

APRIL 30, 1936

NUMBER 309

THE UNIVERSITY OF NORTH CAROLINA RECORD

THE ONE HUNDRED AND
FORTY-SECOND SESSION



CATALOGUE OF THE
SCHOOL OF LAW
1935-1936

Announcements for the Session
1936-1937

THE UNIVERSITY OF NORTH CAROLINA PRESS
ISSUED 12 TIMES A YEAR AS FOLLOWS: 4 NUMBERS IN FEBRUARY, 3 NUMBERS
IN MARCH, 3 NUMBERS IN APRIL, 1 NUMBER EACH IN JUNE AND OCTOBER
ENTERED AS SECOND-CLASS MATTER AT THE POSTOFFICE AT
CHAPEL HILL, N. C.
UNDER THE ACT OF AUGUST 24, 1912

CALENDAR

SESSION, 1936-1937

1936

<i>June 11-July 22</i>	Summer Session, First Term.
<i>July 23-August 29</i>	Summer Session, Second Term.
<i>September 17</i>	<i>Thursday.</i> *Registration for first semester.
<i>September 18</i>	<i>Friday.</i> Classes for first semester begin.
<i>October 12</i>	<i>Monday.</i> University Day.
<i>November 25</i>	<i>Wednesday.</i> Thanksgiving recess begins (1:00 p.m.)
<i>November 30</i>	<i>Monday.</i> Thanksgiving recess ends (8:30 a.m.)
<i>Dec. 19 (afternoon)- December 30</i>	Christmas Recess.
<i>December 31</i>	<i>Thursday.</i> Christmas Recess ends (8:30 a.m.)

1937

<i>January 30</i>	<i>Saturday.</i> First semester ends.
<i>February 1</i>	<i>Monday.</i> *Second semester begins. Registration day.
<i>April 11-18</i>	<i>Sunday through Sunday.</i> Spring Recess.
<i>June 6-8</i>	<i>Sunday through Tuesday.</i> Commencement Exercises.

* Each student registering later than this date must pay five dollars (\$5.00) as an additional fee for delayed registration.



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MANNING HALL, LAW BUILDING

THE SCHOOL OF LAW

FRANK PORTER GRAHAM, M.A., LL.D., D.C.L., D.Litt., *President.*

ROBERT BURTON HOUSE, A.M., *Dean of Administration.*

MAURICE TAYLOR VAN HECKE, Ph.B., J.D., *Dean.*

*THE ADMINISTRATIVE BOARD

HOWARD WASHINGTON ODUM, Ph.D., *Kenan Professor of Sociology and Director of the Institute for Research in Social Science.*

ALLAN WILSON HOBBS, Ph.D., *Professor of Mathematics and Dean of the College of Arts and Sciences.*

DUDLEY DEWITT CARROLL, A.M., *Professor of Economics and Dean of the School of Commerce.*

FREDERICK BAYS MCCALL, A.B., LL.B., *Professor of Law.*

ROBERT HASLEY WETTACH, A.M., LL.B., S.J.D., *Professor of Law.*

MILLARD SHERIDAN BRECKENRIDGE, Ph.B., LL.B., *Professor of Law.*

FACULTY

MILLARD SHERIDAN BRECKENRIDGE, Ph.B., LL.B., *Professor of Law.*

Ph.B., 1917, University of Chicago; LL.B., 1918, Yale University. General law practice, 1919-1922. Assistant Professor of Law, State University of Iowa, 1922-1924; Associate Professor of Law, Western Reserve University, 1924-1927; Professor of Law, The University of North Carolina, 1927—

**JAMES HARMON CHADBOURN, A.B., J.D., *Assistant Professor of Law.*

A.B., 1926, The Citadel; J.D., 1931, The University of North Carolina. Research for Commission on Interracial Coöperation, 1931-1932. Instructor in Law, The University of North Carolina, 1932; Assistant Professor, 1932—

ALBERT COATES, A.B., LL.B., *Professor of Law.*

A.B., 1918, The University of North Carolina; LL.B., 1923, Harvard. Associate Professor of Law, The University of North Carolina, 1923-1927; Professor of Law, 1927—

FRANK WILLIAM HANFT, A.B., LL.B., S.J.D., *Associate Professor of Law.*

LL.B., 1924, LL.M., 1929, A.B., 1929, University of Minnesota; S.J.D., 1931, Harvard University. General law practice, 1924-1929. Instructor in Law, University of Minnesota, 1929-1930; Fairchild Research Fellow, Harvard Law School, 1930-1931; Associate Professor of Law, The University of North Carolina, 1931—

* The Dean of Administration, the Registrar, and the Dean of Students are *ex officio* members of each Administrative Board.

** Absent on leave, 1936-1937.

FREDERICK BAYS MCCALL, A.B., LL.B., *Professor of Law.*

A.B., 1915, University of North Carolina; LL.B., 1928, Yale University. General law practice, 1922-1926. Assistant Professor of Law, The University of North Carolina, 1926-1927; Associate Professor of Law, 1928-1933; Professor of Law, 1933—

ATWELL CAMPBELL MCINTOSH, A.M., LL.D., *Kenan Professor of Law Emeritus.*

A.B., 1881, A.M., 1887, LL.D., 1923, Davidson College. General law practice, 1882-1904. Professor of Law, Trinity College, 1904-1910; Professor of Law, The University of North Carolina, 1910-1934; Kenan Professor of Law Emeritus, 1934—

DONALD WILLIAM MARKHAM, A.B., J.D., *Assistant Professor of Law.*

A.B., 1931, Colgate University; J.D., 1936, The University of North Carolina. Assistant Professor of Law, The University of North Carolina, 1936-1937.

