

**UNIVERSITY RECORD**

Vol. V

JULY, 1910

No. 3

**UNIVERSITY OF FLORIDA**  
**ANNOUNCEMENT**  
OF THE  
**COLLEGE OF LAW**  
**1910-1911**

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**GAINESVILLE, FLA.:**  
**PUBLISHED QUARTERLY BY THE UNIVERSITY**

**UNIVERSITY OF FLORIDA**

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**ANNOUNCEMENT**  
**OF THE**  
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**JULY, 1910**

# CALENDAR 1910-1911

| July 1910    |    |    |    |    |    |    | August 1910   |    |    |    |    |    |    | September 1910 |    |    |    |    |    |    |
|--------------|----|----|----|----|----|----|---------------|----|----|----|----|----|----|----------------|----|----|----|----|----|----|
| S            | M  | T  | W  | T  | F  | S  | S             | M  | T  | W  | T  | F  | S  | S              | M  | T  | W  | T  | F  | S  |
| --           | -- | -- | -- | -- | 1  | 2  | --            | 1  | 2  | 3  | 4  | 5  | 6  | --             | -- | -- | -- | 1  | 2  | 3  |
| 3            | 4  | 5  | 6  | 7  | 8  | 9  | 7             | 8  | 9  | 10 | 11 | 12 | 13 | 4              | 5  | 6  | 7  | 8  | 9  | 10 |
| 10           | 11 | 12 | 13 | 14 | 15 | 16 | 14            | 15 | 16 | 17 | 18 | 19 | 20 | 11             | 12 | 13 | 14 | 15 | 16 | 17 |
| 17           | 18 | 19 | 20 | 21 | 22 | 23 | 21            | 22 | 23 | 24 | 25 | 26 | 27 | 18             | 19 | 20 | 21 | 22 | 23 | 24 |
| 24           | 25 | 26 | 27 | 28 | 29 | 30 | 28            | 29 | 30 | 31 | -- | -- | -- | 25             | 26 | 27 | 28 | 29 | 30 | -- |
| 31           | -- | -- | -- | -- | -- | -- | --            | -- | -- | -- | -- | -- | -- | --             | -- | -- | -- | -- | -- | -- |
| October 1910 |    |    |    |    |    |    | November 1910 |    |    |    |    |    |    | December 1910  |    |    |    |    |    |    |
| --           | -- | -- | -- | -- | -- | 1  | --            | -- | 1  | 2  | 3  | 4  | 5  | --             | -- | -- | -- | 1  | 2  | 3  |
| 2            | 3  | 4  | 5  | 6  | 7  | 8  | 6             | 7  | 8  | 9  | 10 | 11 | 12 | 4              | 5  | 6  | 7  | 8  | 9  | 10 |
| 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 |
| 23           | 24 | 25 | 26 | 27 | 28 | 29 | 27            | 28 | 29 | 30 | -- | -- | -- | 25             | 26 | 27 | 28 | 29 | 30 | 31 |
| 30           | 31 | -- | -- | -- | -- | -- | --            | -- | -- | -- | -- | -- | -- | --             | -- | -- | -- | -- | -- | -- |
| January 1911 |    |    |    |    |    |    | February 1911 |    |    |    |    |    |    | March 1911     |    |    |    |    |    |    |
| 1            | 2  | 3  | 4  | 5  | 6  | 7  | --            | -- | -- | 1  | 2  | 3  | 4  | --             | -- | -- | 1  | 2  | 3  | 4  |
| 8            | 9  | 10 | 11 | 12 | 13 | 14 | 5             | 6  | 7  | 8  | 9  | 10 | 11 | 5              | 6  | 7  | 8  | 9  | 10 | 11 |
| 15           | 16 | 17 | 18 | 19 | 20 | 21 | 12            | 13 | 14 | 15 | 16 | 17 | 18 | 12             | 13 | 14 | 15 | 16 | 17 | 18 |
| 22           | 23 | 24 | 25 | 26 | 27 | 28 | 19            | 20 | 21 | 22 | 23 | 24 | 25 | 19             | 20 | 21 | 22 | 23 | 24 | 25 |
| 29           | 30 | 31 | -- | -- | -- | -- | 26            | 27 | 28 | -- | -- | -- | -- | 26             | 27 | 28 | 29 | 30 | 31 | -- |
| --           | -- | -- | -- | -- | -- | -- | --            | -- | -- | -- | -- | -- | -- | --             | -- | -- | -- | -- | -- | -- |
| April 1911   |    |    |    |    |    |    | May 1911      |    |    |    |    |    |    | June 1911      |    |    |    |    |    |    |
| --           | -- | -- | -- | -- | -- | 1  | --            | 1  | 2  | 3  | 4  | 5  | 6  | --             | -- | -- | -- | 1  | 2  | 3  |
| 2            | 3  | 4  | 5  | 6  | 7  | 8  | 7             | 8  | 9  | 10 | 11 | 12 | 13 | 4              | 5  | 6  | 7  | 8  | 9  | 10 |
| 9            | 10 | 11 | 12 | 13 | 14 | 15 | 14            | 15 | 16 | 17 | 18 | 19 | 20 | 11             | 12 | 13 | 14 | 15 | 16 | 17 |
| 16           | 17 | 18 | 19 | 20 | 21 | 22 | 21            | 22 | 23 | 24 | 25 | 26 | 27 | 18             | 19 | 20 | 21 | 22 | 23 | 24 |
| 23           | 24 | 25 | 26 | 27 | 28 | 29 | 28            | 29 | 30 | 31 | -- | -- | -- | 25             | 26 | 27 | 28 | 29 | 30 | -- |
| 30           | -- | -- | -- | -- | -- | -- | --            | -- | -- | -- | -- | -- | -- | --             | -- | -- | -- | -- | -- | -- |

