to their regular professional teaching assignments. The registration of students increased by 43 over the number enrolled the preceding year. The report again stressed the urgent need for more adequate quarters for the Law School, and expressed pleasure in reporting that preliminary plans had been made for a new building.

#### 1925-26

Stanley Morrison became Associate Professor at the beginning of the year 1925-26. Members of the faculty continued to carry their share of general University administration through memberships on various University committees, and to be active in community service, and in services in connection with Association of American Law Schools, Bar Associations and the American Law Institute.

Gifts of books to the library were noted, and the crowded conditions in the library were somewhat relieved by the installation of double decked steel stacks in place of the existing single tier wooden stacks.

The increasing number of Stanford law graduates who had become teachers of law, was noted with satisfaction.

#### 1926-27

At the beginning of the year Harold Shepherd's appointment as full professor became effective, Joseph Danner Taylor became associate professor, and Garrett Henry Elmore became acting assistant professor. Professor Bingham was absent on sabbatical leave during the year, and was engaged in teaching at Columbia University Law School.

Joseph Danner Taylor received his A.B. degree from Pomona, 1912; Harvard, 1914; LL.B. 1917; engaged in practice until 1926.

Garrett Henry Elmore received his A.B. degree at Stanford, 1923; LL.B., Harvard, 1926; at Stanford 1926.

Members of the faculty continued their administrative and extra mural service and their service in connection with various professional associations.

Mr. Francis V. Keesling, '98, assumed the direction of efforts to raise funds for the erection of a new building. These efforts progressed slowly but steadily during the year.

During the year the faculty engaged in a rather intensive study of the curriculum with a view to reorganizing some courses to eliminate duplication, and some rearrangement to save time in presentation. In some instances the time devoted to certain courses was reduced, while in one or two courses additional time was allotted to make provision for the introduction of new subject matter. As a result there was a net reduction of some 15 units in the curriculum.

The faculty also decided that it was desirable to provide a fourth year of law in which the emphasis should be placed upon individual research by the student.

It was, therefore, recommended that the first degree in law be that of Bachelor of Laws, to be awarded upon the fulfillment of the existing requirements for the degree of Juris Doctor, the degree of Juris Doctor to be thereafter awarded only upon completion of a fourth year of law study following the receipt of the first degree in law. This change was approved by the Board of Trustees on April 13, 1927.

#### 1927-28

At the beginning of the year 1927-28 Mr. James E. Brenner began his service as law librarian and, at the same time, Miss Frances Sheldon took up the duties of research assistant, her work being almost entirely in connection with the new fourth year subjects.

James Emmet Brenner graduated from the United States Naval Academy, 1913; J.D., Stanford, 1927.

The usual faculty activity in administrative work, extra-mural service, and teaching of non-professional courses was noted in the Dean's report to the President.

The registration of students decreased by 80, this being accounted for by the fact that the requirement of a Baccalauereate degree for admission resulted in a much smaller first year class. A further reduction was anticipated for the next year.

This year saw the institution of a moot court system Under the auspices of the Stanford Law (Student) Association. The work was entirely voluntary but approximately 75% of the students participated, and the faculty expressed its feeling that the experience gained by such participation was of real value in connection with law study.

The rearrangement of the curriculum made in 1926-27 worked out very satisfactorily, it being felt that the changes made had resulted in a marked increase in the efficiency of the School. The fourth year work, begun this year, progressed favorably and it was felt this progress promised excellent results--by stimulating individual research by advanced students.

The following subjects and problems were studied in the fourth year program:

Problems in Administrative Law; Problems in Administration of Civil Justice; Problems in Administration of Criminal Justice; Problems in Practice; Principles of Roman Civil Law; Jurisprudence.

The Board of Trustees authorized a library fee of \$5.00 per quarter to be paid by each student majoring in law. It was expected that two full time assistants (in the library) might be provided from these fees, during the next year.

In 1927, by act of the Legislature the State Bar was incorporated. Under this act the State Bar, in its corporate capacity, was given control over admission to practice, and discipline of members of the State Bar. The Committee of Law Examiners was increased from three to seven. Mr. Francis V. Keesling was a member of this Committee, which was engaged in a study of requirements for admission to practice.

#### 1928-29

At the beginning of the academic year 1928-29, James Emmet Brenner became an associate professor. The usual "extracurricular" activities

of the members of the faculty continued. At the close of the year Associate Professor Taylor left the University to continue practice.

Professor Cathcart completed his twenty-fifth year as a member of the law faculty. Some two hundred of his friends tendered him a dinner on the evening of May 28, 1929. Many more, unable to attend the dinner, sent letters and telegrams of congratulation.

Registration of students showed a decrease of 50 from the preceding year, due to the new entrance requirements. For all practical purposes, the School was on a graduate basis, there being, at the end of the year, only six undergraduates in residence.

The Moot Court work continued with effectiveness during the year. Tangible results from the seminar work instituted two years before began to appear. Several papers produced by students in such seminars were published in various Law Reviews. At the end of the year, in June, 1929, the first candidate for the second degree in law, received the degree of Juris Doctor. This student was Mr. Tsung Yuh Nyi, a graduate of the Comparative Law School of China. His thesis was entitled: "The Progress of Law from Chance to Choice."

The service in the Library was materially improved by the addition of two full time assistants to the Law Librarian, and by many gifts of books to the Library. Charles de Young Elkus, 102, of the San Francisco Bar gave a scholarship in the sum of \$250.00, which, it was expected, would continue in succeeding years.