JOHN ELDON MULDER, A.B., LL.B., LL.M., *Assistant Professor of Law.*

A.B., 1928, State University of Iowa; LL.B., 1931, University of Wisconsin; LL.M., 1933, Columbia University. General law practice, 1933-1934. Instructor in Law, University of Wisconsin, 1931-1932; Assistant Professor of Law, The University of North Carolina, 1934—

MAURICE TAYLOR VAN HECKE, Ph.B., J.D., *Professor of Law and Dean.*

Ph.B., 1916, J.D., 1917, University of Chicago. Legislative Reference Bureau, Springfield, Ill., 1917-1920. Assistant Professor of Law, West Virginia University, 1920-1921; Associate Professor of Law, The University of North Carolina, 1921-1923; Associate and Professor of Law, University of Kansas, 1923-1927; Visiting Professor of Law, Yale University, 1927-1928; Professor of Law, The University of North Carolina, 1928—; Dean, 1931—

ROBERT HASLEY WETTACH, M.A., LL.B., S.J.D., *Professor of Law.*

A.B., 1913, M.A., 1914, LL.B., 1917, University of Pittsburgh; S.J.D., 1921, Harvard. General law practice, 1919-1920. Assistant Professor of Law, The University of North Carolina, 1921-1923; Associate Professor of Law, 1923-1926; Professor of Law, 1926—

LUCILE MARSHALL ELLIOTT, A.B., *Law Librarian.*

MARGARET E. HALL, B.L.S., LL.B., *Assistant Law Librarian.*

LUCY BEVERLY EVANS, A.B., A.M., *Secretary.*

GENERAL STATEMENT

HISTORY. The law school, which developed into the School of Law of the University, was founded in 1843 at Chapel Hill as a private school by William H. Battle, then a judge of the Superior Court, later a justice of the Supreme Court of the State. In 1845 Judge Battle was made Professor of Law in the University, and it was provided that the degree of Bachelor of Laws should be conferred on those com-

pleting the prescribed two-year course. From the records of the University, however, it seems that few degrees were actually conferred. For a long time the school maintained a certain independence of the University. The professor of law received no salary, though he enjoyed the fees from his classes, and the students were not entirely subject to the discipline of the University.

This was the position of the school from its formation until 1899, a period which covered the professorship of Judge Battle who retired in 1879; two years when the law classes were conducted by Kemp P. Battle, then President of the University; and the professorship of John Manning, elected 1881, died 1899. In 1899 the school was completely incorporated into the University, with the late James C. MacRae, previously a justice of the Supreme Court of North Carolina, as the first Dean of the Law School.

The School of Law having complied in full with the requirements set up by the American Bar Association has been classed as an "approved law school."

The School of Law is a member of the Association of American Law Schools, an association composed of the leading law schools in the United States.

A carefully compiled list of approved law schools, whose credits are acceptable as evidence of due preparation for the New York Bar Examinations, is published by the University of the State of New York. The School of Law is accredited in this list for the full three years' work.

REQUIREMENTS FOR ADMISSION

Regular Students

The matter of admission to the School of Law, as to all the other schools and colleges of the University, is arranged through the Dean of Admissions of the University.

The Dean of Admissions passes upon all applications for admission, and all inquiries as to eligibility to enter should be addressed to him. Those who intend to enter must furnish to him (a) a certificate of successful vaccination against smallpox, and (b) a certificate showing the completion of a four years' high school course of fifteen units and the completion of not less than three years of college work, which must be approved as satisfactory. These certificates should be sent by mail to the Dean of Admissions at least two weeks before registration day, if possible.

The academic requirements for admission to the School of Law may be satisfied by:

(1) An *academic degree* from the University of North Carolina or any other standard college or university approved by the Dean of Admissions.

(2) *Three years* of academic work prescribed in the "Combined Course in Arts and Law" or in "Commerce and Law" as described below.

(3) *The first three years complete* of the regular work prescribed for a degree (a) in the College of Arts and Sciences, or the School of Commerce, or (b) in a similar curriculum in some other standard college or university.

All regular applicants for admission to the School of Law must have received a grade of C or better in at least fifty *per cent.* of their undergraduate courses.

Special Students

A limited number of special students, not eligible for a degree, may be admitted each year, provided the aggregate total does not exceed ten per cent of the average number of beginning regular students admitted during the two preceding years. They must be at least twenty-three years of age and must furnish evidence to satisfy the law faculty that their business experience has equipped them to engage successfully in the study of law in spite of their lack of a college education. Applications for admission to the summer school as special students will be acted upon on May 15; for admission to the regular session, on September 1, each year. All special students will be admitted for a maximum period of one year or for shorter periods in unusual cases. Their readmission for each academic year thereafter will be determined on the basis of their records.

Admission to Advanced Standing

A student from another school of law, in which the requirements for admission are at least as high as in this school, may be admitted to advanced standing for the degree of LL.B. As a rule no more than one year's work will be so credited without residence, but with the consent of the law faculty two years' work may be credited in exceptional cases, provided the last year of work for the law degree is done in residence. A student seeking admission to advanced standing must present satisfactory evidence that the work taken in another school is substantially equivalent to that given in the corresponding year here, both in the character of the work covered and in the amount of time devoted to each subject.

