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1940

## 1940-1941 John Marshall School of Law

John Marshall School of Law

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The  
John Marshall  
School of Law

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1940-1941

Second Floor  
The Hippodrome Building  
Cleveland



The John Marshall  
School of Law

(ORGANIZED NOT FOR PROFIT)

Member  
League of Ohio Law Schools

1940-1941

25TH YEAR BEGINS SEPTEMBER 19, 1940

SECOND FLOOR  
THE HIPPODROME BUILDING

CLEVELAND

*Main 4372*



SCHOLASTIC YEAR 1940-1941

SEPTEMBER							OCTOBER							NOVEMBER						
S	M	T	W	T	F	S	S	M	T	W	T	F	S	S	M	T	W	T	F	S
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8	9	10	11	12	13	14	6	7	8	9	10	11	12	3	4	5	6	7	8	9
15	16	17	18	19	20	21	13	14	15	16	17	18	19	10	11	12	13	14	15	16
22	23	24	25	26	27	28	20	21	22	23	24	25	26	17	18	19	20	21	22	23
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9	10	11	12	13	14	15	13	14	15	16	17	18	19	11	12	13	14	15	16	17
16	17	18	19	20	21	22	20	21	22	23	24	25	26	18	19	20	21	22	23	24
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FIRST SEMESTER

September 9-20, inclusive ..... Registration  
 September 19-20 ..... Classes Begin  
 November 28-December 1, inclusive ..... Thanksgiving Recess  
 December 22-January 1, inclusive ..... Christmas Vacation

SECOND SEMESTER

February 3 ..... Second Semester Begins  
 May 30 ..... Memorial Day Recess  
 June 6 ..... Twenty-Fifth Commencement

OFFICERS OF ADMINISTRATION  
 of  
 THE JOHN MARSHALL SCHOOL OF LAW

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Bankruptcy



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Constitutional Law

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Legal Ethics

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Constitutional Law

## GENERAL INFORMATION

The John Marshall School of Law is operated not for profit and is designed to meet the requirements of students, who through choice or necessity, seek a legal education by attending evening classes.

Its general purposes are to maintain and conduct an institution of learning in which persons are taught the principles of the law and are prepared for admission to practice the profession of law in the courts of Ohio and of other states and in the courts of the United States.

The school is a member of the League of Ohio Law Schools, which has for its purpose the elevation of the standards of legal education and which includes in its membership both day and evening law schools in the state of Ohio.

The members of the faculty are either judges or seasoned lawyers who have had extended teaching experience.

Small classes aid in developing close personal relations between student and teacher that constitute one of the most valuable factors of law school training.

The case method of instruction in vogue in most day schools has been adapted so as to serve the best interests of serious-minded students.

## THE LAW AS A VOCATION

No one should take up the study of law until after mature consideration and adequate preparation. Only those persons who are seriously determined to complete the entire four-year course with creditable scholastic records are desired as students. Success comes even to those of ability only after hard years of apprenticeship. There is a general assumption that the profession of the law is over-crowded. On the other hand, the field of activity for those with proper training in the law is constantly expanding.

The complexities of our present civilization and business structure give rise to new and perplexing problems. There is an opportunity for practice before an increasing number of state and federal quasi-judicial agencies, boards and commissions. These same governmental instrumentalities also employ a great many lawyers. In business, finance, and industry, lawyers are taking the lead as executives. Large corporations with their law departments offer attractive opportunities for the specialist. Success in the law, as in everything else, depends upon thorough preparation, integrity, industry and perseverance.



## THE LAW AS TRAINING FOR BUSINESS

A comprehensive knowledge of the law is of great value to men employed in banks, trust companies, stock, bond, and investment houses, the legal departments of insurance companies and credit rating agencies, and in the collection and financial departments of large corporations. The Night Law School affords these men opportunity to acquire this knowledge without the loss of time from regular employment. While it is advisable that these students take the full course as outlined in the curriculum, yet arrangements may be made with the Dean to take a single subject or a special program to meet particular needs.

## HISTORY

In 1916 a number of prominent attorneys of Cleveland, desirous of raising the general standard of legal education, and feeling the need in the community of a school of law that should be rigidly thorough and at the same time entirely practical in its teaching, formed an association to realize their ideals.

The founders' plans were of an unusually broad and liberal character and anticipated in surprising degree the wide and distinctive service now rendered by the institution which they founded and which carries the name of the nation's greatest juristic genius, John Marshall. The new institution opened its doors on September 20, 1916, and so immediate was the response it received and so eminently successful were the results of its first year's instruction, that at the close of the year in May, 1917, it became affiliated with Ohio Northern University.

After six years of the most cordial relations with the university, The John Marshall School of Law was authorized to confer degrees in its own name.

## LOCATION

The John Marshall School of Law is located on the second floor of the Hippodrome Building at 720 Euclid Avenue, where it occupies light and airy quarters, adequately arranged and equipped for class room purposes. The school is situated in the heart of the downtown business section, readily accessible by automobile, street car, and bus.

No city in the country affords better facilities for legal study than Cleveland. Here sit the District Court of the United States; the Appellate Court of Ohio; the Common Pleas Court; the Probate Court of Cuyahoga County; the Cleveland Municipal Court, and the Juvenile Court of Cuyahoga County.

## THE LAW LIBRARY

The John Marshall School of Law has an excellent law library. Here the student has access to the Ohio State Reports and Digests, Ohio Court of Appeals Reports, the United States Reports and Digests, Corpus Juris, the Ohio Statutes, Ohio Jurisprudence, American Digest, Ohio Opinions, Ohio Reports, Ohio Law Abstract, American Jurisprudence, Law Reviews of the leading law schools in the country, leading digests, treatises, and textbooks, including the Restatement of the Law of the American Law Institute as available.

The Cleveland Law Library Association (Court House) has made provision for law-student membership in the Association, subject to nominal dues, for a period of years. Such membership makes available to the student one of the largest and finest collections of law literature in America. Communications should be addressed to the Librarian.