## UNIVERSITY CALENDAR

1910

SEPT. 27—TUESDAY.....REGISTRATION OF STUDENTS

SEPT. 28—WEDNESDAY.....FIRST SEMESTER BEGINS

DEC. 21—WEDNESDAY (Evening)

CHRISTMAS RECESS BEGINS

1911

JAN. 3—TUESDAY (Morning)..CHRISTMAS RECESS ENDS

FEB. 1—WEDNESDAY.....FIRST SEMESTER ENDS

FEB. 2—THURSDAY.....SECOND SEMESTER BEGINS

MAY 28—SUNDAY.....BACCALAUREATE SERMON

MAY 29—MONDAY.....ORATORICAL CONTESTS

MAY 30—TUESDAY.....GRADUATING DAY

BOARD OF CONTROL

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P. K. YONGE, Chairman, Pensacola.

T. B. KING, Arcadia.

E. L. WARTMANN, Citra.

F. P. FLEMING, Jr., Jacksonville.

W. D. FINLAYSON, Old Town.

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J. G. KELLUM, Secretary to the Board.

## FACULTY

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ALBERT A. MURPHREE, A. M., LL. D.,  
PRESIDENT OF THE UNIVERSITY.

ALBERT J. FARRAH, A. M., LL. B.,  
DEAN AND PROFESSOR OF LAW.

HARRY R. TRUSLER, LL. B.,  
PROFESSOR OF LAW.

WILLIAM KIXMILLER, Ph. B., J. D.,  
ASSISTANT PROFESSOR OF LAW.

JUDGE HORATIO DAVIS,  
LECTURER ON FLORIDA PLEADING AND PRACTICE.

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### SPECIAL LECTURERS FOR 1910-1911

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JUDGE THOS. M. SHACKLEFORD, LL. D.,  
OF THE FLORIDA SUPREME COURT.

JUDGE R. FENWICK TAYLOR,  
OF THE FLORIDA SUPREME COURT.

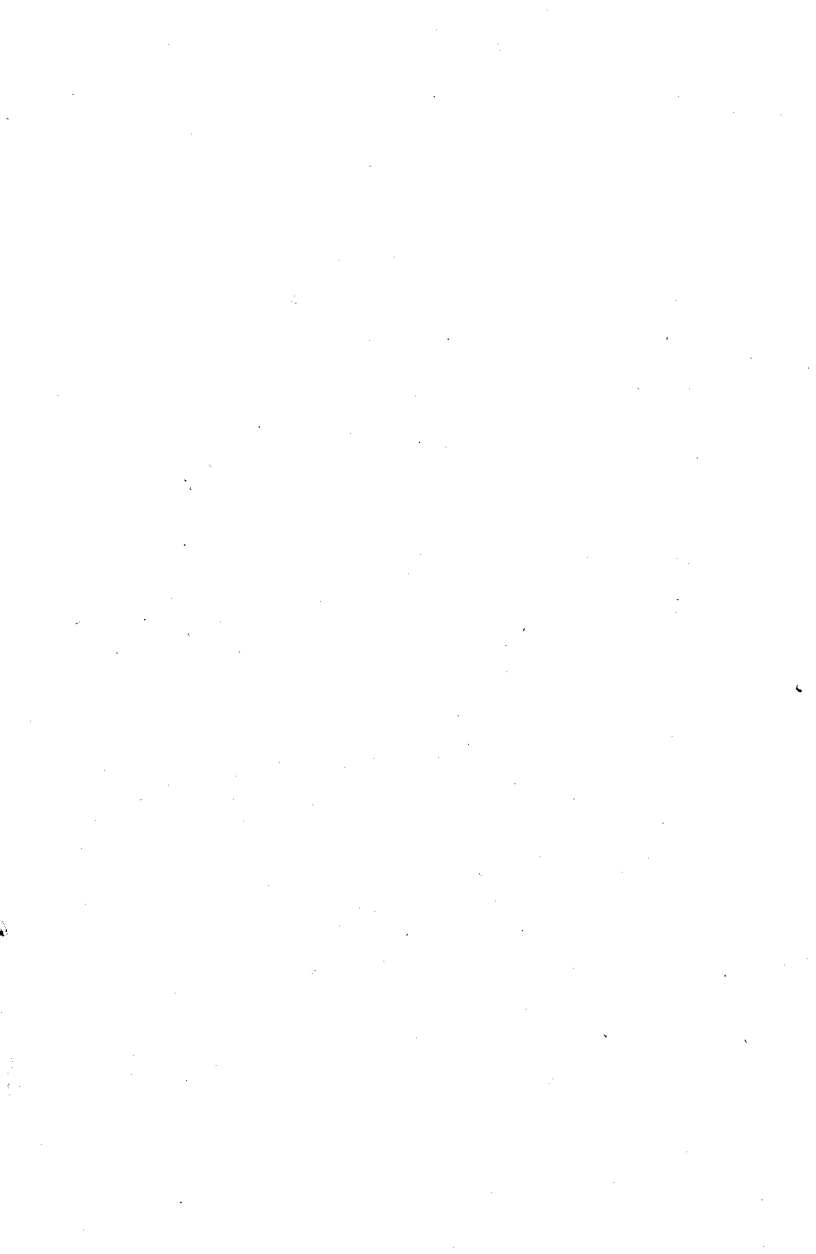
JUDGE R. S. COCKRELL,  
OF THE FLORIDA SUPREME COURT.