EXPENSES

Regular Session

	<i>Residents of N. C.</i>	<i>Non-Residents of N. C.</i>
Tuition fee for fall and spring semesters, each	\$50.00	\$100.00
*Matriculation fee, each term	21.75	21.75

* This includes the gymnasium fee, the library fee, the fee for attendance of the University physician, and the fee for debates.

THE SUMMER SCHOOL

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Student publication fee, each term.....	3.45	3.45
Student activities fee, each term.....	2.50	2.50
Laundry deposit, each term.....	12.75	12.75
Student union fee, each term.....	1.50	1.50
Law Library fee	2.50	2.50
	<hr/>	<hr/>
	\$94.45	\$144.45

Summer Law School fees for 1936 are: \$40.00 each term or \$75.00 for both terms. These fees are subject to change.

Books

Books for law students, bought new, will average about \$50.00 a year. A saving below this figure can be made by taking advantage of the secondhand market.

Dormitory

Rooms may be rented in Carr Building, reserved exclusively for law students, at \$90.00 for each occupant for the year for a double room; or at \$76.50 for each occupant for a suite of three rooms. Carr Building is also available to students registering in the Summer Law School. Room rent for each occupant of a double room is \$15.00 for each summer term of five and one-half weeks.

THE SUMMER SCHOOL

The summer session of the School of Law offers opportunities for students to supplement the work of the regular year by additional courses, some of which are not otherwise available, or to shorten the period of study for the law degree to two regular years and three summer sessions. The summer session is divided into two terms of five and one-half weeks each. Separate credit may usually be obtained for the work of each term. Attendance throughout the entire summer session enables the successful student to obtain credit equivalent to one-third of a regular year's work.

A full curriculum is provided for both beginning and advanced students. The faculty always includes as visiting professors a number of distinguished law teachers from other universities.

The program for the 1936 summer session follows:

First Term, June 11 to July 22

CONSTITUTIONAL LAW

Thomas Reed Powell, Harvard University.

CONFLICT OF LAWS

Walter Wheeler Cook, Northwestern University.

TORTS

Douglas Blount Maggs, Duke University.

CONTRACTS

John Eldon Mulder, The University of North Carolina.

Second Term, July 23 to August 29

TAXATION

Arthur H. Kent, Assistant General Counsel, U. S. Bureau of Internal Revenue.

FEDERAL PROCEDURE

James Harmon Chadbourn, The University of North Carolina.

AGENCY

Millard Sheridan Breckenridge, The University of North Carolina.

DOMESTIC RELATIONS

Frank William Hanft, The University of North Carolina.

THE LAW BUILDING

The School of Law occupies Manning Hall, named for John Manning, from 1881 to 1899 a distinguished professor in the School. The building was erected in 1923 and, besides being modern and commodious, is particularly notable for beauty of design.

THE LAW LIBRARY

The library has 34,600 well selected volumes on its shelves. These include the reports of the courts of last resort of all the states, either in official volumes or the National Reporter System, and also the United States Supreme Court Reports, The Federal Reporter, The New York Supplement, Illinois Appellate Reports, The English Reports Reprint, The Law Reports (English), The Law Journal Reports, The Law Times Reports, The Times Law Reports, The Dominion Law Reports, the codified laws of each state in the union, the federal and English statutes, and a comprehensive selection of digests, encyclopedias, annotated reports, textbooks, and law journals. It contains, among other material of historical legal interest, the law libraries of Chief Justice Richmond M. Pearson, Chief Justice William A. Hoke, Judge Charles M. Cooke, Judge Charles Thomas, and Judge George T. Willis. The law library was substantially augmented in 1928 by a gift from a former student of the School of \$10,000, called the Lucius Polk McGehee Memorial Fund, which was expended for the purchase of books for the law library.

THE NORTH CAROLINA LAW REVIEW

The North Carolina Law Review, issued quarterly, is published by the School. It is devoted to the discussion of general and local legal problems and new cases, especially those of interest to North Carolina lawyers. The notes on recent cases are prepared by the student editors, in consultation with faculty advisers. Selection of the student editors is made by the faculty on the basis of scholarship, and membership on the editorial board is the highest scholastic honor attainable by a law student before the graduating year.

The Hill *Law Review* Prize, established by George Watts Hill, Esq., of the Durham Bar, is an award of fifty dollars to the student editor who makes the best total contribution to the *Law Review* during the year. It was won in 1935 by Donald William Markham and in 1936 by Staton Pender Williams.

FACULTY RESEARCH ASSISTANTS

The faculty selects annually four assistants from the student body who conduct special research under the direction of the faculty. These assistants are chosen for outstanding proficiency demonstrated in their work as students in the School of Law.

The following students have served as research assistants during the year 1935-36: D. W. Markham, F. M. Parker, W. R. Booth, N. A. Townsend, and P. R. Rankin.

THE ORDER OF THE COIF

In thirty of the leading law schools of this country, conforming to very high standards, chapters of the honorary law school society of the Order of the Coif have been established. Membership is awarded each year to those students of the senior class who throughout their law school careers have attained a standing among the highest ten per cent. of their class. In 1935 the following were elected: J. B. Adams and E. C. Willis, Jr.; in 1936: W. R. Booth, D. W. Markham, and F. M. Parker.