The student also has access to the public library, where he will find a fine collection of current literature.

Adequate library facilities are a prime essential to the student of law.

## REQUIREMENTS FOR ADMISSION

The school is open to both men and women of good moral character.

*Regular Students.* Applicants for admission as regular students, candidates for a degree, must present credentials showing satisfactory completion of at least two years study (60 credit hours) at an approved college, in compliance with the rules of the Supreme Court of Ohio. (See appendix).

*Advanced Standing.* Students in good standing from law schools, approved by the Association of American Law Schools or the League of Ohio Law Schools, may be admitted to advanced standing upon producing credentials showing that they have satisfactorily pursued a course of legal study equivalent to that required in this school for the period preceding the date when such students are admitted, and not otherwise. At least one full year of work will be required in residence at The John Marshall School of Law to entitle any such student to a degree. No credit will be given for instruction received by private tuition or by correspondence.



*Special Students.* A limited number of applicants may be admitted as Special students, not candidates for a degree, upon presenting satisfactory evidence of sufficient education to enable them to pursue legal study to their advantage. Such students will be subject to the same rules and regulations as regular students and to the same charges. A Special student who completes the full course will be entitled to a certificate to that effect.

Early registration is advisable, and all students are required to register in person at the school office, second floor of the Hippodrome Building. The office is open for consultation and registration throughout the day during the summer months from 10:00 A.M. to 5:30 P.M., and beginning August 19th from 10:00 A.M. to 7:30 P.M., or later by appointment.

Correspondence, or preferably a personal interview with the Dean, prior to registration, is invited. Telephone MAin 4372.

## REGISTRATION WITH THE OHIO SUPREME COURT

If an applicant for admission to the school contemplates the practice of law in Ohio he must, at the commencement of his legal studies, forward to the Ohio Supreme Court a formal declaration of his intention to begin the study of law, an official college transcript of record evidencing the completion of at least two years of pre-legal work (60 hours of credit) or a certificate of graduation from an approved college, a fully executed questionnaire required by the Supreme Court, and the Court registration fee of \$3.00. For the convenience of the student appropriate blanks are available at the School Office. Students are urged to complete their registration with the Supreme Court promptly upon admission to the school.

## HOURS OF INSTRUCTION

All classes meet between the hours of 6:00 P.M. and 9:00 P.M.

Freshmen: Tuesdays and Fridays

Sophomores: Mondays and Thursdays

Juniors: Mondays, Wednesdays and Fridays

Seniors: Mondays, Wednesdays and Fridays

## ATTENDANCE, EXAMINATIONS, GRADES, AND DISMISSAL OF STUDENTS

Students are required to attend classes with substantial regularity. Attendance upon less than 80% of the total sessions of any course will be deemed cause for withholding credit for that course, except by special permission of the instructor in charge.

Written examinations in all subjects are conducted at the close of each course.

Although 65% is the passing grade, a student must attain an average of 70% in all subjects taken during the year to remain in good standing. A grade of 60-64 is a condition and must be removed by further study and re-examination the following year or it will be treated as a failure. A grade below 60 is a failure, and the course must be repeated for credit.

Each student must maintain a yearly average of 70%. Any student who fails to attain this average will be automatically dropped from the rolls, and will not be reinstated except by special action of the faculty.

## METHOD OF INSTRUCTION

For the most part use is made of the case method of instruction as developed and perfected in all of the better law schools in the country.

The instruction is designed not only to fix in the memory the great fundamental principles of law, but to stimulate mental energy and to develop power in the analysis of selected cases.

While particular attention is paid to the law of Ohio, yet the course is designed to train students in the principles of the common law and equity, and to prepare them for the practice of law not only in Ohio, but also in any other jurisdiction.

## DEGREES AND HONORS

Candidates of good character who, having been admitted as regular students, shall have pursued the full four years' course, complied with the rules and requirements of the school and passed the examinations to the satisfaction of the Faculty and the Board of Trustees shall be entitled to receive the degree of Bachelor of Laws.

**HONOR DEGREES.** A regular student who, on the basis of 100, shall have received an average grade throughout the course of



94 will be granted a degree *summa cum laude*; a student who shall have received an average grade throughout the course of 90 will be granted a degree *magna cum laude*; a student who shall have received an average grade throughout the course of 87½ will be granted a degree *cum laude*.

## CERTIFICATE OF LAW STUDY

Special students who complete the prescribed course of study in a manner satisfactory to the Faculty and the Board of Trustees will be given a Certificate of Law Study.

## TUITION AND FEES

### *Freshmen and Sophomores:*

Annual: \$110.00 payable on September 19, 1940.

Semi-Annual: \$112.50 payable \$56.25 on September 19, 1940, and \$56.25 on February 1, 1941.

Monthly: \$125.00 payable at rate of \$15.00 per month beginning September 19, 1940, and on the 15th day of each month thereafter until paid.

### *Juniors and Seniors:*

Annual: \$120.00 payable on September 19, 1940.

Semi-Annual: \$121.50 payable \$60.75 on September 19, 1940, and \$60.75 on February 1, 1941.

Monthly: \$135.00 payable at rate of \$15.00 per month beginning September 19, 1940, and on the 15th day of each month thereafter until paid.

Graduation fee: \$10.00.

Special Examination fee: \$2.00.

The differential in the tuition charge is based on the fact that fewer lecture hours per week are offered in the Freshman and Sophomore years than in the Junior and Senior years.

## THE JOHN MARSHALL ALUMNI ASSOCIATION

The John Marshall Alumni Association was organized and incorporated to promote the social, professional and civic welfare of its members; and to support and foster the high scholarship and ethical standards of the school. The annual meeting is held on the occasion of the commencement in June.

Its officers are James C. Connell, President, John B. Osmun, Vice-President, and Helen E. McGuire Schulke, Secretary-Treasurer.