HON. FRANK P. FLEMING, JR.,  
OF THE JACKSONVILLE BAR.

HON. N. P. BRYAN,  
OF THE JACKSONVILLE BAR.

JUDGE J. T. WILLS,  
OF THE EIGHTH JUDICIAL CIRCUIT.

JUDGE W. B. SHEPPARD,  
OF THE U. S. DISTRICT COURT FOR FLORIDA.



## THE COLLEGE OF LAW

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### LOCATION OF THE UNIVERSITY.

The University of Florida is located at Gainesville, a city of 8,000 inhabitants, the judicial seat of Alachua county, in a region noted for its beauty and healthfulness. The city is the headquarters of the phosphate industry and is surrounded by a productive agricultural district. Besides being the seat of the University of Florida, Gainesville has a well organized public school of twelve grades, a public library and beautiful churches of the leading religious denominations.

Gainesville enjoys excellent railroad facilities, affording her ready communication with every part of the State by means of the A. C. L., the T. and J. and the S. A. L. railroads. It is seventy miles from Jacksonville, forty miles from Ocala, and one hundred and seventy-seven miles from Tampa.

### GENERAL STATEMENT.

In 1891, the American Bar Association declared that in its opinion it was a part of the highest duty



and interest of every civilized State to make provision, when necessary, for maintaining schools of law and the thorough legal education of all who are licensed to practice law. Feeling with its full force the soundness of this doctrine and being moved by a desire to discharge this duty on the part of the State, the State Board of Education and the Board of Control provided for the opening of the College of Law in the University of Florida in September, 1909. The advantages to accrue to the State from having a thorough and systematic course of instruction in the common law, with special consideration of the peculiarities and exceptions applicable in Florida, as a part of its educational system, are many and evident.

It was the purpose of the Board of Control to establish in the University of Florida a law school which, by the quality of its work and the character of its equipment, would merit and command the confidence and support of the bench and bar of the State and would draw within its walls the young men who will constitute the future bar of Florida. That the hopes of accomplishing these results were well founded and that gratifying progress towards these ends has been made are

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shown by the fact that the College of Law, during the first year of its existence, has registered thirty-one students, the largest registration ever made by a law school in Florida in a single year.

#### THE FACULTY.

The coming year, the work of the College of Law will be broadened and made more efficient by adding to the faculty another member who will devote his whole time to the work of the College of Law. This arrangement makes it possible to give more thorough instruction in the organization, jurisdiction and pleading and practice of the courts of Florida, to stress the local law in all subjects of the curriculum and to give proper attention to the important but hitherto neglected subject, the Use of Law Books and Brief Making.

The Faculty, as thus organized, will consist of four members, three of whom will devote their entire time to the school. Dean Farrah has had extended experience in law school work. For three years he was a member of the law faculty of the University of Michigan, resigning to accept the deanship of the Law Department of Stetson University on its organization in 1900, which posi-

tion he also resigned in 1909 to become Dean of the College of Law of the University of Florida.

Professor Trusler, who is a graduate of the Law Department of the University of Michigan, has had several years of experience as a practitioner of law and also several years of experience as a teacher of law. He has taught law in the John B. Stetson University, and has been associated with the College of Law of the University of Florida since its organization.

Assistant Professor Kixmiller comes to the University this year with the best of credentials. He holds the degree of Bachelor of Philosophy from the College of Liberal Arts of the University of Chicago and the degree of Doctor of Jurisprudence from the School of Law of that University and is well equipped by nature and training for the work of a law teacher.

Judge Davis, of the Gainesville Bar, is well known to the profession and is recognized as one of the best common law pleaders in the State. Judge Davis has charge of the difficult and important subject of Pleading and Practice at Law in the Courts of Florida. The subject will be given by a course of lectures running throughout the year.

## REQUIREMENTS FOR ADMISSION.

Graduates or matriculates of universities or colleges and applicants who have completed the course of study prescribed for the junior high school in Florida will be admitted to the College of Law without examination as to preliminary requirements and may become candidates for a degree. Other applicants, if candidates for a degree, must show that they have had the equivalent of the junior high school course.

## SPECIAL STUDENTS.

Persons who are unable to comply with the above entrance requirements are allowed to become special students and pursue a selected course of study under the guidance of the Dean of the College of Law, but without the privilege of being enrolled as candidates for a degree. If the entrance conditions are removed not later than the close of the first semester of the senior year, such students may, by special vote of the Faculty, become regular students and candidates for a degree.