DEGREES

The Degree of LL.B.

The degree of Bachelor of Laws (LL.B.) is conferred upon a regular student who has studied law for a period of at least three academic years, and has passed satisfactory examinations on all required subjects and enough elective subjects to make up an aggregate of seventy-eight semester hours. Two long sessions and three summer sessions of at least ten weeks each are regarded as a compliance with the residence requirement.

The Degrees of A.B. and LL.B.

The University offers a combined curriculum in the College of Arts and Sciences and the School of Law by completing which students may receive the two degrees of A.B. and LL.B. in six years instead of the seven years required for the two degrees in the regular curricula.

Upon the completion of the courses in the General College and the College of Arts and Sciences outlined below, *before matriculation in the School of Law*, and the completion of the first year of Law to the satisfaction of the School of Law, a student may receive the degree of A.B., and, upon the satisfactory completion of the third year of Law, the degree of LL.B.

Prescribed courses in the General College and the College of Arts and Sciences for the two degrees of A.B. and LL.B.:

	FIRST YEAR		SECOND YEAR		THIRD YEAR
	Eng. 1-2-3		Eng. 21-22-23		Econ. 21-22-23 (if not already taken).
	Soc. Sci. 1-2-3		Hist. 21-22-23 or 44-45-46		§English 44 and one other course of 5 quarter hours.
	*Math. 1-2-3				‡Hist. and Polit. Sci. —2 courses of 5 quarter hrs. each.
	Hygiene 1-2-3				Psychology 21-22-23 (if not already taken).
Select one	{ Greek 11-12-13 †French 11-12-13 †German 11-12-13 **Latin 11-12-13 †Spanish 11-12-13	Select one	{ Econ. 21-22-23 Polit. Sci. 31-32-33 History 21-22-23 Hist. 44-45-46 Philos. 21-22-23 Philos. 24-25-26 Sociol. 21-22-23		One Elective of 5 quarter hours (or as many as needed to complete 9 courses above the freshman and sophomore years.)
Select one	{ Biology 1-2-3 Chem. 1-2-3 Geology 11-12-13 Physics 1-2-3	Select one	{ **Latin 21, 24-25 Greek 21-22-23 French 21-22-23 German 21-22-23 Spanish 21-22-23		
		Select one	{ Botany 41, 43 Chem. 1-2-3 or 4-5 or 31 and 41 Physics 21-22-23 Zoölogy 41, 42 Botany 41 and Zoölogy 41 Geology 11-12-13 Psychology 21-22-23		

The Degrees of S.B. in Commerce and LL.B.

The University offers a combined curriculum which leads to the degree of S.B. in Commerce at the end of four years and LL.B. at the end of six years.

The first three years of this combined curriculum are in the General College and the School of Commerce and are devoted to the subjects outlined below. The last three years are in the School of Law and are devoted to the courses prescribed for the LL.B. degree.

The degree of S.B. in Commerce, on this basis, is conferred at the end of the fourth year (first year in Law) provided the student has passed all the work of the first year of Law to the satisfaction of the School of Law.

* Latin 11-12-13 or Greek 11-12-13 may be substituted for Mathematics 1-2-3 provided German or French or Spanish or the other classical language has been chosen as the student's regular foreign language.

† If the student's preparation is not sufficient for the intermediate work, he will take courses 1-2-3, six hours a week, and receive credit for 11-12-13.

** Latin 11-12-13, 21, 24-25 are to be taken by students who have presented two units for entrance. See footnote just above this.

§ The School of Law recommends that the optional course chosen be Advanced Composition, Eng. 52.

‡ The School of Law recommends that the courses in History and Political Science be courses in English and American History or Government.

Prescribed courses in the School of Commerce are as follows:

FIRST YEAR	THIRD YEAR
Biology 1-2-3c	Commerce 51
English 1-2-3	Commerce 71-72
Soc. Sci. 1-2-3	Economics 81-82
Mathematics 1-2-3	Economics 191 or 195
*Modern Language: 11-12-13	Psychology 21-22-23 (if not already taken).
Hygiene 1-2-3	Two courses chosen from the courses offered by the De- partment of Economics and Commerce.
SECOND YEAR	
Economics 21-22-23	
†Economics 11 or 35	
English 21-22-23	
English 45 or 52	
*Modern Language: 21-22-23	
Polit. Sci. 51	
**Natural Science: year course	

The Degree of J.D.

The degree of Doctor of Law (Juris Doctor—J.D.) will be conferred upon students who comply with all the following conditions:

1. Complete the work requisite for the A.B. degree or its equivalent before entrance upon the work of the School of Law.
2. Study law for a period of at least three academic years.
3. Obtain an average grade of B on enough subjects to complete the requirements for the LL.B. degree.
4. Prepare and have accepted for publication in *The Law Review* an article of at least ten pages, or case notes which in the aggregate shall be at least eight pages in length.

The Degree With Honors

The degree with honors will be conferred, upon recommendation of the faculty, upon students selected from the highest one-tenth of the graduating class. In 1935 the recipient of this award was Joel Barber Adams; in 1936, Frank Marion Parker.