### 1929-30

At the beginning of the year 1929-30 Stanley Morrison became a full professor. Lowell Turrentine became Associate Professor, and Harry John Rathbun became Acting Associate Professor. Professor Owens devoted only part of his time to instruction in law in order to carry on work as Faculty Athletic Adviser. Because of this Mr. Lowell Turrentine was appointed to the faculty to enable the School to present a full program, Mr. Rathbun was appointed as Acting Associate Professor to give a course in Business Law to undergraduates and to act as legal adviser to the Graduate School of Business.

Mr. Turrentine obtained his A.B. degree from Princeton, 1917; graduated from the Harvard Law School in 1922, where he was a member of the Board of Editors of the Harvard Law Review. He then became associated with Senator Atlee Pomerene and Mr. Owen J. Roberts in the Oil fraud cases, and later was associated with the firm of Root, Clark, Buckner, Howland and Ballantine in New York. In the fall of 1928 he returned to Harvard and received the S.J.D. degree in June of 1929.

Mr. Rathbun graduated from Stanford with the A.B. degree in 1916, took the degree of Engineer in 1920, and the degree of Juris Doctor in 1929.

Professor Harold Shepherd was on sabbatical leave during the year. Later in the year he resigned to accept a professorship in the Law School at the University of Chicago.

Mr. Sigvald Nielson was appointed acting assistant professor of law at the beginning of the year to take care of Professor Shepherd's work during Professor Shepherd's absence on leave. Mr. Nielson took his A.B. degree, 1922, LL.B., 1924, from the University of Alberta, and the J.D. degree at Stanford, 1929. After Professor Shepherd's resignation Mr. Nielson was appointed associate professor of law and was designated to continue at Stanford during the next year.

Associate Professor Brenner was on leave during the year, acting as Executive Secretary of the State Bar of California. He was expected to return to his work in the Law School at the opening of the academic year 1930-31.

The administrative, extracurricular, extra-mural, and community services of the members of the faculty continued as Usual during the year.

Mr. Francis Price, A.B., Stanford, 1914, J.D. 1915, established a scholarship amounting to \$500.00 a year. This was continued for some years.

By her will, Mrs. Sara A. Haile, bequeathed to the University the sum of \$10,000 for the establishment of the James D. Haile Memorial Fellowship to assist a needy and worthy student who is a candidate for a degree in the School of Law of the University. This is still in effect, having been augmented by a further gift of \$10,000 from Mrs. Haile's estate.

Again attention was called to the growing number of Stanford Law School graduates who were engaged in the full time teaching of law in recognized law schools. Some seventeen were noted.

1930-31

Joseph Warren Madden served as Acting Professor of Law during the year 1930-31. Dean Kirkwood 'was absent on leave during the year, engaged in teaching at Duke University. His regular courses were taught by Professor Madden of the University of Pittsburgh. Professor Cathcart served as Acting Dean. Professor Osborne was absent on vacation-leave during the autumn quarter.

Mr. Madden secured his A.B. degree from the University of Illinois, 1911; J.D., Chicago, 1914; Professor of Law, Oklahoma, 1914-16; Professor of Law, Ohio State, 1917-21; Dean, College of Law, University of West Virginia, 1921-27; at Pittsburgh since 1927.

During the year the faculty voted to institute a course in Office Practice--to be offered in 1931-32, for one hour a week throughout the year, by Associate Professor Brenner, to be devoted mainly to a study of the drafting of legal documents, but also to include studies in office organization. Mr. Francis Price, J.D., 1915, generously gave the sum of \$500 for the purchase of materials and equipment for this course.

The Moot Court work continued effectively during this year, under the supervision of a board of five students, with the support of the faculty, particularly with valuable aid from Professor Brenner.

A slight increase in the number of students was noted, this being particularly gratifying in view of the current business depression. Many gifts Of books to the Law Library were gratefully acknowledged.

1931-22

Lowell Turrentine became a full professor at the beginning of the year 1931-32. Arthur John O'Keefe, Jr., was named as acting assistant professor. Mr. O'Keefe secured his A.B. degree at Columbia University, 1927, LL.B., 1929; Instructor in Law, University of Southern California, 1930-31.

Professor Osborne was absent on leave during the year, serving on the faculty of law at Duke University.

During the year the State Bar of California was engaged in a study of procedural problems, and, through Professor Brenner, carried on research in regard to the requirements for admission to practice in various states.



One of the assistants in the research on procedural problems was stationed at Stanford during the year.

The course in Office Practice initiated this year proved even more successful than had been anticipated, and it was determined to continue it as a permanent part of the curriculum. The Moot Court work continued successfully throughout the year.

It was in this year that the Stanford Law Society of Northern California, previously referred to, was organized, i.e., April 22, 1932. There was a substantial increase in the enrollment of students, the registration totaling 254 as compared with 232 the previous year.

### 1932-33

There were no changes or additions to the faculty during this year. The usual administrative and extra mural-services were performed, and the research in cooperation with the State Bar continued as in the previous year.

During this year, in May 1933, as previously noted, the Southern California Law Society was successfully organized.

There was a substantial drop in registration of students, particularly in the first year class, seemingly accounted for by the difficult economic situation. Notwithstanding this drop in registration the spirit of the students was excellent and the work of the year was deemed highly successful.