The Executive Committee of the Association is composed of its officers and the following:

ALBERT Z. BAKER (1922)

JULES A. ESHNER (1923)

ROBERT H. KAPLAN (1922)

EDWARD F. MEYERS (1929)

DOROTHY B. PERSKY (1931)

## STUDENT ORGANIZATIONS

Two legal fraternities, Delta Theta Phi, and Lambda Delta Beta, and a legal sorority, Kappa Beta Pi, maintain active chapters in the school. While these organizations are social in their nature, they endeavor to sustain high scholastic standards among their members.

## COURSES OF INSTRUCTION

### FIRST YEAR

#### *Contracts*

81 Hours

The nature, formation, operation and discharge of contractual obligations, including a detailed examination of offer and acceptance, the Statute of Frauds, consideration, capacity of parties, fraud, mistake, duress, undue influence, legality of object, contracts for the benefit of third parties, assignments, and interpretation of contracts.

Williston's Cases on Contracts (4th Edition).

MR. MECK or MR. STEADMAN.

#### *Criminal Law*

54 Hours

Nature of crime; defenses, combinations of persons in crime; the study of specific crimes, and procedure.

Mikell's Cases on Criminal Law; Anderson's Ohio Criminal Code.

MR. CONNELL or MR. FIORETTE.

#### *Agency*

54 Hours

Methods of creating the relationship of principal and agent; rights and duties of principal and agent; rights of third persons; ratification; undisclosed principal, termination of agency.

Magill and Hamilton's Cases, Vol. I.

MR. NORMAN B. MILLER.



*Domestic Relations* 27 Hours  
 Husband and wife, parent and child, guardian and ward, infancy, insanity, the illegitimate child, marriage and divorce.  
 McCurdy's Cases on Domestic Relations.  
 MR. FIORETTE.

SECOND YEAR

*Torts* 81 Hours  
 The study of the types of conduct which result in civil liability for damages, the extent of, and the harms within such liability, the rules of common and statute law applicable thereto, and the underlying social principles; trespasses, nuisance, conversion, defamation, negligence, libel, slander, fraud and deceit, and malicious prosecution.

Bohlen and Harper Cases on Torts.  
 MR. A. A. MILLER.

*Personal Property* 36 Hours  
 The distinction between real and personal property, acquisition and ownership, suits to recover property, possessory titles, liens, pledges, bailments, accession, confusion, and gifts.  
 Larremore's Cases on Personal Property.  
 MR. LINDEMANN OR MR. BURNETT.

*Common Law Pleading* 27 Hours  
 Forms of action—trespass, replevin, detinue, ejectment, trover, covenant, account, debt, assumpsit; the declaration, demurrer, pleas in bar, pleas in abatement.  
 McBaine's Cases on Common Law Pleading.  
 JUDGE RUHL.

*Real Property* 72 Hours  
 The historical background of the law of real property, estates, leaseholds, future interests, reversions, remainders, executory interests, co-ownership, dower, fixtures, rights incident to ownership of real property, boundaries, streams, percolating and surface waters, easements, covenants running with the land, restrictions enforceable in equity, conveyancing, adverse possession, prescription, covenants for title, estoppel by deed, personal disabilities, notice, priority, and recording; and mortgages.  
 TEXT: Tiffany on Real Property.  
 MR. LINDEMANN OR MR. BURNETT.

THIRD YEAR

*Negotiable Instruments* 45 Hours  
 The Uniform Negotiable Instruments Act and cases interpreting the same, including formal requisites, negotiation and discharge of negotiable instruments, the rights and liabilities of all parties

thereto, acceptance, presentment for acceptance and acceptance and payment for honor of bills of exchange; also, an investigation of the Law Merchant insofar as it applies to cases not provided for in the Uniform Negotiable Instruments Act.

TEXT: The Negotiable Instruments Code.

REFERENCE WORK: Brannan's Negotiable Instrument Law, 5th Edition.

MR. BARKLEY.

*Public Utilities* 27 Hours  
 Duties and obligations of persons engaged in public callings; rate-making; public regulation.  
 Robinson's Cases, Second Edition.  
 MR. BARKLEY.

*Equity* 63 Hours  
 A study of the origin and development of equity jurisdiction, including equitable relief against torts, specific performance of contracts, equitable relief against fraud and mistake, miscellaneous equitable remedies, enforcement of equitable decrees.  
 McClintock's Cases on Equity Jurisprudence.  
 JUDGE LAUSCHE.

*Wills* 54 Hours  
 The history of wills, the distinction between gifts causa mortis and gifts by will, form of wills, agreements to make wills, nuncupative, holographic and conditional wills, joint mutual and reciprocal wills, testamentary capacity, the rule against perpetuities, mistake, fraud and undue influence, execution, revocation, republication of wills, construction, general, specific and demonstrative legacies, the abatement and ademption of gifts, legacies charged on the land, payment of debts and the effect of insolvency on the will, descent and distribution and administration of estates.  
 TEXT: Atkinson on Wills.  
 MR. EDWIN E. MILLER.

*Suretyship* 36 Hours  
 The distinction between suretyship, guaranty and indemnity, the requisites, construction and obligations arising out of the contract of suretyship, the surety's defenses and the surety's rights to exoneration, indemnity, subrogation and contribution.  
 Arant's Cases, Second Edition.  
 MR. MECK OR JUDGE HERTZ.

*Business Organizations* 63 Hours  
 (Partnership, Private Corporations, and Common Law Trusts.)  
 The leading principles of the law of partnership both at common law and under the Uniform Partnership Acts; limited partnerships,



partnership associations, the joint stock company, and the use of the common law business trust.

The law of private corporations—their promotion, de facto corporations, ultra vires acts, liability for torts and crimes, the rights and liabilities of officers, stockholders, and creditors, and the reorganization of corporations. The legal principles governing partnerships, common law business trusts, and private corporations are compared in this course.

Magill and Hamilton's Cases, Vol. II; Ohio Corporation Code.