SCHOLASTIC REGULATIONS

Mid-semester quizzes will be held in each first-year course in November and in April. At the end of the first semester, examinations will be given in all courses running through the year. Final examinations are held at the end of the first semester in all subjects then completed, and at the close of the year in all other subjects.

The grading of students will be indicated by the letters A (80 and

* The total requirement in modern languages is two years' work of collegiate grade based upon 2 units completed in high school or the equivalent in the elementary courses taken here.

† The course not taken here must be taken as part of the junior work.

** To be selected from the list given under the second year of the curriculum for A.B.-LL.B. above.

above), B (75-79), C (67-74), D (60-66), F (below 60), representing respectively excellent, good, satisfactory, poor, and failed. A student receiving the grade of F (failed) in any subject will be required to repeat the course for credit.

Beginning with the class entering in the fall of 1936, students in the second and third year courses will be given grades of "Passed" or "Failed." The numerical course grades, however, will be recorded in the office. At the end of the year each student will be given his composite weighted numerical average. At the end of the first semester those students whose averages are approaching the danger point will be called in by the Dean for consultation. First year students, however, will continue as at present to receive numerical grades.

Beginning with the class entering in the fall of 1936, each student will be required, in order to remain in school, to attain a composite weighted average of 62 on the first year's work; a cumulative composite weighted average of 65 on the first and second year's work; and a cumulative composite weighted average of 65 on the first, second and third year's work. In order to be eligible to receive a law degree each student will be required to attain a cumulative composite weighted average for the entire three year's work of 67.

The faculty may drop from the school at any time any student who, in their judgment, is not making sufficient progress to warrant his continuing in the School. Any instructor, with the concurrence of the Dean, may drop a student from a course at any time, for unsatisfactory work, poor attendance, or other good cause.

Hereafter no student excluded from the Law School for deficiencies of scholarship may be readmitted except by taking, with the approval of the Dean, re-examinations in those courses where he has done his poorest work, and by attaining such grades thereon as will raise his cumulative composite average to the required level. No special examinations will be given. The student will be required to take the examinations when they are later regularly held in the respective courses. The grade attained on the re-examination shall be final, even though lower than that received on the original examination.

NUMBER OF HOURS OF WORK REQUIRED AND PERMITTED

The normal amount of work is thirteen class hours a week. The absolute maximum is fifteen. Students taking courses in other departments of the University, or who are carrying burdensome responsibilities, or who are deficient in their work, will be required to register for less than the normal Law School work.

No student taking fewer than ten hours will be considered as complying with the residence requirements for University degrees or for the State Bar Examination. Special regulations are applicable to the Summer Session.

DIVISION OF ACADEMIC YEAR: DATES

Work in the School is divided into two semesters instead of into three quarters. The first semester begins at the same time as the fall quarter of the College of Arts and Sciences, and ends on the last Saturday in January. The second semester begins on Monday after the last Saturday in January and ends at the same time as the third quarter of the College of Arts and Sciences. The first day of each semester is Registration Day. The fee for late registration in either semester is \$5.00.

Beginning students may enter the School in the summer session, or at the opening of the first semester in the fall. They may not enter at the beginning of the second semester.

STUDENTS FROM OTHER STATES

While greater emphasis is placed upon North Carolina decisions and statutes than upon those of the other states, the legal doctrines are studied as part of the Anglo-American common law system and the case-books used are selections of cases taken from the American and English jurisdictions. Students from other states are encouraged to investigate the decisions and statutes of their own states in regard to the questions discussed, and the law library provides the materials necessary for such investigation. The law course as a whole is designed to prepare the student in the fundamentals of the common law in such a manner as to fit him for practice in any state.

SUBJECTS OF INSTRUCTION

All subjects in the first year are prescribed. Those in the second and third years are elective, but second-year students may not elect third-year subjects except by permission of the Dean.

FIRST YEAR

<i>First Semester</i>	<i>Hours</i>	<i>Second Semester</i>	<i>Hours</i>
Administration of Justice.....	2	Civil Procedure I	3
Contracts I	3	Contracts I (continued).....	3
Criminal Law	3	Legal Bibliography	1
Personal Property	2	Real Property I	3
Torts	3	Torts (continued)	3

SECOND YEAR

Agency	3	Civil Procedure II (continued).....	2
Civil Procedure II	2	Credit Transactions (continued).....	3
Contracts II	3	Domestic Relations	3
Credit Transactions	3	Insurance	3
Criminal Law Administration	3	Local Government	3
Equity	4	Negotiable Instruments	4
Real Property II	3	Wills	3
Vendor and Purchaser	2		

THIRD YEAR

Corporations	4	Appellate Practice	2
Debtors' Estates	3	Conflict of Laws.....	4
Evidence	4	Constitutional Law	5
Future Interests	3	Public Utilities	3
Labor Law	3	Trusts	3

DESCRIPTION OF COURSES

First Year

ADMINISTRATION OF JUSTICE

The organization, objectives, ethics, and training of the legal profession; the organization and functions of the judiciary. *Sunderland's Cases on Judicial Administration. Two hours, first semester.* Mr. Van Hecke.

CIVIL PROCEDURE I

The development of the English and American court systems, and of the various forms of action, at common law and under the codes; a cross-section of modern code pleading and procedural problems. *Clark's Cases on Procedure, Vol. I. Three hours, second semester.* Mr. Markham.

CONTRACTS I

Contract problems arising in the fields of employment, construction projects, gratuities, loans, and sales of chattels. *Havighurst's Contract Cases. Three hours, both semesters.* Mr. Mulder.