## ADVANCED STANDING.

Attorneys at law who have been admitted to practice in the courts of this State and who com-

ply with the above entrance requirements will be admitted to the senior class without examination.

Ordinarily, no work in law done in other institutions will be accepted towards a degree, unless the applicant passes satisfactorily the examinations held in the subjects in the junior year of this department. By special vote of the Law Faculty credit may be given towards senior standing, without examination, for work satisfactorily done at other law schools, but in no case will credit be given in this way for work not done in residence at an approved law school.

#### COURSE OF INSTRUCTION.

The course of instruction in the College of Law extends through two years of thirty-three weeks each, exclusive of vacations. The academic year is divided into two semesters, the first having sixteen weeks and the second seventeen.

The purpose of the College of Law is to educate its students by the study of jurisprudence and to acquaint them with the foundation principles of the common law at the same time. "The ability to think clearly, to reason closely, to appreciate distinctions quickly, to investigate thoroughly, to

generalize accurately and to state his conclusions tersely, are prime requisites of the safe counselor." To secure for the student this power should be the constant effort of both student and faculty.

The method of instruction in the College of Law has been planned with these ends in view. This is largely by the use of text books and selected cases. Each case is carefully studied by the student and in the class room he is required to analyze it, giving in his own language a clear and concise statement of the essential facts, the issues involved in the case, the law governing it and the reasoning of the court for the conclusion reached. This practice tends "to greater thoroughness in reading, greater care in reasoning and greater accuracy on the part of the student in the art of expression."

In connection with this case work, the student studies a well-written text-book on the subject under consideration which gives him a systematic summary of the same, more detailed information concerning the application of the law in particular instances and an outline of the exceptions to and limitations upon the general principles considered in the cases.

Particular stress is placed on the statutory modifications of the common law in Florida. This is true in every subject in the curriculum, but it is especially emphasized in Pleading, Practice and Evidence, as the course of study is designed to thoroughly instruct the student in the peculiarities of substantive law and procedure in Florida so he will be able to enter upon the practice understandingly at once.

With these ends in view, the following course of study has been prepared:

#### FIRST YEAR.

##### FIRST SEMESTER.

**CONTRACTS.**—The nature of contract; offer and acceptance; form and consideration; capacity of parties; reality of consent; legality of object; operation of contract. Text-books: Clark on Contracts and Huffcut and Woodruff's Cases on Contracts. Four hours a week. Dean Farrah.

**ELEMENTARY LAW AND ELEMENTARY REAL PROPERTY.**—Study of the elementary principles of the law as given in Robinson's Elementary Law and the history and elements of real property law as given in Book II of Blackstone's Commentaries.

Four hours a week. Assistant Professor Kixmiller.

**CRIMINAL LAW.**—Nature of crime; common law and statutory offenses; mental element in crime; insanity, intoxication, infancy, coercion, ignorance and mistake as bearing on exemption from responsibility; necessity; justification; agency; consent; condonation; contributory acts; principals; accessories; classification and study of particular crimes; former jeopardy; state and federal jurisdiction. Text-books: Clark on Criminal Law and the Statutes of Florida. Two hours a week. Professor Trusler.

**DOMESTIC RELATIONS.**—This course considers thoroughly the law of husband and wife, parent and child, guardian and ward, infants, persons *non compos mentis* and aliens. Text-books: Tiffany's Persons and Domestic Relations and the Statutes of Florida. Two hours a week. Assistant Professor Kixmiller.

**TORTS.**—History and definitions; elements of torts; conflicting rights; mental anguish; parties to tort actions; remedies; damages; conflict of laws; method of discharge. Text-books: Burdick



on Torts and Burdick's Cases on Torts. Three hours a week. Professor Trusler.

SECOND SEMESTER.

CONTRACTS.—Interpretation of contract; discharge of contract; remedies for breach of contract. Text-books: Clark on Contracts, Huffcut and Woodruff's Cases on Contracts and the Statutes of Florida. Two hours a week. Dean Farrah.

SALES OF PERSONAL PROPERTY.—Sale and contract to sell; statute of frauds; illegality; conditions and warranties; delivery; acceptance and receipt; vendor's lien; stoppage in transitu; bills of lading; remedies of seller and buyer. Text-book: Tiffany on Sales. One hour a week. Professor Trusler.

TORTS.—Exhaustive study of particular torts, including among others, false imprisonment; malicious prosecution and abuse of process; conspiracy; slander and libel; trespass; conversion; deceit; nuisance; negligence. Text-books: Burdick on Torts and Burdick's Cases on Torts. Two hours a week. Professor Trusler.

AGENCY.—Definitions and divisions; purposes

for which the relation may be created and how; who may be principal or agent and evidence of the existence of the relation; ratification; delegation of authority by agent; termination, nature and extent, construction and execution of the authority; rights, duties and liabilities of agent, principal and third persons, the one to the other; particular classes of agents. Text-books: Mechem's Outlines of Agency and Mechem's Cases on Agency. Two hours a week. Assistant Professor Kixmiller.

