



# University of Arizona

ANNUAL REPORT OF THE COLLEGE  
OF LAW FOR THE YEAR  
1944-45

Reprint from the *Annual Report of the University of Arizona* for  
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## COLLEGE OF LAW

BY DEAN J. BYRON McCORMICK

Veterans of the present war are now returning to law school in some numbers. Seventeen of these men were registered in the College of Law during the past academic year. Other law schools are having the same experience. In 1938, the law schools approved by the American Bar Association, of which there are 110, had combined enrollments of 28,174 students. The number of students in these schools had declined by 1943 to a total of 4,803. This decrease in five years amounted to 83 per cent, and of the 4,803 registered in the fall of 1943, 1,049 were women. Registration figures for the fall of 1944 indicate that law school enrollments have started to increase. At that time 5,619 were registered in approved law schools, an increase of nearly 1,000 over the previous year. Although 1,222 of the students enrolled in the fall of 1944 were women, nevertheless the reregistration of discharged veterans was reflected in the increase. The College of Law has not suffered the extreme decrease in registration generally experienced by the American law schools. Registration in the fall of 1943 was more than 30 per cent of the registration in the fall of 1938, as compared with the 17 per cent of normal enrollment experienced by approved law schools as a whole. During the past academic year registration reached nearly 50 per cent of the 1938-39 enrollment and over 65 per cent of 1940-41, the last prewar year registration.

There is a natural urge in times of low enrollments to relax requirements for admission and other law school standards desirable under normal conditions. Likewise, a relaxation of bar admission requirements are contended for when the numbers appearing for admittance to the profession are small. Fortunately, the College of Law and the bar of this state have withstood such proposals. This, in large part, results from the farsighted efforts of, and splendid co-operation between, the College of Law, the Board of Governors and Committee on Examinations and Admissions of The State Bar of Arizona, and the Supreme Court of this state.

That the policy of maintaining high standards during these abnormal times is wholly sound and entirely justified was recently emphasized by Silas H. Strawn, former President of the American Bar Association. At the last meeting of the National Conference of Bar Examiners, composed of

members of law examining boards and character committees of the various states, Mr. Strawn reminded those in attendance of the remarks of the late Elihu Root, also a former President of the American Bar Association, when he spoke before that Association in 1921. On that occasion, Mr. Root said.

Vastly complicated our practice has become. The enormous masses of statutes and decisions have made it so. Twelve thousand to fifteen thousand public decisions of courts of last resort in a year! A wilderness of laws and a wilderness of adjudications that no man can follow, requiring not less, but more ability; not less, but more learning; not less, but more intellectual training in order to advise an honest man as to what his rights are and in order to get his rights for him . . .

Not only has the practice of the law become complicated, but the development of the law has become difficult. New conditions of life surround us; capital and labor, machinery and transportation, social and economic questions of the greatest, most vital interest and importance, the effects of taxation, the social structure, . . . — a vast array of difficult and complicated questions that somebody has got to solve, . . . Somebody has got to solve these questions. How are they to be solved? I am sure we all hope they will be solved by the application to the new conditions of the old principles of justice out of which grew our institutions. But to do that we must have somebody who understands those principles, their history, their reason, their spirit, their capacity for extension, and their right application. Who is to have that? Who but the bar?

Mr. Strawn then observed that if this was true in 1921, it was much more important that the lawyer of today should be well trained for his profession, for says he, "We are living in a bewildering age. Every day, problems, political, social and economic, domestic and foreign, become more and more complex. To meet the present and anticipate the future, whatever our profession or occupation may be, we need more preparation and more understanding than ever before."

## ENROLLMENT TABULATIONS

Fifty-one students were enrolled for courses in the College of Law during the academic year. The distribution of law students was as shown in the tabulation.

Of the twenty-four students enrolled in the first-year law class, twelve came in with academic degrees; three had three or more years of prelaw college work; and nine came in with only two years of college work, the minimum requirements for admission to the College of Law. Nine students were awarded the degree of Bachelor of Laws at Commencement on May 16, 1945.