CRIMINAL LAW

Introduction: the problem of criminal justice. The history of criminal procedure, nature and elements of a crime, act and intention. Attempts, jurisdiction, consent, recrimination and condonation, culpability as affected by necessity, duress, coverture, infancy, insanity, etc. Justification and excuse, self-defense. Parties. Criminal conspiracy. Former jeopardy. Specific crimes: homicide, rape, assault, larceny, embezzlement, false pretenses, receiving stolen property, robbery, burglary, arson, forgery, perjury. *Sayre's Cases on Criminal Law. Three hours, first semester.* Mr. Coates.

LEGAL BIBLIOGRAPHY

A practical course in the use of law books. The problems assigned require finding authorities upon concrete fact situations through the use of digests, encyclopedias, textbooks, annotated cases, and constitutional and statutory sources. *Law Books and Their Use* (6th. ed.). *One hour, second semester.* Miss Elliott; Mr. Van Hecke.

PERSONAL PROPERTY

Distinction between real and personal property. Possession. Bailment. Rights of finders. Liens. Pledges. Acquisition of ownership. Fixtures. Emblements. *Bigelow's Cases on Personal Property* (2nd. ed.). *Two hours, first semester.* Mr. McCall.

REAL PROPERTY I

Historical background of feudal system of land tenures in England and tenure in the United States. The creation of estates in land, free-hold and non-freehold; their characteristics and incidents. Conveyances at common law. Concurrent estates in land. Reversions and remainders. Incidents of possessory ownership, including lateral and subjacent support, use of streams and of surface and percolating waters, and freedom from interference with and restrictions on enjoyment of ownership. Uses. *Powell's Cases on Possessory Estates. Three hours, second semester.* Mr. McCall.

TORTS

Principles of tort liability as developed in the action of trespass; justification and excuse; negligence as a basis of liability; common law and statutory duties of care; legal cause; contributory negligence; absolute liability; deceit; defamation; malicious prosecution and abuse of process; interference with social and business relations. Bohlen and Harper's *Cases on Torts*. Three hours, both semesters. Mr. Wettach.

Second and Third Years**AGENCY**

Distinction between agency and other legal relationships. Express, implied, and apparent authority of agent; liability of disclosed and undisclosed principal to third party in contract and in tort; liability of agent to third party and of third party to principal and agent; ratification of unauthorized acts; termination of agency. Assigned problems will also be given in the law of workmen's compensation. Steffen's *Cases on Agency*. Three hours, first semester. Mr. Breckenridge.

CIVIL PROCEDURE II

A consolidation of the problems formerly treated in the courses in code pleading, trial procedure, and a part of trial and office practice. It emphasizes the proceedings in actions brought under the code system of procedure from their commencement, through the pleading and trial stages, to appellate review and the enforcement of final judgment. Clark's *Cases on Procedure*, Vol. II, and Hinton's *Cases on Trial Practice*. Two hours, both semesters. Mr. Markham.

CONTRACTS II

The consequences of various types of defects in the formation and performance of contracts; legal and equitable remedies, including reformation, cancellation, and quasi-contractual relief; conditions; impossibility; fraud and misrepresentation; duress; undue influence, economic pressure; mistake of fact and law. Patterson's *Cases on Contracts*, Vol. II. Three hours, first semester. Mr. Mulder.

CREDIT TRANSACTIONS

Devices employed in furnishing security, including suretyship, guaranty, mortgages, deeds of trust, trust receipts, pledges, and conditional sales. Treated from the standpoint of problems gathering about the bargain at various stages from inception to completion, and the objectives obtainable by different forms of transaction. Sturges's *Cases on Credit Transactions* (2nd ed., 1936). Three hours, both semesters. Mr. Hanft.

CRIMINAL LAW ADMINISTRATION

Organization and procedure in criminal courts: city, county, state, and federal; machinery and methods for prevention of crime, detection, apprehension, and trial of criminals; agencies for punishment, probation, pardon, and parole. Keedy's *Cases on Administration of Criminal Law*. Three hours, first semester. Mr. Coates.

DOMESTIC RELATIONS

Legal problems involved in (1) Marriage and Divorce and in the relations of (2) Husband and Wife, (3) Parent and Child, (4) Property, Contracts and Torts of Married Women and Infants. McCurdy's *Cases on Domestic Relations*. Three hours, second semester. Mr. Coates.

EQUITY

The historical development of courts of equity in England and America; the fusion movement; equitable defenses and transfer acts; the procedural problems connected with specific performance, injunction, contempts, and declaratory judgments. Clark's *Cases on Procedure*, Vols. I and II (parts). *Four hours, first semester.* Mr. Van Hecke.

INSURANCE

The doctrines of law peculiarly applicable to the more important branches of the insurance business will be treated from the standpoint of their relations to economic functions, to business practices, and to other legal and social institutions, with frequent emphasis on current problems. The topics dealt with include: types of insurance organizations; state supervision and control of the insurance business; the interests protected by insurance contracts; the selection and control of risks; the distribution of insurance coverage and service; the adjustment of losses. Patterson's *Cases and Materials on Insurance*. *Three hours, second semester.* Mr. Mulder.