COMMON LAW PLEADING.—Definition and classification of actions; proceedings in an action; analysis of the declaration; Stephen's Rules of Pleading. Text-books: Shipman's Common Law Pleading, the Statutes of Florida and the Supreme and Circuit Court Rules in Common Law Actions in Florida. Three hours a week. Dean Farrah.

EQUITY JURISPRUDENCE I.—History and definition; jurisdiction; general maxims; equitable estates, interests and primary rights, including a study of trusts, the powers, duties and liabilities of trustees; mortgages; equitable liens; assignments. Text-books: Eaton on Equity and Selected Cases. Two hours a week. Professor Trusler.

**BAILMENTS AND CARRIERS.**—Nature and classification of bailments; rights and liabilities of the parties; innkeepers. Carriers of goods as to liability, discrimination, compensation, lien. Carriers of passengers as to duty to accept, accommodations, ticket, ejection, personal injuries. Actions against carriers. Text-books: Goddard's *Outlines of Bailments and Carriers* and Goddard's *Cases on Bailments and Carriers*. Two hours a week. Assistant Professor Kixmiller.

**CRIMINAL PROCEDURE.**—Jurisdiction and venue; arrests, searches and seizures; extradition; preliminary examination, bail and commitment; modes of accusation; the form of accusation; pleadings; proof; variance; verdict and judgment; proceedings after verdict; evidence; habeas corpus. Text-books: Beal's *Criminal Procedure and the Statutes of Florida*. One hour a week. Professor Trusler.

**BRIEF MAKING AND THE USE OF LAW BOOKS.**—Where to find the law; how to use statutes and decisions; how to find the law. Text-book: *Brief Making and the Use of Law Books*. One hour a week. Assistant Professor Kixmiller.

## SECOND YEAR.

## FIRST SEMESTER.

**EQUITY PLEADING.**—Nature and object of pleadings in equity; parties to a suit in equity; proceedings in a suit in equity; bills in equity; the disclaimer; demurrers and pleas in equity; replication and answers in an equitable suit. Text-books: Shipman's Equity Pleading, Rules of the Circuit Court in Chancery in Florida and the Statutes of Florida. Two hours a week. Dean Farrah.

**EVIDENCE.**—Rules as to admission and exclusion of evidence; judicial notice; parol evidence rule; burden of proof and the right to open and close; competency and examination of witnesses; production of documents, persons and things; direct examination, cross examination and redirect examination. Text-books: Reynolds on Evidence, Wilgus's Cases on Evidence and the Statutes of Florida. Three hours a week. Dean Farrah.

**REAL PROPERTY II.**—History and nature; tenure and seisin; estates in real property as to quantity, quality, time of enjoyment and number of owners; incorporeal hereditaments; fixtures; legal

capacity to hold and convey; restraints on alienation: title to real property; covenants for title; conveyances. Text-books: Minor and Wurts on Real Property and the Statutes of Florida. Two hours a week. Assistant Professor Kixmiller.

NEGOTIABLE INSTRUMENTS.—Law Merchant; definitions and general doctrines; contract of the maker, acceptor, certifier, drawer, indorser, vendor, accommodator, assurer; proceedings before and after dishonor of negotiable instruments; absolute defenses; equities; payments; conflict of laws. Text-books: Bigelow on Bills, Notes and Cheques, the Negotiable Instrument Act of Florida, and selected cases. Two hours a week. Assistant Professor Kixmiller.

EQUITY JURISPRUDENCE II.—Accident, mistake and fraud; penalties and forfeitures; priorities and notice; bona fide purchasers; estoppel; election; satisfaction and performance; conversion; specific performance; injunction; reformation; cancellation; cloud on title; ancillary remedies. Text-books: Eaton on Equity and selected cases. Two hours a week. Professor Trusler.

ORGANIZATION OF AND PROCEEDINGS IN THE  
COURTS OF FLORIDA IN CIVIL ACTIONS.—

a. IN GENERAL. Disqualification, resignation, and removal of judges; judge's power in vacation; judge ad litem; parties to suits at law; locality and consolidation of actions; joinder of causes of actions; rule days; commencement of suits at common law; appearances, defaults and judgments upon defaults; pleadings at law; witnesses and evidence; jurors; judgments and executions; motion for new trial and in arrest of judgment; lis pendens; appellate proceedings at law and in probate matters; limitation of actions.

b. SUPREME COURT. Statutory powers; members of the court; its terms, record, clerk, seal, decisions and reports.

c. CIRCUIT COURT. Statutory powers and duties of judges; terms; records and dockets to be kept by the clerk; seal and records.

d. CIRCUIT COURT IN CHANCERY. Its power in vacation; locality of action; process, its service and return; bill, demurrer, plea and answer; practice and evidence; masters in chancery; decrees; rehearings and appeals; injunctions; ne exeat;

divorce and alimony; partition of property; quieting titles; disability of minors and married women; liens.

e. STATUTORY JURISDICTION OF CIRCUIT COURT. Ejectment; re-establishing lost papers; adoption of children; eminent domain; court commissioners.

f. COUNTY COURT. Jurisdiction; terms; clerk; seal; records; appeals; rules of practice.

g. COUNTY JUDGE'S COURT. General powers; bonds; clerk; seal; probate powers; as justice of the peace; forcible entry and detainer.

h. COURTS OF JUSTICES OF THE PEACE. General provisions; jurisdiction; proceedings before, at and after trial; proceedings on appeal.

i. SPECIAL STATUTORY PROCEEDINGS AT LAW. Attachment; garnishment; forcible entry and detainer; replevin; statutory liens; landlord and tenant.

j. EXTRAORDINARY LEGAL REMEDIES. Habeas corpus; quo warranto; prohibition. Text-books: Shipman's Common Law and Equity Pleading, General Statutes of Florida and the Common Law and Equity Rules of Practice of the Circuit and Supreme Courts of Florida. Two hours a week

throughout the year. Dean Farrah and Professor Trusler.