*Municipal Corporations* 36 Hours

Nature, origin, and history; creation, control, and powers; corporate agencies, and officers; acquisition, holding, and alienation of property; liability for injury to person or property; revenue; indebtedness.

Seasongood's Cases on Municipal Corporations.

MR. CROWLEY.

FOURTH YEAR

*Code Pleading* 54 Hours

Pleading and practice in the courts of Ohio.

Throckmorton's Cases on Code Pleading.

MR. SHEPHERD.

*Evidence* 63 Hours

A survey of the rules of evidence. Direct and circumstantial evidence; the hearsay rule and its exceptions; use of documents, best evidence and parol evidence rule; expert testimony; the examination, impeachment, and competency of witnesses; functions of court and jury, judicial notice, presumptions, burden of proof.

TEXT: Humble on Evidence.

MR. EDWIN E. MILLER.

*Constitutional Law* 72 Hours

The course in Constitutional Law embraces a study of Ohio and Federal Constitutions, as interpreted by the court, including a case study of the subjects of interstate commerce, taxation, equal protection of the laws, impairment of contracts, due process of law, police power, and eminent domain.

Evans Cases on Constitutional Law, Fourth Edition.

MR. CARMICHAEL.

*Trusts* 54 Hours

Their nature, creation, and elements; language and formalities necessary to the creation of a trust; resulting and constructive trusts; interests in trust property, and interests of trustees.

Scott's Cases on Trusts, Second Edition.

MR. COUSE OR MR. KATZ.

*Conflict of Laws* 54 Hours

A study of rules of private law pertaining to relations which contain foreign elements, with particular reference to jurisdiction of courts, foreign judgments, workman's compensation acts, contracts, mortgages, business organizations, and administration of estates.

Cheatham, Dowling and Goodrich Cases and Materials on Conflict of Laws.

MR. NORMAN B. MILLER.

*Damages* 18 Hours

A discussion of the principles governing the law of damages with particular reference to their application to torts and contracts.

Lectures, and Case Law.

MR. FIORETTE.

*Legal Ethics* 9 Hours

A discussion of the ethical principles involved in the relation of the attorney to the Court, to his client and to the community; solicitation of business; proper conduct in court; keeping within the record; the attorney in his office; scope of attorney's authority; the attorney's oath of office.

"Canons of Professional Ethics", and selected cases.

MR. AUERBACH.



# ROSTER OF STUDENTS

1940-1941

## FRESHMEN

AZOFF, MARTIN, Yeshiva College .....Cleveland  
 BURSKY, IRVING, Ohio State University .....Cleveland  
 CARUSO, PAUL ANTHONY, Ohio State University .....Cleveland  
 COBBS, JOHN A., Adelbert College, A.B. ....Cleveland  
 DAROVEC, ALVIN LOUIS, Fenn College, B.B.A. ....Cleveland  
 DONNELLY, JAMES T., John Carroll University .....Cleveland  
 FINLEY, EARL WILLIAM, Miami University .....Cleveland  
 FIOCCO, ANTHONY J., John Carroll University .....Cleveland  
 GAINES, ROBERT WILLIAM, Miami University, A.B.....Brecksville  
 GEBHARDT, BRUCE, Ohio State University, B.S. ....Cleveland  
 GILMORE, EDWARD J., Case School of Applied Science,  
 B.S. in M.E. ....Cleveland  
 HACKETT, LEROY EDWARD, Fenn College .....Cleveland  
 HADD, RAYMOND JOSEPH, West Virginia Wesleyan, A.B. .Cleveland  
 HICKS, ALBERT JOSEPH, Oberlin College, A.B. ....Cleveland  
 HOFFMAN, CARLYLE D., Denison University, B.S. ....Sandusky  
 HOLMES, ROBERT V., Trinity College .....Cleveland  
 KADER, JOSEPH A., Ashland College, B.S. ....Cleveland  
 LAMBERTON, GEORGE A., JR., University of Toledo .....Cleveland  
 MANNING, KATHERINE, Western Reserve University,  
 A.B., M.A. ....Cleveland  
 MANNING, THOMAS P., University of Dayton, A.B.....Cleveland  
 MAXWELL, JOHN L., Ohio Wesleyan University, A.B.....Cleveland  
 MCCARTHER, JAMES, Howard University, A.B. ....Cleveland  
 MEKET, ROBERT FRANK, University of Pennsylvania, B.S..Cleveland  
 O'BANNON, WM., Adelbert College, A.B. ....Cleveland  
 OBERT, WALTER, Oberlin College, A.B. ....Cleveland  
 PESUIT, DAN G., Baldwin-Wallace College, A.B.....Cleveland  
 ROMANO, JOSEPH, Miami University, B.S. ....Cleveland  
 SAXE, EDWARD EDWIN, Washington & Jefferson College..Cleveland  
 SCHULTZ, ALBERT I., Western Reserve University.....Cleveland  
 SHERIDAN, WILLIAM HENRY, Hiram College, A.B.  
 Western Reserve University, M.A. ....Cleveland  
 SPINK, GERALDINE, Flora Stone Mather College, A.B...Painesville  
 STEELE, ORLANDO O., Duke University, A.B. ....Bay Village  
 SUSAT, DONALD F., Fenn College, B.B.A. ....Cleveland  
 SYDENSTRICKER, CLARENCE VIRGIL, Baldwin-Wallace  
 College, A.B. ....Cleveland  
 TARCAI, VIOLET J., Ohio State University .....Cleveland  
 THOMAS, NED W., John Carroll University .....Cleveland