	Men	Women	Total
First year law .....	22	2	24
Second year law .....	10	3	13
Third year law .....	8	1	9
Special students .....	1		1
Auditors .....	1		1
Registered in other colleges of the University .....	3		3
	45	6	51

## BAR EXAMINATION RESULTS

The College of Law has experienced its sixth consecutive year, representing twelve successive bar examinations, with 100 per cent success on the part of its graduates on their first attempt for admission to the bar of the state. On the July, 1944, examination, Charles D. McCarty, of the College of Law, passed with one of the highest grades ever attained on an Arizona bar examination. Joseph D. Mansfield, of the Law School, ranked highest of the successful applicants on the January, 1945, examination.

## LAW ALUMNI

On June 1, 1943, the College of Law published a Military Service Record, listing the members of its law alumni, and law students who had withdrawn from the law school to enter the armed forces, then in the service of the country, and indicating the current rank and address of each man listed, as shown in our files. A revised list was published on February 1, 1944, and a supplement to this was published on August 1, 1944. These lists indicate that nearly 30 per cent of all the graduates of the College of Law were then in military service. Forty-seven law students who left law school to enter the armed forces were also included on the list. Since that time additional members of the law alumni have entered the service and a revised Military Service Record is in preparation which will go forward to all of the law alumni and to law students in the armed forces, prior to August 1, 1945. Significant is the large number of those with high rank in the various branches of the service from among the law alumni and students. The regret is that the next publication of the Military Service Record will disclose that three of the students who left the law school to enter the service, and one of the law alumni, have given their

lives in this war. Two of the former students, Lieutenant Thomas C. Hawke and Captain Samuel Revis, and the one law alumnus, Ensign B. B. Baker, were listed in the Annual Report for 1943-44. On December 26, 1944, Lieutenant Paul Sheldon Moore died in India in the line of duty. William P. Leisenring is held by Japan as a Prisoner of War.

Graduates of the College of Law continue to receive recognition in appointments and elections to important places in our profession. John D. Lyons, Jr., has received an appointment by Governor Osborn as Judge of Division No. 1 of the Superior Court of Pima County, to fill a vacancy. Harry O. Juliani has been appointed Chief Assistant Attorney General, and Lieutenant Fred C. Struckmeyer, Jr., an Assistant Attorney General of Arizona. Lieutenant Struckmeyer's appointment is to take effect upon his return to civilian life. He was wounded in action and his discharge from the Army in the near future is anticipated. Cleon H. Foust, Jr., has been advanced to First Deputy Attorney General of Indiana. Edward Beauchamp has been appointed County Attorney of Maricopa County. Francis J. Donofrio, Chief Criminal Deputy, and Fred J. Hyder, Loretta C. Savage, and Douglas H. Clark, deputies in that office, are all graduates of this law school. Thomas J. Elliott has been reappointed Tucson City Attorney. John B. Wisely, Jr., and Gaynor K. Stover are City Attorneys of Yuma and South Tucson, respectively. William I. Martin has been reappointed Police Magistrate of the latter municipality. Charles B. McAlester has been appointed an Assistant United States Attorney for Arizona. Lloyd J. Andrews is the Chief Enforcement Attorney for the Office of Price Administration for this state. David O. Brown and Betsy Carson Frederickson have appointments as attorneys in the same office. Oliver J. Laubscher is the attorney for the Tucson office of this federal agency. John R. Franks, recently discharged from the Navy because of injuries, has been appointed attorney for The Industrial Commission of Arizona, succeeding David P. Jones, resigned.

Law alumni are taking their places in political life. Richard F. Harless has been re-elected to Congress and William F. Kimball re-elected to the State Senate. Robert O. Barber is a member of the Arizona House of Representatives. Former Judge Harry C. Westover holds the office of United States Collector of Internal Revenue for California.

## THE LAW FACULTY

Professor W. S. Barnes has resigned from the law faculty to accept an appointment on the faculty of the Physics Department of the University. Since the advent of the war, Professor Barnes has divided his time between that department and the College of Law. The law faculty regrets his loss. During the past eight years he has given the courses in the Public Law field, and it is realized that the College of Law has lost a real scholar.

Professor Claude H. Brown, who for the past four-and-one-half years, has been a member of the law faculty, as a Visiting Professor, filling the vacancy resulting from the leave of absence granted Professor Floyd E. Thomas, has been given a permanent appointment as Professor of Law.

Calvin Webster has accepted a temporary appointment as Professor of Law and will offer the courses previously given by Professor Barnes. Professor Webster comes to the law faculty following eighteen years of general practice, during ten years of which he was City Attorney of York, Nebraska.