During the year an experimental alternative program of study was inaugurated. For some time the School had been requiring an A.B. degree based on four years of academic study for admission, and three years of law study for graduation. It was felt that the three years devoted to the study of law did not provide an adequate preparation for practice. As an experiment, therefore, a new program was provided whereby students could enter the Law School, under certain conditions, with three years of academic preparation and devote four years to the study of law. To be eligible to enter on this program students must have completed the Lower Division with a grade point average of not less than 2.5. Qualified students who elected this program were to be enrolled in the Pre-Legal curriculum upon their

release from the Lower Division, and their work during their third undergraduate year was to be under the supervision of the Law Faculty. The old program continued along with the new, and it was felt that by this means a better idea of the relative merits of the two could be obtained after a few years of observation.

The degrees of Master of Laws, (LL.M.) and Doctor of the Science of Laws, (S.J.B.) were first offered at the beginning of 1932-33. The LL.M. degree was to be awarded, after the LL.B. degree, upon completion of four years of work. This degree was substituted for the degree of Juris Doctor (J.D.) which was no longer to be conferred after the academic year 1931-32, except to candidates who had been accepted for such degree before the end of said year. The first Master's Degree was awarded in 1934-35.

The S.J.D. degree was offered only to those who had received the degree of Master of Laws LL.M. at this University, and who had completed the work required for such Master's degree with marked excellence, and had given clear proof of ability to do independent research in law, of high order, who spent one full academic year in such research and presented a thesis which was, in the opinion of the faculty, a contribution to knowledge.

No S.J.D. degree was awarded during the period covered by this survey.

During the year a survey of legal education and admission to practice in the state, was made at the request of the State Bar, by H. C. Horack, a Professor of Law at Duke University, and Mr. Will Shafroth, adviser to the Section on Legal Education of the American Bar Association. They were assisted by Mr. Philip Wickser, Secretary of the New York Bar Association. This report was not entirely completed during this year.

The economic depression and the decreased attendance made it necessary to reduce faculty salaries by 10 per cent. This cut was later partially restored--and ultimately fully restored.

#### 1933-34

The faculty remained as in the preceding year, except that Professor Cathcart was on leave during the spring quarter. Professor Rathbun took over the course in Torts, and Professor Stanley Howell of the University of Southern California School of Law taught the course in Code Pleading, as

Acting Professor of Law. Mr. Howell obtained his A.B. degree at Stanford, 1922, J.D., 1927; Assistant Professor of Law, University of Southern California, 1928-30, Professor since 1930.

Members of the faculty were active during the year in many extra-curricular and extra-mural activities, serving on University and State Bar committees, and in research in various fields. Professor Kirkwood was elected President, for the year 1934, of the Association of American Law Schools.

The new four year program of study established in the preceding year was in effect during the year 1933-34 and it seemed to be a success, but further observation would be necessary before a final conclusion as to its merits could be reached.

#### 1934-35

No changes were made in the faculty for the year 1934-35. Faculty activities outside their teaching assignments continued as usual.

During the fall (1934) a directory of Stanford Lawyers was published, and was received with enthusiasm by graduates of the Law School.

The two Law Societies continued to function actively during the year, particularly with regard to the placement of Law School graduates. Arrangements were made for placement committees at different points throughout the state, and many attorneys volunteered to advise students as to location, and to assist them in securing openings in practice.

Associate Professor Nielson left to enter practice in San Francisco at the close of the year.

#### 1935-36

There were no notable developments during this year.

No new members were added to the Law Faculty for the year 1935-36. The activities of the members of the faculty, in addition to the teaching assignments, were fully noted in the Dean's report to the President.

Many lawyers gave lectures to the class in Office Practice.

1936-37

James Emmet Brenner was made a full professor at the beginning of the year 1936-37. At the end of the year Professor Whittier retired. He was the first emeritus professor of law in the history of Stanford. Dean Kirkwood, in his report to the President, stated regarding Professor Whittier: "He has been a tower of strength to the School by reason of his sound scholarship, effective teaching and stimulating writing."

Mr. John Bingham Hurlbut, a Stanford Law School graduate in 1934, was selected to take over Professor Whittier's work beginning in the next year.

There had been some complaints from practising lawyers that students coming from the law schools were, in many instances, unable to write clear, grammatical and effective English. In an effort to meet this criticism the School of Law decided to institute an experimental course in legal writing during the coming year (1937-38), this work to be required of all first year students.

The Law Societies had been increasingly active and effective in aiding the Law School. During the year 1936-37 the Northern Society sponsored a series of fifteen lectures on the practice of law, intended primarily, for young lawyers with less than five years experience. More than five hundred applied for the course, of whom only three hundred could be accepted. The lectures were given by experts in their respective fields, were highly successful, and were commented upon, not only in this state, but throughout the country.

Mr. Francis Price generously turned his law office in Santa Barbara over to the class in Office Practice for one full day and he, with his staff, explained the operation of a modern law office. Mr. Price generously paid the expense involved in taking the Office Practice class to Santa Barbara, and did so for several years.

1937-38

Harry John Rathbun became a full professor at the beginning of the academic year 1937-38. John Bingham Hurlbut joined the faculty as an associate professor. Mr. Hurlbut obtained his A.B. degree from U.C.L.A.,

1928; A.M., Stanford, 1929; LL.B., Stanford, 1934. Following his graduation at Stanford Mr. Hurlbut was engaged in practice in Los Angeles with the firm of O'Melveny, Tuller and Myers.