LOCAL GOVERNMENT

Constitutional limits within which the cities, counties, and state may operate; functions performed by the various local governmental units; their interlocking, overlapping, and conflicting interests. Seasongood's *Cases on Municipal Corporations*. *Three hours, second semester.* Mr. Coates.

NEGOTIABLE INSTRUMENTS

Form and content of checks, drafts, notes, and trade acceptances; their use in the business and banking fields, negotiability, acceptance, and certification; rights of holder in due course and liability of parties; clearance and collection of checks, presentment, notice of dishonor; the provisions of the negotiable instruments law. Britton's *Cases on Bills and Notes* (2nd. ed.). *Four hours, second semester.* Mr. Breckenridge.

REAL PROPERTY II

Possessory titles. Prescription. Accretion. Mode of conveyance at common law, under the Statute of Uses, and under modern statutes. Execution of deeds. The property conveyed. Creation of easements by implication. A brief review of estates created. Covenants for title. Estoppel by deed. Priorities. Aigler's *Cases on Titles* (2nd. ed.). *Three hours, first semester.* Mr. McCall.

VENDOR AND PURCHASER

The real estate contract: Statute of Frauds, performance of the contract, rights of parties pending transfer of title, equitable conversion, remedies, assignments. Handler's *Cases on Vendor and Purchaser*. *Two hours, first semester.* Mr. Mulder.

WILLS AND ADMINISTRATION

The substantive and adjective law of wills. The administration of estates, including the management, distribution, and settlement of intestate estates. Mechem and Atkinson's *Cases on Wills and Administration*. *Three hours, second semester.* Mr. McCall.

Third Year

APPELLATE PRACTICE

What is reviewable; methods of review; parties to proceedings for review; laying a foundation for review; proceedings for transfer to reviewing court; effect of transfer to reviewing court; disposition of case upon review. *Sunderland's Cases on Trial and Appellate Practice. Two hours, second semester.* Mr. Markham.

CONFLICT OF LAWS

Jurisdiction of courts and foreign judgments. The applicability of rules of foreign or extra-state law in respect to procedure, torts, workmen's compensation, contracts, sales, mortgages, business organizations, domestic relations, and administration of estates. *Lorenzen's Cases on Conflict of Laws (3rd. ed.). Four hours, second semester.* Mr. Breckenridge.

CONSTITUTIONAL LAW

Judicial function of giving effect to constitutions. The national state and its governmental organization. Citizenship, national and state. Due process and equal protection of the laws. Retroactive laws. Eminent Domain. Regulation of commerce.

Separation and delegation of governmental powers. Administrative boards and officers. Administrative discretion, notice, hearing, jurisdiction, conclusiveness of determination and judicial control. *McGovney's Cases on Constitutional Law (2nd. ed., 1935). Five hours, second semester.* Mr. Wetach.

CORPORATIONS

The nature of a corporation; promotion of corporations; corporate powers; corporate liability for torts and crimes; unauthorized corporate action, including doctrines of *de facto* corporations, and *ultra vires* acts; officers, stockholders, and creditors of corporations. *Richards's Cases on Corporations (3rd. ed.). Four hours, first semester.* Mr. Breckenridge.

DEBTORS' ESTATES

Methods of liquidation of the estates of insolvents; compositions and assignments for the benefit of creditors; receiverships; bankruptcy, administration thereunder. *Sturges's Cases on the Administration of Debtors' Estates. Three hours, first semester.* Mr. Hanft.

EVIDENCE

Judicial notice. Presumptions and burden of proof. Functions of court and jury. Witnesses: examination, competency, and privilege. Rules of exclusion: evidence illegally obtained; the hearsay rule and its exceptions. Rules as to writings: evidence of authenticity; best evidence rule; parole evidence rule. Opinion evidence. Remote and prejudicial evidence. Character and reputation. *Morgan and Maguire's Cases on Evidence. Four hours, first semester.* Mr. Markham.

FUTURE INTERESTS

The classification of future interests, including rights of entry for condition broken, reversions, vested and contingent remainders, Rule in Shelley's Case, and future interests in personal property; the construction of limitations in deeds and wills; powers; the rules against perpetuities; and illegal conditions and restraints on alienation. *Leach's Cases on Future Interests. Three hours, first semester.* Mr. McCall.

LABOR LAW

Legality of means and objects of labor organizations. Various forms of pressure (such as strikes, lockouts, and boycotts) used to secure contracts more favorable to either party. Injunctions and damages in labor disputes. Federal jurisdiction over labor disputes. Regulatory labor legislation with particular reference to recent federal legislation. Landis's *Cases on Labor Law*. Three hours, first semester. Mr. Wettach.

PUBLIC UTILITIES

Railroads and other carriers; electric, gas, water, telephone and telegraph companies; other businesses affected with a public interest. Liability, rates, service. Commission regulation. Smith and Dowling's *Cases on Public Utilities* (2nd. ed., 1936). Three hours, second semester. Mr. Hanft.

TRUSTS

Historical development of uses and trusts, formal elements of the trust structure, some modern uses of the trust in connection with the family, taxation, business, security, and charitable gifts; purposes effected by equity through the use of the trust device, some problems of trust administration, the trust and third persons. Carey's *Cases on Trusts*. Three hours, second semester. Mr. Van Hecke.

ADDITIONAL OPPORTUNITIES OF UNIVERSITY LIFE

Students in the School of Law may be admitted to the courses given in the other departments and schools of the University, subject to the rules stated as to the number of hours which a student may take, and subject to the approval of the Dean of the School of Law. A student taking such a course must satisfy the entrance requirements for the course selected.