*The Arizona Annotations to the Restatement of the Law of Trusts*, a publication promulgated by the American Law Institute, was published during the past year. The manuscript to these *Annotations* was reviewed by Professor Chester H. Smith of the law faculty.

During their 1945 Summer Sessions, Professor Brown served as a member of the Drake University Law School faculty, where he offered courses on Equity and Labor Law. Professor Smith served as a member of the faculty of the University of Texas School of Law, where he offered the course on Public Utilities.

The Dean has continued to serve as a Public Panel Member of the Tenth Regional War Labor Board and as the Public Member of the Advisory Council to the Employment Security Commission of Arizona. He was recently elected Arizona State Delegate to the American Bar Association for a term of three years.

Professor Thomas, on military leave from the College of Law, has been promoted from Lieutenant Colonel to Colonel of the Army and is now in command of the City and Province of Bologna, Italy, for the Allied Commission.

## LOCATION OF LAW GRADUATES

F. Barrymore DeRose of last year's graduating class is a member of the armed forces and now on duty overseas.

The other members of that class are all located in practice. Gordon G. Aldrich is associated with Clarence E. Houston, in Tucson; Charles D. McCarty is with the firm of Kramer, Merrison, Roche & Perry, of Phoenix; Herbert Mallamo is with Jennings & Salmon of Phoenix; David H. Palmer is in the office of W. E. Patterson, Prescott, who has recently been appointed Judge of the Superior Court of Yavapai County; and Leonard S. Sharman is in James T. Gentry's office in Bisbee.

## ANNUAL LECTURES

It has been the practice of the faculty of the College of Law, for some years, to offer a series of special lectures to the law student body during each academic year. The special lecturers this year, and the title of the lectures, were: Mr. Roger Baldwin of New York, Director of the American Civil Liberties Union, "Civil Liberties in the Courts"; and Mr. Robert Daru, former Assistant District Attorney of New York, "The Young Lawyer in the Role of Prosecutor and Defense Counsel." Stevens T. Mason of the Detroit Bar, presided at the second year Fegtly Moot Court competition; and Honorable R. C. Stanford, Chief Justice of the Arizona Supreme Court, heard the arguments in the third year competition for the annual Fegtly Moot Court award.

## LAW LIBRARY

Since the last annual report 1,183 volumes have been added to the Law Library. Of this number 464 volumes were secured through purchase; ninety-four obtained by exchange with other law libraries; and 625 volumes received through gifts. There were 576 additional volumes of duplicate material received as gifts and held for purposes of exchange. The gifts received during the year aggregated, therefore, 1,201 volumes. The total number of accessioned volumes now in the College of Law Library is 24,593.

The principal donors of the splendid gifts received by the Law Library during the past year were: Judge Paul Cella; John C. Gung'l; William I. Martin; Misbaugh & Fickett; Robert C. Parnell; Tom K. Richey; Gaynor K. Stover; and John L. Van Buskirk, all of Tucson. Included in these gifts were some rare law books and many volumes of great value to the Law Library.

Mrs. Margaret D. Stevens, who has been associated with the College of Law, either as Secretary or Law Librarian,

over a long period of time, resigned during the past year, to accept an appointment as Matron of the Mission Hospital in Miraj, India. Mrs. Stevens lived in India for some years during the lifetime of her late husband, who at one time was attached to this same hospital as a physician. Her resignation resulted in a great loss to the College of Law. The vacancy in the office of Law Librarian was filled during the past year by Mrs. Cleo C. DeWitt, who came to the Law Library with a Bachelor of Laws degree from the University of Oklahoma and as a member of the bar of that state. Mr. Francis J. Owens, of the staff of the Harvard University Law Library, has accepted an appointment as Law Librarian of the College of Law for the fiscal year starting July 1, 1945. Mr. Owens has had sixteen years of law library experience.

The need for an addition to the law building to house the law library has been recognized over the past several years. This need has now become critical due to the lack of stack space in the law building. The last session of the Arizona Legislature appropriated funds for this and other University facilities, but the appropriation is conditioned upon a grant from the federal government in an amount equal to at least 30 per cent of the cost of the structure. It is hoped that the necessary federal funds to satisfy the condition may be made available so that this one present need, a most urgent one, may be met.