At the end of the year 1937-38, Professor Cathcart retired, after being on the teaching staff of the School for nearly thirty-five years. He was slated to teach during the next year in the Law School of Duke University. Dean Kirkwood in his report to the President stated:

"Professor Cathcart has been on the teaching staff of the School for nearly thirty-five years, and no other member of our staff commands the same affection on the part of the graduates of the School that he does. We shall miss him very greatly."

To take over Mr. Cathcart's work, Mr. William B. Lockhart was appointed as associate professor. Mr. Lockhart graduated from Drake University in 1929, took his Master's degree at Harvard the following year, and in 1933 received the LL.B., degree from Harvard. He was a member of the Board of Editors of the Harvard Law Review. After four years of practice he returned to the Harvard Law School for advanced study, and during the past year he held the position of Thayer Teaching Fellow.

During the Year (1937-38), after a study covering a period of some seven years, the entrance requirements were increased to require for admission a grade point average somewhat higher than that required by the University for the A.B. degree. Students having a grade point average of 2.5 would be admitted automatically as before. Those having a grade point average below 2.5 would be admitted only upon review of all the facts of the individual case. Attention was to be given to the student's aptitude test score, the nature of his undergraduate program, the presence or absence of improvement in the quality of his work in the latter part of his undergraduate courses.

In response to a strong demand a second series of lectures for young practitioners was offered by the Law Society of Northern California. These lectures made a real and valuable contribution to the work of legal education.

A course in Legal Writing, to meet the criticisms previously noted, was initiated, being given for two units in the winter quarter and one unit in the spring quarter, by Professor Brenner. The course consisted of an

analysis of legal problems, collection of authorities for their solution, and the preparation of written opinions and articles thereon.

Mr. Francis Price again took the class in Office Practice to Santa Barbara for a full day of instruction in office management conducted in his Santa Barbara office.

Members of the law faculty continued their administrative extra-curricular and extra-mural services, as before, and many persons made gifts to the law library.

### 1938-39

No changes were made in the law faculty in 1938-39. Professor Emeritus Cathcart spent the year teaching at Duke University. During the summer quarter a course in Labor Law was given by Mr. Robert McDonald Littler of the San Francisco Bar, which proved to be very successful.

All members of the faculty continued active in non-teaching services, as usual.

Mr. Charles A. Beardsley, J.D., 1908, of the Oakland Bar, whose activities on behalf of the Law School have been most valuable, was elected President of the American Bar Association, a well-deserved honor. Mr. Beardsley was active in the organization and work of the Northern California Law Society and was, for many years, a lecturer in the course in Office Practice. He had previously been President of the State Bar of California in 1929-30.

The new qualitative requirements for admission, adopted in the preceding year, were applied during this year, and it was felt that substantial progress was made, though their effect was to be further carefully studied.

A second edition of the Directory of Stanford Lawyers was published; the first edition having been published in 1934.

A loan fund, in memory of Hans C. Nelson, J.D., 1912, was established by a group of his friends, for the benefit of needy students. Mr. Nelson had for some years been a prominent member of the State Legislature, where he rendered valuable and effective service.

Mr. Price again invited the class in Office Practice to visit his office in Santa Barbara, where the organization of a modern law office was effectively explained.

The Stanford Chapter of Phi Delta Phi presented to the School an etching of the late Justice Holmes, in memory of one of their number, Mr. Fred Michaels, LL.B., 1938.

#### 1939-40

No changes in the faculty were made in 1939-40, The activities of the members of the faculty, in addition to their teaching, continued as before, and were fully set forth in the Dean's report to the President and Board of Trustees.

A gift of \$10,000 was made to the School by Mr. Henry Michaels, Mr. Alan J. Michaels and Mrs. Blake Darling, to endow a scholarship in memory of their brother, Frederick D. Michaels, who graduated from the School in 1938, and died shortly thereafter.

The annual visit of the Office Practice Class to the office of Mr. Francis Price in Santa Barbara Was again made at the invitation of Mr. Price.

Certain alterations to the physical plant to provide increased office space were made during the year.

During the summer quarter an experimental course in Legal Accounting was given by Dean J. Hugh Jackson of the Graduate School of Business, with results even better than expected.

The Stanford Law Society of Northern California conducted its fourth series of lectures on legal topics, during April and May, in San Francisco.

Many gifts to the Law Library were received and acknowledged.

#### 1940-41

No changes were made in the Law School faculty during 1940-41, except that Professor Brenner was called by the United States Navy to active service. Fortunately it was possible to arrange for him to continue with a considerable part of his teaching at Stanford. The non-teaching activities of the members of the faculty continued as fully set

forth in the Dean's report to the President and the Board of Trustees.

The experimental course in Legal Accounting was continued in the summer of 1941 by Dean Hugh Jackson of the Graduate School of Business.

During the year the Law School sponsored two conferences, both of which proved successful. On February 22, 1941, a one day Conference on Office Management and Brief Writing was held on the campus. This Conference was largely an outgrowth of the service rendered by Mr. Francis Price, over a period of ten years, in inviting the class in Office Practice to a day of instruction at his law office in Santa Barbara, and the lectures given by many lawyers in the course in Office Practice over many years. Mr. Price brought his office staff to this Conference, and all graduates and former students who had been his guests in Santa Barbara were invited to return for the day. In addition it was made known that any interested members of the bar would be welcome. Approximately 300 lawyers attended.

On July 11, 12 and 13, the School sponsored a Conference on Taxation in cooperation with the Law Societies of Northern and Southern California. This Conference also was attended by approximately 300 lawyers. Professor Stanley Morrison was one of the speakers.