SOPHOMORES

BELKIN, LOUIS S., Adelbert College, A.B., M.A. . . . . Cleveland  
 CASEY, PATRICK J., Xavier College . . . . . Cleveland  
 HALSTED, ROBERT E., University of Michigan,  
     A.B., M.B.A. . . . . Cleveland  
 KRANEK, STEPHEN R., Cleveland College . . . . . Cleveland  
 KUHN, KARL WILLIAM, Ohio State University . . . . . Cleveland  
 McDERMOTT, JOHN J., John Carroll University . . . . . Cleveland  
 MAISEL, WALTER E., College of the City of New York,  
     B.B.A. . . . . Cleveland  
 ORNSTEIN, FRED, Case School of Applied Science, B.S. . . Cleveland  
 PENTY, MYRON J., JR., Notre Dame University . . . . . Cleveland  
 PETRO, WILLIAM J., Baldwin-Wallace College, A.B. . . . . Cleveland  
 PFAHL, HAROLD H., Georgetown University . . . . . Cleveland  
 SAWYER, ROYDEN K., University of Michigan, B.S.E. . . . Cleveland  
 TARCAI, ELSIE, Ohio State University, B.S. . . . . Cleveland

JUNIORS

ARETA, PASQUALE, Ohio State University . . . . . Cleveland  
 BARNETT, ELTON N., Ohio Wesleyan University, A.B. . . . Cleveland  
 BRIESEMEISTER, J. D., Ohio State University . . . . . Painesville  
 BRUCKER, DORIS ANNE, Cleveland College . . . . . Cleveland  
 COME, E. HOWARD, Michigan State College, A.B. . . . . Cleveland  
 CONWAY, M. VINCENT, Cleveland College . . . . . Cleveland  
 DREMAN, ROBERT J., Xavier University . . . . . Cleveland  
 EVANS, MARVIN, Case School of Applied Science, B.S. . . . Cleveland  
 FISHEL, ELLEN JUNE, Bowling Green State University, B.S. Elyria  
 GREENE, MARTHA BURWELL, Ohio State University,  
     M.S. . . . . Willoughby  
 HERMAN, SOL N., Western Reserve University . . . . . Cleveland  
 HERTZ, JULIUS, University of Wisconsin, A.B. . . . . Cleveland  
 HOCEVAR, JOSEPH J., John Carroll University, A.B., M.A. . . Cleveland  
 KOZAK, HENRY, Case School of Applied Science, B.S. . . . Cleveland  
 LOHR, QUIGG, Western State Teachers College . . . . . Cleveland  
 LLOYD, STANLEY, Ohio State University, B.S. . . . . Cleveland  
 McCLUSKEY, WILLIAM J., Fenn College, A.B.A. . . . . Cleveland  
 MURPHY, MARTIN W., John Carroll University . . . . . Cleveland  
 SCHLEIMER, GEORGE N., Cleveland College . . . . . Cleveland  
 SMITH, GILBERT LOWE, JR., Amherst College, A.B. . . . . Cleveland  
 STEINEMANN, GEO. C., Ohio State University . . . . . Sandusky  
 STEWART, RICHARD H., University of Wisconsin, A.B. . . . Cleveland  
 THALL, DAVID V., Ohio State University, B.B.A. . . . . Cleveland  
 TROUGHTON, JAMES JOSEPH, Western Reserve University. Cleveland  
 WICKHAM, J. STEWART, Denison College . . . . . Cleveland

SENIORS

BAUER, GERTRUDE MARY, Mary Manse College . . . . . Cleveland  
 BUTLER, EDWARD T., JR., Western Reserve University . . . Cleveland  
 CARLIN, ANTHONY C., John Carroll University . . . . . Cleveland  
 CASEY, DOROTHY E., Western Reserve University, R.N. . . Cleveland  
 DALISIO, QUINDIE, Ohio University, A.B. . . . . Cleveland  
 DUNN, DONALD D., University of Michigan, A.B. . . . . Cleveland  
 EGERER, LOUIS A., Kent State College, A.B. . . . . Cleveland  
 GILES, ALBERT G., Baldwin-Wallace College . . . . . Cleveland  
 KELLY, JAMES F., John Carroll University, A.B. . . . . Cleveland  
 LYON, JOHN C., John Carroll University, A.B. . . . . Cleveland  
 McDERMOTT, EDWARD F., John Carroll University, Ph.B. . . Cleveland  
 McGINTY, DOUGLAS T., University of Illinois, B.S. . . . . Cleveland  
 MALM, GORDON W., Miami University, A.B. . . . . Berea  
 MELARAGNO, PHILIP, John Carroll University . . . . . Cleveland  
 METZEL, JEROME B., Ohio Northern University . . . . . Cleveland  
 MYERS, ELMER C., Wooster College, A.B. . . . . Cleveland  
 O'HARA, FRANCIS, Notre Dame University . . . . . Sandusky  
 POWELL, WILLIAM ROBERT, Columbia University, B.S. . . . Cleveland  
 SIEMAN, HAROLD, Youngstown College . . . . . Cleveland  
 SKUKAS, PETER PAUL, Case School of Applied Science,  
     B.S. in M.E. . . . . Cleveland  
 SZYMANSKI, FRANK A., John Carroll University . . . . . Cleveland  
 TERCEK, JOHN F., Western Reserve University, A.B. . . . . Cleveland  
 WATSON, ERMER L., Roger Wm. College, A.B., B.S. . . . . Cleveland  
 WIEDER, DAVID L., Baldwin-Wallace College, A.B. . . . . Cleveland  
 ZEIHNER, BERNHARDT G., Carnegie Inst. of Tech. . . . . Sandusky

SPECIAL

DODSON, PROCTOR W., Washington University, A.B.  
     Harvard Business School, M.B.A. . . . . Twinsburg  
 HARKNESS, J. E. . . . . Cleveland  
 HUNT, CARL . . . . . Cleveland  
 ROSS, THOMAS S. . . . . Cleveland  
 SOEDER, EUGENE F. . . . . Cleveland  
 THOME, FRANK P., Fenn College . . . . . Cleveland  
 TISDALE, MARK A. . . . . Cleveland

COLLEGES AND UNIVERSITIES REPRESENTED: 49

Adelbert—Western Reserve	Ashland
University	Baldwin-Wallace
A & I State College	Bowling Green
Amherst	Carnegie Institute of Tech.