THE UNIVERSITY PRACTICE COURTS.—One hour a week throughout the year.

PLEADING AND PRACTICE IN THE COURTS OF FLORIDA.—A lecture course running throughout the year. Judge Davis.

FLORIDA CONSTITUTIONAL LAW.—Declaration of rights; legislative, executive, and judicial departments of government; suffrage and eligibility; census and apportionment; counties and cities; taxation and finance; homestead and exemptions; married women's property; education; public institutions; miscellaneous provisions. Text-books: The Constitution, Statutes and Judicial Decisions of Florida. One hour a week. Professor Trusler.

JURISDICTION OF THE UNITED STATES COURTS.—Under the federal constitution; jurisdiction of district court; circuit court; circuit court of appeals; supreme court; ancillary and appellate jurisdiction; bankruptcy; admiralty suits; federal questions; removal from state to federal courts; habeas corpus. Text books: Thayer's Jurisdiction of the



Federal Courts and selected cases. One hour a week. Professor Trusler.

BRIEF MAKING AND THE USE OF LAW BOOKS.—The trial brief; the brief on appeal and its preparation. Text-book: Brief Making and the Use of Law Books. One hour a week throughout the year. Assistant Professor Kixmiller.

BROOM'S LEGAL MAXIMS.—A reading course running throughout the year. Dean Farrah.

#### SECOND SEMESTER.

UNITED STATES CONSTITUTIONAL LAW.—General principles; distribution of governmental powers; congress; the chief executive; the judiciary; police powers; eminent domain; checks and balances; guarantee of republican government, civil rights; political privileges; guarantees in criminal cases; impairment of contractual obligations; municipal corporations. Two hours a week. Text-books: Cooley's Principles of Constitution Law and Cooley's Constitutional Limitations. Professor Trusler.

WILLS.—Definition, nature and kinds of wills; a devisable estate; who may make a will; error, fraud, undue influence and mistake; who may

take by will; formal requisites of wills; revocation; re-publication; by what law wills are governed; construction and effect of wills; lapse and substitution; rights and liabilities of devisees and legatees; descent and distribution. Two hours a week. Text-book: Rood on Wills and the Statutes of Florida. Assistant Professor Kixmiller.

LEGAL ETHICS.—A consideration of the profession of the law in its relation to society, embracing the duties the lawyer owes to the commonwealth, to the court, to his professional brethren, and to his clients. One hour a week. Text-books: Sharswood's Legal Ethics and the Code of Ethics adopted by the American Bar Association. Professor Trusler.

EXECUTORS AND ADMINISTRATORS.—When necessary; appointment and qualification; acceptance or renunciation; foreign and interstate administration; powers, duties and liabilities of executors and administrators; inventory; assets of estate; insolvent estates; distribution; accounting and allowances. Two hours a week. Text-books: Crosswell's Executors and Administrators and the Statutes of Florida. Assistant Professor Kixmiller.

**DAMAGES.**—General principles; nominal, compensatory, exemplary, and liquidated damages; interest; value; pleading and practice; breach of contracts for sale of goods; actions against carriers; death by wrongful act; wrongs affecting real property; damages in tort action; breach of marriage promise. Text-book: Mechem's Cases on Damages. One hour a week. Professor Trusler.

**PARTNERSHIP.**—Definitions and classifications; what constitutes a partnership; contract of partnership; firm name and good will; capital of firm; partnership property; rights and liabilities of partners among themselves and as to third persons; actions; dissolutions; limited partnerships. Text-book: Mechem's Cases on Partnership. One hour a week. Dean Farrah.

**PRIVATE CORPORATIONS.**—Nature of a corporation; creation and citizenship of corporations; defectively organized corporations; corporation and its promoters; power and liabilities of corporations; corporation and the state; dissolution of corporations; membership in corporations; management of corporations; creditors, their rights and remedies; foreign corporations. Text-books:

Clark on Corporations and the Statutes of Florida.  
Three hours a week. Dean Farrah.

The text-books announced are subject to change.

#### EXAMINATIONS.

The last week of each semester is devoted to examinations covering the work of the semester. These examinations are in writing and are rigid and searching, but ARE NOT NECESSARILY FINAL. To be considered, *prima facie*, to have satisfactorily completed a subject, the student must obtain a minimum grade of 75 per cent. in both classroom work and examination. During the last week of the second year, any candidate for a degree may be required to pass an examination in any or all subjects given in the course and attain a minimum average grade of 75 per cent. in all subjects in order to be recommended for a degree.