The faculty had for some time been giving a great deal of thought to the changes taking place and likely to take place in the practice of law. It seemed clear that government would play a far greater role in the regulation of private affairs than in the past. The trend in this direction had developed whole new fields of legal activity. Administrative Law the law of Taxation, Trade Regulation, Labor Law, and other subjects, were developing in importance. The Law School was adjusting its curriculum to meet these changes. Such changes made necessary a broad and thorough pre-legal training and the Law School was endeavoring to insure this type of training to its students.

The growing emergency in the international situation was having its effect on the Law School. Professor Brenner had already been called into military service, and it was recognized that the School would undoubtedly be called upon to adjust itself to difficult situations as the emergency deepened. Large numbers of lawyers and law students were already being



inducted into military service. Little attention had been given by the Selective Service authorities to the prospective needs of the government and the people for legal service. It was evident that a shortage of young lawyers would develop in the near future. It was recognized that the flow of students into the law schools would undoubtedly be diminished during the emergency, but it was felt that there was good reason for deferment of the most promising students until they completed their legal education. Some progress in that direction was noted, and it was hoped that a program could be developed which would balance the military needs with governmental and private needs for lawyers.

1941-42

In the spring of 1941, Associate Professor John Bingham Hurlbut was appointed Assistant Dean beginning September 1, but in July he was given an indefinite leave of absence because of his having been commissioned as lieutenant, senior grade, in the United States Naval Reserve.

Professor Brenner was able to continue many of his regular activities in the legal field, although he had been recalled to active duty in the Navy. Professor Lockhart was also granted indefinite leave in January, 1942, to accept a position with the Office of Price Administration. He later became Regional Rent Attorney for the Western area, and subsequently entered the Navy.

As a part of Stanford's Fiftieth Anniversary celebration the Law School sponsored a panel discussion on the subject of "Civil Liberties and the Supreme Court." The principal paper on this occasion was delivered by Emeritus Professor Arthur M. Cathcart, and was followed by a panel discussion in which Professor Morrison, Professor Charles Fairman of the Department of Political Science, and Mr. Frederic E. Supple of the San Francisco Bar participated.

The death of Edwin Hamlin Woodruff on July 8, 1941, was noted. Professor Woodruff was librarian at Stanford from 1891-96 and gave the first instruction in law at this institution, as previously noted herein.

The war had already had a serious effect on Law School enrollment. This was true throughout the country. While it was realized that the enrollment in the coming years, for the duration of the emergency, would be small, it was felt that it was very important that the School continue to function and maintain itself as a going concern. The inroads (caused by calls to military service), not only on the law schools but on the younger lawyers, had been so great that already there was a serious shortage of available legal service. Also it was felt that the Law School should be in a position to resume normal activities immediately following the war, at which time there would probably be a large influx of students.

The faculty minutes for January 12, 1942, set forth a conclusion which had been arrived at only after long discussion:

"The faculty were agreed that for the period of the war the requirements for the LL.B. degree must be modified so as to enable students to earn the degree in less than seven years of academic and professional study. After discussing several proposals it was moved, seconded and unanimously carried (1) that for the period of the war the requirements for the LL.B. degree be reduced to six years of academic and professional study to consist of not less than 120 units of professional study in the Law School and 135 units of academic study, (2) that undergraduate students be admitted to law study during the junior year and allowed to spread the third year of academic work and the first year of law study over the junior and senior college years, (3) that students be recommended for the Bachelor of Arts degree in the Pre-Legal Curriculum after the completion of the fourth year of college study under the above program."

The war had made large inroads upon the faculty. For the current year, (1942-43), five members of the faculty would be on leave. Some courses were to be eliminated, and remaining members of the faculty were to increase their teaching load by taking over the essential courses of those on leave. It was hoped that, by these means, a reasonably adequate program could be maintained for those able to take advantage of it.

#### 1942-43

During the year 1942-43, Professor Bingham was away on sabbatical leave, Professor Morrison was on sabbatical leave, associated during the

year with the firm of Miller, Chevalier, Peeler and Wilson in Los Angeles, to secure practical experience in the field of taxation. Professor Brenner was still on leave serving with the Navy, as was Professor Hurlbut. Samuel David Thurman was appointed as acting associate professor.

Samuel D. Thurman obtained his A.B. degree at the University of Utah, 1935; LL.B., Stanford, 1939; in practice in Salt Lake City with the firm of Irvine, Skeen and Thurman, 1939-1942.

Professor Brenner continued on a part time basis until March 1, 1943, when he was granted sabbatical leave. He was serving in the Navy.

Professor Lockhart was also on leave, serving with the Office of Price Administration, and later he became a lieutenant in the United States Navy.

Professor Kirkwood served as a member of the Tenth Regional Advisory Council to the National War Labor Board, and later as a public member of the Tenth Regional War Labor Board.

The absence of five regular members of the staff made it necessary to make many adjustments in the curriculum. A few courses were dropped and most of the remaining faculty assumed extra work.

Registration in the Law School, of course, decreased drastically. The year closed with 30 students in attendance, many of them women. It was felt to be essential to continue to train those who were able to attend, as the demand for legal service was far beyond the existing supply of lawyers. Constant requests for recommendations of young lawyers were made to the School, most of which could not be met. These requests came both from private law firms and from government offices.