Case	Oberlin
Cleveland College	Ohio University
College of City of New York	Ohio Northern University
Columbia	Ohio State University
Cornell	Ohio Wesleyan
Denison	Roger-William
DePauw	Trinity
Duke	University of Dayton
Fenn	University of Illinois
Flora Stone Mather	University of Michigan
Georgetown	University of Pennsylvania
Harvard	University of Wisconsin
Hiram	Washington & Jefferson
Howard University	Washington University
John Carroll University	Western State Teachers College
Kent State	Westminster
Kenyon	West Virginia Wesleyan
Mary Manse, Toledo	Wooster
Miami	Xavier
Michigan State	Yeshiva, New York
Notre Dame	Youngstown

## APPENDIX

### The Supreme Court of Ohio

#### RULE XIV

#### ADMISSION TO THE BAR.

SECTION 1. Except as provided in Section 1703, General Code, concerning persons who have been admitted and practiced in the highest court of another state, or in the Supreme Court of the United States, for a period of five years, no person shall be admitted to the bar except upon an examination and certificate of the *Bar Examining Committee*.

SECTION 2. There shall be appointed, to take effect on the first day of January, 1901, ten discreet and judicious attorneys and counselors-at-law to be known as the *Bar Examining Committee*. Two members of the committee shall be appointed for one year, two for two years, two for three years, two for four years, and two for five years. Their successors shall be appointed for a term of five years each. (As amended April 15, 1937.)

SECTION 3. *Two examinations of applicants for admission to the Bar shall be held each year in the City of Columbus, Ohio, one beginning at 9:00 o'clock A. M. on the first Wednesday after the first Tuesday in January, and the other beginning at 9:00 o'clock A. M. on the last Tuesday in June. Each examination shall continue during the total period of three days and shall be divided into six half-day sessions. No other examinations will be held. Examinations must be conducted under the direction of the Committee. (As amended February 10, 1938.)*

Each examiner shall grade the papers of the applicants in the subjects in which he has submitted questions and forward his report to the Chief Justice of the Supreme Court, who shall cause the grades to be tabulated. (This paragraph adopted November 17, 1925.)

SECTION 3a. No applicant shall be admitted unless he has sustained on his written answers to the questions of the examiners an average grade of 75 per cent on an examination embracing the following subjects:—

The law of real and personal property, torts, contracts, evidence, pleading, partnership, negotiable instruments, agency, suretyship, domestic relations, wills, *private corporations, municipal corporations, trusts, conflict of laws*, equity, criminal law, constitutional law, and professional ethics. (As amended January 23, 1940.)

SECTION 3b. *None but citizens of the United States will be admitted to the examination and every applicant must be twenty-one years of age. The printed interrogatories and the answers of applicants thereto shall be submitted to the Court with the report of the examiners, and, together with all certificates and papers required under this rule, shall be filed with the Clerk and preserved. (As amended July 5, 1921.)*



SECTION 4. REQUIREMENTS AS TO GENERAL LEARNING.

Each applicant for registration as a law student must present a certificate of general learning with his certificate that he has begun the study of law. Such certificate of general learning shall meet the following requirements:

- A. If filed between the 15th day of October, 1926, and the 15th day of October, 1927, it shall show that the applicant has successfully completed one year of study in an approved college, to be evidenced by the signature of the proper official thereof.
- B. On and after October 15, 1927, it shall show that the applicant has successfully completed two years of study in an approved college, to be evidenced by the signature of the proper official thereof.
- C. It shall further show—
  - (1) That the requirements for admission to the college issuing the same are at least 15 units of high school credits and that the applicant satisfied said requirements.
  - (2) The period of the applicants attendance.
  - (3) The number of college credits which shall be not less than 30 semester hours, or 45 quarter hours, for each year of study in an approved college.
- D. Applicants who register or apply for examination under the provisions of sections 7 or 8 of this rule shall be required to file certificates of general learning as provided in paragraphs "A", "B" and "C" hereof, at the time of such registration or application. (Paragraphs A to D, inclusive, adopted January 14, 1926.)
- E. All credentials presented under this rule must be submitted to the Court and if the Court is satisfied that the applicant has the educational qualifications required he will be admitted to registration. All credentials presented shall be filed with the Clerk.
- F. The Clerk of this Court is authorized to accept certificates which clearly meet the requirements of this section.
- G. Diplomas should not be presented. Certificates which may be retained permanently are desired. They should be upon the official stationery of the college or university in which the applicant carried on the study required. (Paragraphs E, F and G, adopted May 22, 1923.)
- H. *Within the meaning of this section universities, colleges and junior colleges accredited by the following accrediting associations are approved: American Council On Education, Association of American Universities, Middle States Association of Colleges and Secondary Schools, New England Association of Colleges and Secondary Schools, North Central Association of Colleges and Secondary Schools, Northwest Association of Secondary and Higher Schools, Southern Association of Colleges and Secondary Schools. Other universities and colleges heretofore or hereafter approved by special order of Court are approved schools within the meaning of this section. (As amended January 23, 1940.)*
- I. Members of the Ohio Association of Colleges are "approved colleges". A Junior College or school of full-time or part time study, where instruction is given covering only the first two years of ordinary collegiate work, is an "approved college", if it complies with the following requirements:

- (1) It must be a non-commercial enterprise, conducted by an institution of recognized responsibility and standing.
  - (2) It must offer instruction only in courses of study of collegiate grade.
  - (3) It must compute the credit hours, whether semester or quarter hours, on a basis equivalent to the number of hours of classroom instruction required by the standard of the Ohio Association of Colleges, for each such hour of credit.
  - (4) It must possess at least one full-time administrative officer.
  - (5) Its recognition as an "approved college" shall not be made contingent upon any requirement of form or endowment, nor upon any prescribed number of full-time instructors, nor upon the circumstance that instruction be given, wholly or partly, in the evening. (*Par. I adopted November 19, 1929.*)
  - J. Certificates of general learning meeting the requirements of Section 4 as the same existed immediately prior to the adoption of this amendment will be accepted for registration until October 15, 1926.
  - K. Applicants who registered prior to June 7, 1923, who have not yet filed certificates of general learning, may qualify in that respect by filing a certificate meeting the requirements of Section 4, as the same existed immediately prior to the adoption of this amendment. (*Pars. J and K adopted January 14, 1926.*)
- SECTION 5. The Court will not receive applications for waiver of the requirements mentioned in Section 4. (*Adopted January 14, 1926.*)
- SECTION 6. REGISTRATION REQUIREMENTS.
- A. Every resident of the state who commences the study of law on and after June 1, 1934, at a law school located in this state or elsewhere, shall file with the Clerk of the Supreme Court his application for registration as a candidate for admission to the bar. Such application shall be accompanied by a certificate of the chief officer of his law school, showing that the applicant has commenced the study of law therein; by answers in duplicate to a questionnaire executed by him under oath upon a form prescribed by the Court; and by the registration fee of three dollars. If such application is filed subsequent to the first term of the applicant's attendance in law school it shall also be accompanied by an affidavit giving sufficient reason for such delay. (As amended March 15, 1934, and January 31, 1939.)
  - B. Upon the filing of such application and questionnaire one copy of the questionnaire shall be referred by the Clerk to a committee to be designated by the local bar association or associations as hereinafter provided, in the county where such candidate claims permanent residence.
  - C. Such committee, so designated by the local bar association or associations, shall proceed to investigate the character, reputation and moral qualifications of each candidate whose questionnaire is submitted to it and shall obtain answers to questionnaires from three citizens of the county, not related to the applicant, at least one of whom shall not be a member of the bar, and from two members of the said local bar association committee who have personally investigated the candidate's qualifications, such questionnaires from the members and citizens to be in the form prescribed by the Supreme Court of Ohio.



- D. The Supreme Court shall determine from the report of the local bar association committee and from the questionnaires filed by said committee and the candidate and from such other information as may be available, whether the candidate shall be accepted for registration, and shall notify the candidate whether his application for registration has been accepted or rejected. As to such persons as are accepted for registration the period required for the study of law by the rules of this Court shall date from the filing of the application of such candidate.
- E. The president of each local bar association, or if there be more than one, then the presidents of such local bar associations, shall appoint a Committee on Applicants for Admission to the Bar, which Committee shall consist of three or more members of each county, as the Court shall from time to time determine, and the members thereof shall serve without compensation. Upon the original appointment one-third of said members shall be appointed for one year, one-third for two years, and one-third for three years and their successors thereafter appointed for a term of three years each. Said Committee on Applicants for Admission to the Bar shall be charged with the duty of passing upon the character, reputation and moral qualifications of candidates for registration in accordance with the rules from time to time prescribed by the Supreme Court. Said Committees in their examination of the candidate shall employ the questionnaires hereinbefore prescribed and shall report to the Clerk of the Supreme Court the result of their investigation and their recommendations as to the acceptance or rejection of such candidates as registered law students. (Adopted March 15, 1934.)
- F. Before any application for registration shall be filed such person shall present to the Clerk of this Court satisfactory evidence of general educational attainments as required by Section 4 of this rule. (As amended May 22, 1923.)
- G. On and after September 1, 1935, no applications for registration will be received from applicants studying law under tutorage of attorneys. (As amended June 14, 1935.)

SECTION 7. Every person who shall commence the study of law while a non-resident of this state, and who has not been regularly admitted as an attorney-at-law in some court of record within the United States, shall, at least one year before admission to an examination, file with the Clerk, an affidavit showing that he has come into the state for the purpose of making it his permanent residence, and stating his name, age, present and former residence; the certificate of the chief officer of his law school, showing the periods of his law study; an official transcript of his law college work; certificate of his general education as required by Section 4 of this rule; questionnaire in duplicate as required by Section 6 of this rule; and registration fee of three dollars. (As amended January 31, 1939.)

The one year's residence in this state required of such persons by Section 1701, General Code, shall date from the filing of such papers. (As amended March 15, 1934.)

SECTION 8. Every person entitled to be admitted to the examination under Section 1702, General Code, on the ground that he has been regularly admitted as an attorney and counselor at law in some court of record within the United States, shall, not less than ninety days before the time fixed for the examination, file with the Clerk the following credentials:

- a. An affidavit showing that he is a citizen of the United States and that he is a resident of this state or that he has come into the state for the purpose of making it his permanent residence, and stating his name, age and former and present residence.
- b. His certificate of admission to the bar.
- c. The certificate of a judge of the court of record in which he has practiced law, showing the time such judge has personally known him, the period of time he has practiced law and his moral and professional standing at such bar.
- d. Certificate of his preceptor or the law school which he attended, showing the period of his study of law, which certification shall show compliance with the standard of law study prescribed in Section 10 of this Rule.
- e. Certificate of general learning as required by Section 4 of this rule.
- f. Answers in duplicate to a questionnaire upon a form prescribed by this Court.
- g. A fee of \$18.00 shall accompany the application. (As amended March 15, 1934.)

SECTION 9. Repealed May 22, 1923.