#### THE UNIVERSITY PRACTICE COURTS.

Thoroughly organized practice courts are regular features of the course of instruction in the second year. Weekly sessions of the courts are held over which the Judge of the Practice Court presides. The object of the course in the Practice Courts is to give the student practical instruction

in pleading and practice at law and in equity and experience in the preparation and trial of cases. The work is arranged as follows:

FIRST.—Cases arising upon prepared statements of fact are assigned to the second year students upon which they are to determine what proceedings to bring and how to bring them, issue, serve and return process, prepare the pleadings and bring the case to an issue on a question of law. Each student must take part in one case at law and one in equity. The case is first heard on the sufficiency of the form and the structure of the pleadings and, when these are approved, the issue of law is argued and decided, the students acting as attorneys on each side drawing the order, judgment or decree they deem themselves entitled to.

SECOND.—In the second class of cases in the Practice Court, actual controversies are arranged and assigned for trial in the Circuit Court as issues of fact. After determining what action to bring, the students assigned to the case are required to issue the proper process and prepare and file the necessary pleadings, subpoena the witnesses, select the jury, examine and cross-examine the witnesses and argue the case to the

jury. Each student is required to participate in the trial of one civil and one criminal case and must take part in carrying one chancery, one civil and one criminal case to the Supreme Court for review.

#### SPECIAL LECTURES.

Justices R. Fenwick Taylor and Thos. M. Shackelford, of the Supreme Court of Florida, will each deliver six lectures to the students of the College of Law during the year. The subject of the former will probably be Criminal Law and Procedure and of the latter, Appellate Procedure and Practice in Florida. Hon. Frank P. Fleming, Jr., of the Jacksonville Bar, will deliver one or more lectures on the subject of Pleading at the Common Law. Justice R. S. Cockrell, of the Supreme Court of Florida, Hon. N. P. Bryan, of the Jacksonville Bar, Judge J. T. Wills, of the Eighth Judicial Circuit, and Judge W. B. Sheppard, of the United States Court for the Northern District of Florida, will each deliver one or more lectures during the year.

#### THE LAW LIBRARY.

Law books are the working tools of the practicing lawyer. To teach the student how to use these tools, how to use the digests, encyclopedias

and reports, is as much the work of the law school as to teach him the general principles of the law.

The College of Law was fortunate in being able to open its doors with a good working library and has on its shelves the following books: The Florida Supreme Court Reports, with digest; The Session Laws of Florida from 1822 to 1909, except from 1828 to 1834; McClellan's Digest and Duval's Compilation of the Laws of Florida; Revised Statutes of 1892 and the General Statutes of 1906; The Northwestern, Southwestern, Northeastern, Southeastern, Atlantic, Pacific and Southern Reporters; The American Decisions, American Reports and American State Reports, with digests; The Lawyers Reports Annotated, with digests; The United States Supreme Court Reports, with digests; The New York Common Law and Chancery Reports, with digests; The New York Court of Appeals Reports, the Reports of the Supreme Courts of Michigan and Massachusetts and the New Jersey Equity Reports to the Reporters; The Reprint of the English Reports, the Encyclopedia of Law and Procedure and more than two hundred of the leading text-books and books of reference.

## THE MARSHALL DEBATING SOCIETY.

It is important that those who study law and intend to engage in its practice should give attention to the subject of public speaking. To suppose that excellence in public speaking and debating is a gift of nature only and not the result of patient and persistent effort, is a mistake. Believing in the truth of these statements, the students in the College of Law met early last year and organized a society that would secure to its members practice in debating and public speaking and experience in arguing legal questions, as well as drill in parliamentary law. The society was fittingly named "The Marshall Debating Society," in honor of the memory of that distinguished Southern jurist, John Marshall. The membership and work in the society are limited to students in the College of Law, but the Faculty give all assistance and encouragement to the work that is possible.

## UNIVERSITY PRIVILEGES.

The advantages of the other departments of the University are open to such students in the College of Law as desire and are able to accept them.



Courses in Constitutional and Political History, International Law, Political Economy, Logic, Rhetoric and English Composition are particularly recommended to law students. No extra charge will be made for such courses, but students in the College of Law will be permitted to take them only with the consent of the Law Faculty and of the professors whose courses they wish to take.

#### DEGREE.

The degree of Bachelor of Laws (LL. B.) is conferred upon those students who satisfactorily complete the course of study as previously described. Students admitted to advanced standing may, if they do satisfactorily the work as prescribed by the rules of the department, receive the degree after one year's residence, but in no case will the degree be granted unless the candidate is in actual residence during all of the second year.

#### ADMISSION TO THE BAR.

The graduates of the College of Law are licensed by the Supreme Court, without examination, to practice in all the Courts of Florida upon presenting their diplomas, duly issued by the proper

authorities and upon furnishing satisfactory evidence that they are twenty-one years of age and of good moral character.

#### EXPENSES.

**TUITION.**—A tuition fee of twenty dollars a semester, payable in advance, will be charged all students.

**REGISTRATION FEE.**—An annual registration fee of five dollars will be charged all students.

#### CORRECTIONS.

**BOARD AND LODGING.**—Board and lodging will be furnished by the University at a cost of \$15 per calendar month, *payable in advance*. This includes meals in the Dining Hall and room (with heat, light and access to a bath-room), furnished as stated below. No deduction will be made for an absence of less than one month, except for the Christmas holidays.