On January 21, 1943, Dr. Donald Bertrand Tressider was unanimously elected President of Stanford, to take office as of September 1, 1943. Doctor Wilbur had been held over, after reaching retirement age, until the new President was chosen, after a lengthy, thorough, search.

#### 1943-44

Professors Stanley Morrison, William Bo Lockhart, James E. Brenner and John B. Hurlbut, continued on leave during the year 1943-44. Professor Joseph Walter Bingham was on leave of absence during the autumn quarter, and retired on December 31, 1943.

During the year several of the remaining faculty members continued to serve, part time, in various government activities; Professor Kirkwood as a public member of the Tenth Regional War Labor Board; Professors Turrentine and Owens served as Compliance Commissioners for the War Production Board; Professor Osborne served as Chairman of an industry committee to set minimum wage rates under the Fair Labor Standards Act; Professor Rathbun served as a public panel member in labor dispute cases for the Tenth Regional War Labor Board, and also as an arbitrator in labor disputes.

The Dean's report to the President and Board of Trustees for this year contained the following:

"It is with great sorrow that I report the death of Emeritus Professor Clarke Butler Whittier. Professor Whittier took his A.B. degree at Stanford in 1893, and his LL.B. from Harvard in 1896. After practicing law for a time in Los Angeles, he returned to Stanford to teach in 1897, leaving here in 1902, with James Parker Hall, to go to the newly founded University of Chicago Law School. He came back to Stanford in 1915 and was Professor of Law until his retirement in 1937. He was a stimulating teacher, a scholar of first rank, and a fine and generous friend."

An eulogy of Professor Whittier was published in the 1944 Handbook of the Association of American Law Schools, page 266.

As previously noted, the war had a very adverse effect on law school registration. This was true not only at Stanford but all over the country. The average registration of all members of the Association of American Law Schools in the autumn of 1943 was only twenty per cent of the registration in the autumn of 1940. The attendance at the Stanford Law School was thirty per cent of the 1940 attendance, considerably better than the general average. It appeared that the low point in registration had been passed. Applications for the coming year were substantially above the corresponding period of 1943.

The faculty throughout the war period had given much thought to post-war plans for the School, and it was expected that a definite program would be formulated by the end of the war. It was recognized that the re-orientation of returning students would present a serious, though somewhat temporary, problem. Experience after the first world war showed that men

who have been in military life often find it very difficult to readapt themselves to the life as students, particularly to the requirement of essential concentration; also that many of them would require a review of law work taken before entering military service. It was proposed that a review course be established, the emphasis to be on self-discipline, in that the student would be required to do his own review, and be subject to quizzes and examinations. It was hoped that this would aid in developing the power of concentration, and at the same time refresh the student's recollection of the subjects he had previously studied.

#### 1944-45

The same members of the faculty were absent during the year 1944-45, and the resident faculty continued their extra-curricular activities as in the preceding year.

During the spring quarter the Graduate School of Business and the School of Law jointly sponsored a series of five lectures on certain important war agencies, the purpose being to give students some insight into the purpose, organization and procedure of these bodies.

It was announced that Mrs. Clarke B. Whittier and her daughter, Mrs. William S. Cary, were endowing a scholarship of \$7500 in memory of the late Professor Clarke B. Whittier; that the parents of Major John M. Haffner, who graduated from the Law School in 1941, and who lost his life in the South Pacific, had given the University \$10,000 to endow a scholarship in his memory, the scholarship to be awarded to law students. The late Clyde A. Duniway bequeathed \$3000 to the University in memory of his son John. Friends and members of the law faculty contributed to the endowment of a scholarship in memory of the Stanford lawyers who lost their lives in the war, which at that time numbered fifteen.

Dean Kirkwood closed his report to the President and Board of Trustees for the academic year 1944-45 as follows:

"After twenty-three year's service as Dean of the Law School I shall be relieved of this office on August 31. Professor Lowell Turrentine has been appointed Acting Dean of the School."

1945-46

Professor Turrentine served as Acting Dean during the year 1945-46. Several of the members of the faculty who had been absent on leave during the war, returned during the year. Professor Brenner returned on October 1, 1945; Professor Hurlbut returned on October 8; Associate Professor Lockhart returned in December, 1945. Professor Rathbun was on sabbatical leave during the year. Professor Hurlbut served as Assistant Dean after his return. Professor Lockhart later resigned to accept a professorship at the University of Minnesota. Several new staff members were appointed for the year 1946-47, namely, Allan F. Smith as acting associate professor, and acting assistant professors Gordon K. Scott, John R. McDonough, Jr., and Charles E. Corker.

Allan F. Smith received his A.B. degree from Nebraska State Teachers college, 1933; LL.B., University of Nebraska, 1940; LL.M., Michigan, 1941; Cook Fellow in Law, University of Michigan, 1940-41; Research Associate and Graduate Fellow, 1946.

Gordon K. Scott received his A.B. degree at Harvard, 1938; LL.B. 1941.

John R. McDonough, Jr. did his undergraduate work at the University of Washington and received his LL.B., degree from Columbia University in 1946.

Charles E. Corker received his A.B. degree at Stanford, 1941; LL.B., Harvard, 1946.

Professor Vernier retired at the end of the academic year 1945-46 after thirty years of fine law teaching at Stanford.

In order to accommodate veterans returning from the service, a special first year class of 133 persons was admitted at the beginning of the winter quarter. This class was required to attend during the winter, spring and summer quarters in order to complete the first-year program and be ready to take up second year work in the autumn quarter, 1946-47. It was anticipated that an entering class of between 225-250 would enroll in the autumn quarter, 1946-47. Lack of lecture room and library reading room facilities made it necessary to reject many applicants who met the entrance requirements.