#### SECTION 10. APPLICATION FOR EXAMINATION.

Every person who desires to have his name enrolled for examination, except as provided in Section 8 hereof, must file application not less than ninety days before the time fixed for the examination, which application shall contain:

- A. The affidavit of the applicant, stating his name, age, residence and post office address; that he is a citizen of the United States and has resided in the State of Ohio for the year last past, and that he has read the Canons of Professional Ethics adopted by the Ohio State Bar Association, and has faithfully endeavored to make himself acquainted with the same and will endeavor to conform his professional conduct thereto.
- B. The certificate of the law school which the applicant attended or the affidavit of the preceptor under whom the applicant has studied law, as provided in either Paragraphs C, D, or E, hereof.
- C. A certificate showing that the applicant has regularly and attentively studied law for the period of three school years, in a law school where instruction is given during the day time and in which the entire time of the student is devoted to the study of legal subjects, whose standing is approved by the Court.
- D. A certificate showing that the applicant has regularly and attentively studied law for the period of four school years, in a law school where the entire time of the student is not devoted to the study of legal subjects, whose standing is approved by the Court.
- E. An affidavit by a practicing attorney that the applicant has regularly and attentively studied law for the period of four calendar years under the supervision of such attorney prior to September 1, 1939, during which period such attorney gave to said applicant not less than two hundred hours per year of actual legal instruction. In the case of the death of the applicant's preceptor, or if



for any reason satisfactory to the Court, the affidavit of such preceptor cannot be obtained, the affidavit of the applicant and that of some other attorney-at-law who has personal knowledge of the length of time the applicant has been engaged in the study of law, may be presented. No certificate showing study of law under supervision of a preceptor subsequent to September 1, 1939, shall be accepted. (As amended January 31, 1939.)

- F. The certificates and affidavits mentioned in Paragraphs C, D and E shall show that the applicant is a person of good moral character and has sufficient knowledge and ability to discharge the duties of an Attorney and Counselor at law; and as to all such applicants, excepting those who have received an LL.B. degree from a law school whose standing is approved by the Council of Legal Education of the American Bar Association, said certificates and affidavits mentioned in Paragraphs C, D and E shall further show that the applicant has completed a course of study in all the subjects enumerated in Section 3a of this Rule.

The periods of law study required by Paragraphs C, D and E shall apply to all examinations held after January 15, 1924. (As amended November 29, 1928.)

- G. On and after July 1, 1939, the certificate provided for in Paragraphs C and D must be accompanied by either (a) a certificate from a law school "approved" by the American Bar Association certifying that the applicant has received the LL.B. degree granted under present requirements therefor or other degree of similar significance, of like present requirements, from said school; or (b) a certificate from an Ohio law school that meets the requirements for membership in the League of Ohio Law Schools, certifying that the applicant has received the LL.B. degree granted under present requirements therefor or such similar certificate as the law school ordinarily awards to a student who successfully completes the work in that school.

The provisions of Paragraph G shall not apply to any person who has completed his registration as a candidate for admission to the bar and began the study of law prior to September 1, 1935, and who shall apply for examination prior to September 1, 1939.

An applicant from a law school outside Ohio not on the list of law schools approved by the American Bar Association may be admitted to the bar examination on certificate of the Secretary of the League of Ohio Law Schools that such law school, from which such applicant applies, maintains standards equal to those maintained by the League of Ohio Law Schools. The cost of investigating such a school, where that is necessary, shall be estimated by the Secretary of the League of Ohio Law Schools and be paid in advance by the applicant. (As amended June 14, 1935.)

- H. Each applicant for examination shall file with his application a questionnaire, in duplicate, on a form prescribed by the Court, one copy of which questionnaire, together with the questionnaire and reports filed under the provisions of Section 6 of this rule, shall be forwarded by the Clerk to the local Committee on Applicants for Admission to the Bar. Said Committee shall make a further investigation of the character and moral fitness of the applicant and report its finding and recommendation to the Clerk of this Court not less than two weeks prior to the date of examination. Said Committee shall file a separate report as to each applicant, recommending that his application be accepted or

rejected and the Supreme Court shall determine from said report, the questionnaires submitted and from such other information as may be available, whether the application shall be accepted or rejected.

When an application for examination has been rejected because of an adverse report as to character and moral fitness, any further application presented by such applicant shall be accompanied by a report from the local Bar Applicant Committee recommending the applicant as to character and moral fitness. (Paragraph H adopted April 29, 1937.)

SECTION 11. No certificate, affidavit, or other paper produced in conformity with this rule shall be deemed conclusive evidence of the facts therein stated, and in all cases the court must be satisfied of the truth thereof before the applicant shall be admitted to examination.

SECTION 12. Each application for examination shall be accompanied by an examination fee, as follows: First examination, fifteen dollars; second examination, twenty dollars; third examination, twenty-five dollars; and fourth examination, twenty-five dollars. Such fee will be returned to the applicant if his name is not placed on the examination roll. If an applicant, on examination, be rejected, he may apply for admission to the next examination. An application for re-examination shall be filed ninety days prior to the date of such re-examination; and fifteen days prior to the examination the applicant shall file his affidavit showing that he has diligently pursued the study of law from the date he received notice of failure until the date of such affidavit. No one shall be admitted to more than four examinations. (As amended January 31, 1939.)

SECTION 13. After the expiration of the thirtieth day before the examination the court will examine the papers filed by the applicant, and cause him to be notified whether he will be admitted to the examination unconditionally, or subject to the production of a supplemental certificate of additional study, when that may be necessary, and if so admitted, will cause his name to be placed on the examination roll.

SECTION 14. The Bar Examining Committee may, subject to the approval of the court, make rules not inconsistent herewith, for the conduct of the examinations, which, together with this rule, shall be published in pamphlet form for distribution by the Committee. (As amended April 29, 1937.)

SECTION 15. The applicant, upon receiving oath of office, shall sign a roll showing the date of his admission and the place of his residence. The oath administered shall be as follows:

I DO SOLEMNLY SWEAR:

I will support the Constitution of the United States and the Constitution of the State of Ohio;

I will maintain the respect due to courts of justice and judicial officers;



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THE JOHN MARSHALL SCHOOL OF LAW

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I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, nor any defense except such as I believe to be honestly debatable under the law of the land;

I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval;

I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness, unless required by the justice of the cause with which I am charged;

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. SO HELP ME GOD. *(Clerk's Note: This form of oath was adopted January 25, 1910. It is the form recommended by the American Bar Association.)*