**ROOM WITHOUT BOARD.**—Students occupying a room in the Dormitories but not taking meals in the Dining Hall will be charged \$5 per calendar month for lodging.

books are standard texts and will form a nucleus of the student's future library.

**LAUNDRY.**—Students arrange for their own laundry.

**FURNITURE.**—All rooms are partially furnished. The furniture consists of two iron bedsteads and mattresses, chiffonier or bureau, table, washstand and chairs. The students are required to provide all other articles, including pillows, bedding, wash-bowl, pitcher, mirror, half curtains, etc.

**DAMAGE DEPOSIT.**—In order to secure the University property against damage, the sum of five (5) dollars must be deposited at registration. Damage known to have been done by any student will be charged to his individual account; all other damages will be prorated among the students.

At the end of the scholastic year this deposit, less the amount deducted, will be returned to the student. Thus, the total minimum cost to the student of a year's work in the College of Law, exclusive of books and laundry, is one hundred and sixty-five (165) dollars.

**DIPLOMA FEE.**—No diploma fee is charged on graduation.

MILITARY DRILL AND DISCIPLINE.—Law students are excused from military drill and are not subject to military discipline.

## STUDENTS, 1909-1910.

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### SENIORS.

| <i>Name</i>                | <i>City</i>        | <i>State</i> |
|----------------------------|--------------------|--------------|
| Calhoun, E. C. ....        | Perry .....        | Florida.     |
| Glazier, H. S. ....        | Oneco .....        | Florida.     |
| Hardee, L. P. ....         | Chiefland .....    | Florida.     |
| Morrow, L. ....            | Pierce .....       | Florida.     |
| McGuire, C. H., B. S. .... | Ocoee .....        | Florida.     |
| University of Fla.         |                    |              |
| Pinkerton, A. R. ....      | Veteran City ..... | Florida.     |
| Small, C. C. ....          | Lake City .....    | Florida.     |

### JUNIORS.

|                              |                   |            |
|------------------------------|-------------------|------------|
| Adams, A. C. ....            | Dresden .....     | Missouri.  |
| Buttram, J. H., A. B. ....   | Esto .....        | Florida.   |
| Rollins College              |                   |            |
| Carter, S. L., Jr. ....      | Gainesville ..... | Florida.   |
| Cox, R. L. ....              | Bristol .....     | Tennessee. |
| Crews, A. S. ....            | Starke .....      | Florida.   |
| Crocker, O. ....             | Lake Butler ..... | Florida.   |
| Epperson, C. C., LL. B. .... | Williston .....   | Florida.   |
| Mercer University            |                   |            |

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| <i>Name</i>               | <i>City</i>  | <i>State</i> |
|---------------------------|--------------|--------------|
| Geiger, R. L. ....        | Jacksonville | Florida.     |
| Grimaldi, S. A. ....      | Tampa        | Florida.     |
| Gregory, L. T. ....       | Jacksonville | Florida.     |
| Green, E. B. ....         | Ocala        | Florida.     |
| Hay, R. B. ....           | Jacksonville | Florida.     |
| Johnston, R. G. ....      | Kissimmee    | Florida.     |
| Keene, E. N. ....         | Lake City    | Florida.     |
| Keene, J. E. ....         | Lake City    | Florida.     |
| Keene, S. S., Jr. ....    | Lake City    | Florida.     |
| Lanier, W. B. ....        | Jacksonville | Florida.     |
| Pile, G. E. ....          | Bristol      | Tennessee.   |
| Rivers, C. O., B. S. .... | Lake City    | Florida.     |
| University of Fla.        |              |              |
| Roland, A. M. ....        | Morrison     | Florida.     |
| Robbins, R. M. ....       | Titusville   | Florida.     |
| Wade, L. E., Jr. ....     | Jacksonville | Florida.     |
| West, J. H. ....          | Jacksonville | Florida.     |
| Woodell, T. M. ....       | Lake City    | Florida.     |

## ALUMNI OF THE COLLEGE OF LAW.

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### CLASS OF 1910.

| <i>Name</i>         | <i>Occupation</i> | <i>Address</i>    |
|---------------------|-------------------|-------------------|
| Calhoun, E. C. .... | Attorney ....     | Perry, Fla.       |
| Hardee, L. P. ....  | Attorney ....     | Gainesville, Fla. |
| Small, C. C. ....   | Attorney ....     | Lake City, Fla.   |

# University of Florida

Gainesville, Florida

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The University of Florida, supported by the State and Federal Governments, offers instruction in the following Colleges:

1. College of Arts and Sciences, leading to degrees of B. S., B. A. and B. A. in Pedagogy.
2. College of Agriculture, leading to the degree of B. S. in Agriculture.
3. College of Engineering, leading to degrees of B. S. in Mechanical Engineering, B. S. in Electrical Engineering and B. S. in Civil Engineering.
4. College of Law, leading to degree of LL. B.

For catalogue, address the President of the University.



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