The year 1945-46 was marked by several notable events. A gift of an amount in excess of \$125,000 was made by Ron. George E. Crothers of the San Francisco Bar for the erection of a dormitory for law students. This event was celebrated at a dinner honoring Judge Crothers given by the Law Students Association, attended by some 400 students and alumni of the School, at the Fairmont Hotel in San Francisco.

The Administration Building (originally the library of the University was selected as the future home of the School of Law, and plans were being prepared for its remodelling.

A drive for funds under the title of the "Stanford Law School Plan" was successfully prosecuted, and raised approximately \$130,000 during the year.

Carl Bernhardt Spaeth of Washington, Do C. was appointed as Dean of the Law School, effective September 1, 1946. As of this latter date the position of Assistant Dean was discontinued.

Carl Bernhardt Spaeth received his A.B. degree at Dartmouth, 1929; B.A. (Jurisprudence) at Oxford, 1931; B.C.L., 1932; Sterling Fellow, Yale Law School, 1932-33; Professor of Law, Temple University, 1933-34; Associate Professor of Law, Northwestern University Law School, 1934-39; Associate Professor, Yale Law School, 1939-40.

The coming of Carl B. Spaeth as Dean of the Law School at the opening of the academic year 1946-47, marked the beginning of a new era, and seems to be an appropriate point at which to close this part of the history of the Stanford Law School.

It seems appropriate, however, to add something by way of a brief general summary of some aspects of the development of the Law School, as of the end of this period.

### The Law Library

Professor Abbott indicated that the first books contributed to the Law Library were placed on a fifteen inch shelf, hung on the wall.

The Register of the University for 1946-47 states:

"The Law Library contains over 59,000 volumes, including complete sets of the English, Irish, Scotch, Australian, New Zealand, and Canadian reports, the reports of all Federal Courts of the United States, and of the courts of the various states, the Australian states, and the Canadian provinces, the National Reporter System, the standard Collection of Cases, the standard English and American legal encyclopedia, the principal American, English and Canadian digests and Citators, sets of the leading American, British, Canadian, and Continental legal periodicals, together with a good collection of text books. There is also a somewhat complete collection of compiled laws, session laws and other statutory material, both federal and state, as well as British, Canadian and Australian."

Over the years, since the inception of the Law School, many persons have made generous gifts of money, books and legal materials to the Law Library. These gifts have all been specifically acknowledged in the annual reports of the Dean to the President and Board of Trustees.

#### Extra-Curricular Services of the Law Faculty

Throughout this brief summary survey of the founding and development of the Stanford Law School, reference has frequently been made to the non-teaching services rendered by the members of the Law School Faculty. These services have been set out in detail in the annual reports of the Dean to the President and the Board of Trustees of the University, but some general reference may be appropriate here. No one can read these annual reports without being impressed with the extent and variety of these services. Every President of the University has, over the years covered by this survey, drawn heavily upon the individual members of the law faculty for service to the University as a whole, through membership upon the many administrative and academic committees, and the giving of non-professional courses for the students of other departments of the University.

Through two world wars some members of the Law School Faculty were granted leaves to serve the Federal Government, in the armed forces, or in civilian capacities. Those members of the faculty who remained to teach in the Law School, rendered valuable part time service during the emergencies, as members of many of the government Committees, Boards and Bureaus, established for the effective prosecution of the wars.



Furthermore, the record is replete with the listing of services by the members of the Law School Faculty, to the community; to the State Bar of California; to the Association of American Law Schools; to other law schools as visiting professors; and to the legal profession (including law teaching) through research and published writings covering many fields of the law. Some 19 or 20 books were written' and published by members of the Law School Faculty during the period covered by this survey, in addition to many articles in leading Law Reviews.

### Visiting Teachers

During the period covered in this survey many noted teachers from other law schools joined the local faculty for brief periods, sometimes during the regular academic year, but more frequently for the summer quarter. Their services were of great value, and are gratefully acknowledged as a real contribution to the work and growth of the Law School.

### Services of Alumni and Friends

Mention has been made herein of the services rendered to the Law School by the two Law Societies. In addition, many individuals, alumni and friends of the School, contributed money, books and services, which are gratefully acknowledged.

Special acknowledgement should be made of the services rendered by the many lecturers, in Practice, Office Practice, and in many other fields of the law. These men spent many hours of their valuable time to give the students an insight into many areas of legal practice, not covered in the regular curriculum.

### Scholarships

The annual announcement of the Law School for the year 1946-47 listed several established scholarships and fellowships for students in the Stanford Law School, existing as of that time:

The James D. Haile Memorial Fellowship, established 1930 by a bequest of \$10,000 from the estate of Mrs. Sara A. Haile, later augmented by an additional \$10,000 from her estate;

Mr. Harry L. Borders was the donor of a scholarship amounting to \$390, for a deserving law student. This scholarship was maintained for several years by Mr. Borders;

The George E. Crothers Law School Scholarship, established in 1912 by Judge George E. Crothers of the class of 1895;

The John Cushing Duniway Fund of \$3,000 established in 1945 by a testamentary gift from Clyde Augustus Duniway a member of the pioneer faculty, in memory of his son, John Cushing Duniway the annual income to provide a scholarship or prize for a deserving student in the School of

The Blanche Harris Scholarship in Law, established, 1934, from a fund of \$3,000 received from the estate of Miss Blanche Harris;

The Frederick Dewey Michaels Scholarship, established, 1939, by a gift of \$10,000 from Mrs. Mary Louise Darling, Mr. Alan J. Michaels and Mr. Henry Michaels in memory of their brother;

The Clarke Butler Whittier Scholarship, established, 1944, by his widow and his daughter in memory of Clarke Butler Whittier, for many years a professor of law at Stanford;

The Stanford Law Veterans Memorial Fund, established, 1944, to honor the memory of all graduates and former students of the Law School who gave their lives in World War II;

The John M. Haffner Scholarship Fund, established, 1944, by a gift of \$10,000 from Mr. J. B. Haffner in memory of his son, Major John M. Haffner, a graduate of the Stanford Law School, who lost his life while engaged in the service of his country.

Through the generosity of contributors to the Stanford Fund, there were several additional scholarships of various amounts available.

Law students were also eligible for a number of scholarships awarded annually upon nomination of the University Committee on Scholarships.

### Loan Funds

Several Loan Funds were also available to aid law students:

A fund of \$1488 contributed by Stanford lawyers;

A fund of \$334 established by the class of 1921;

A fund of \$460 raised by friends of the late Mrs. Margaret Huston and Charles A. Huston;

A fund of \$1384, established by a group of his friends, in memory of Hans Christian Nelson;

A fund of \$429, established 1946, by Frederick I. Richman, J.D., '28.

### Degrees Granted

Reference has already been made to an early statement of the ultimate aims of the law department. Prominent among the aims so stated was:

"To furnish such instruction in commercial law as may be adapted to the needs of those who intend to become merchants, bankers, brokers, etc., or to follow other lines of business."

Many students were early enrolled in what were called "pre-legal" courses. In the early years (prior to 1901) students could enroll in some law courses in their sophomore year, taking up more intensive study in professional law courses in their junior and senior years, during which their programs also included general academic undergraduate work in the University, leading to an A.B. degree, which originally was designated as an A.B. "in law." Later, the A.B. degree secured by those starting their study of law as undergraduates was designated as an A.B. degree in the "Pre-Legal Curriculum," and the A.B. "in law," in such cases, was discontinued. The changes in the degrees granted by the Law School at various times have already been noted, but a summary, showing the number of degrees granted, year by year, may be of interest.

DEGREES GRANTED\*

	94	95	96	97	98	99	00	01	02	03	04	05	06
Year	1895	1896	1897	1898	1899	1900	1901	1902	1903	1904	1905	1906	1907
Pre-legal	4	19	9	16	21	17	31	16	30	25	26	20	28
LL.B.	-						1	3	8	6	8	4	5
J.D	-											4	1

	07	08	09	10	11	12	13	14	15	16	17	18	19
Year	1908	1909	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920
Pre-legal	29	32	24	29	36	18	31	40	31	43	17	22	42
LL.B.	4	-	-	-	1	2	3	7	7	3	2	1	2
J.D	9	6	4	14	15	13	16	19	23	22	6	2	22

	20	21	22	23	24	25	26	27	28	29	30	31	32
Year	1921	1922	1923	1924	1925	1926	1927	1928	1929	1930	1931	1932	1933
Pre-legal	42	35	40	48	76	75	73	61	18	7	1		1
LL.B.	9	6	8	4	5		2	1	3	16	36	55	47
J.D	22	25	25	35	31	45	42	59	48	52		1	
J.D.-Second Degree in Law										1			

	33	34	35	36	37	38	39	40	41	42	43	44	45
Year	1934	1935	1936	1937	1938	1939	1940	1941	1942	1943	1944	1945	1946
Pre-legal	10	6	11	11	5	4	9	10	10	9	7	10	12
LL.B.	54	31	37	30	32	43	42	27	26	12	4	11	13
Master of Law LL.M.		1	2	2	1	1	1			2			1

Total Number of Degrees:

1894-95 through 1919-20 -- 899  
 1920-21 through 1945-46 -- 1,541  
 Total 2,440

The degree of Doctor of the Science of Law (S.J.D.) was first offered in 1932-33, together with the degree of Master of Laws LL.M. No (S.J.D.) degree was ever awarded during the period covered by this survey.

\*The degrees shown for the period 1894-95 through 1919-20 are taken from a table included in the Alumni Directory, published in 1921; those from 1920-21 through 1945-46 were compiled from the Annual Register.

### Curriculum

The courses offered by the Stanford Law School, during the period covered by this survey, have not been set out year by year. It was noted that in the academic year, 1916-17, some forty courses in law were offered by the School. The Register of the University for the academic year 1945-46, which marks the end of the period covered herein, lists a total of 49 courses, not all of which were given in 1945-46. Some courses were given in alternate years. The trend to more Public Law courses, noted earlier in this report, is evident in the courses listed. For example, courses in Public Utilities, Municipal Corporations, Taxation, Administrative Law, Trade Regulation, and Labor Law.

### Faculty

The faculty of the Law School for the year 1945-46 consisted of nine regular, full time professors, plus one visiting professor, and two associate professors. In addition there were seven persons listed as lecturers.

### Degrees Offered, 1946-47

The following degrees were offered for the year 1946-47:

The degree of Bachelor of Arts (A.B.) in the Pre-Legal Curriculum;

The degree of Bachelor of Laws (LL.B.);

The degree of Master of Laws (LL.M.);

The degree of Doctor of the Science of Law (S.J.D.).

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