No law student shall be eligible to participate in major extra-curricular activities (such as intercollegiate athletics, either as player or manager; executive positions upon the Tar Heel and Yackety Yack; president of the student body; and others to be listed by a committee of the Law faculty) unless he maintains a B average in his Law School work. During the first semester of his first year this is to be determined by the last year of his college record and the November quiz grades in the Law School.

As students of the University, law students enjoy all privileges of the University library, the University gymnasium, and the organizations of the University generally—literary, social, and athletic.

For information as to loan funds, address *The Student Loan Fund Section, The University of North Carolina, Chapel Hill, N. C.*

For further information as to requirements for admissions, or as to living conditions, address *The Dean of Admissions, The University of North Carolina, Chapel Hill, N. C.*

For information as to courses or other matters pertaining particularly to the School of Law, address the *Dean of the School of Law, The University of North Carolina, Chapel Hill, N. C.*



THE UNIVERSITY OF NORTH CAROLINA



Statement made by President Frank P. Graham to the Board of Trustees, at Greensboro, May 30, 1936, concerning the Coördination and Consolidation of the three Institutions which compose The Consolidated University of North Carolina.



The University of North Carolina at Chapel Hill
Founded 1789

North Carolina State College of Agriculture and Engineering
at Raleigh
Founded 1887

The Woman's College at Greensboro
Founded 1891

CHAPTER I
THE FOUNDING OF THE NATION
The first European settlers in North America were the Pilgrims, who arrived in 1620 on the Mayflower. They established the Plymouth Colony in Massachusetts. The Pilgrims were seeking religious freedom and a better life. They faced many hardships, but they persevered and built a successful community. The Pilgrims' story is a testament to the American spirit of freedom and self-reliance.

CHAPTER II
THE REVOLUTIONARY WAR
The American Revolutionary War was fought between the thirteen original colonies and Great Britain from 1775 to 1781. The war was fought over the issue of self-governance. The colonists wanted to be free from British rule and to have their own government. The war ended with the signing of the Declaration of Independence in 1776 and the Treaty of Paris in 1783. The United States was born.

CHAPTER III
THE CONSTITUTION
The Constitution of the United States was written in 1787. It is the supreme law of the land. The Constitution sets out the structure of the federal government and the rights of the states and the people. The Constitution is a masterpiece of political thought and has served the United States well for over two centuries.

CHAPTER IV
THE WESTERN EXPANSION
The Western Expansion of the United States was a period of rapid growth and discovery. From 1800 to 1850, the United States expanded its territory from the Atlantic coast to the Pacific Ocean. The expansion was driven by the desire for land, resources, and new markets. The West was a land of opportunity and adventure. The expansion also brought with it the challenges of slavery and the treatment of Native Americans.

CHAPTER V
THE CIVIL WAR
The American Civil War was fought from 1861 to 1865. It was a war over the issue of slavery. The Southern states seceded from the Union because they wanted to keep slavery. The Northern states fought to preserve the Union and to end slavery. The war ended with the Union's victory and the signing of the Emancipation Proclamation in 1863. The Civil War was a turning point in American history.

CHAPTER VI
THE RECONSTRUCTION
The Reconstruction period was a time of rebuilding and reform. It lasted from 1865 to 1877. The Southern states were brought back into the Union, and the rights of African Americans were protected by the Reconstruction Acts. The Reconstruction period was a time of great change and progress, but it also faced many challenges and setbacks.

CHAPTER VII
THE Gilded Age
The Gilded Age was a period of rapid industrialization and economic growth. It lasted from 1870 to 1900. The United States became a world power. The Gilded Age was a time of great wealth and opportunity, but it was also a time of corruption and social inequality.

CHAPTER VIII
THE PROGRESSIVE ERA
The Progressive Era was a time of reform and social change. It lasted from 1890 to 1920. Progressives sought to improve the lives of the poor and to reform government. The Progressive Era was a time of great achievement and progress, but it also faced many challenges and setbacks.

CHAPTER IX
THE INTERWAR PERIOD
The Interwar Period was a time of relative peace and stability. It lasted from 1918 to 1939. The United States emerged as a world power. The Interwar Period was a time of great change and progress, but it also faced many challenges and setbacks.

CHAPTER X
THE SECOND WORLD WAR
The American Civil War was fought from 1861 to 1865. It was a war over the issue of slavery. The Southern states seceded from the Union because they wanted to keep slavery. The Northern states fought to preserve the Union and to end slavery. The war ended with the Union's victory and the signing of the Emancipation Proclamation in 1863. The Civil War was a turning point in American history.

PRESIDENT GRAHAM'S STATEMENT CONCERNING CONSOLIDATION

As we reëxamine the consolidation of the Woman's College, State College, and the University at Chapel Hill, we recall the statement of the governor, the act of the legislature, the recommendations made by the distinguished experts, the adaptations made by the State Commission, the 1932 resolution of the Board of Trustees, the responsibility for further studies by the trustees' committee on consolidation, the report of the state committee on engineering, the many meetings and studies of the University Council of institutional and faculty representatives, the studies of the trustees' committee, the recommendations of the president, and the action of the trustees' committee, the executive committee, and the full board.

It is recalled that several years ago the members of the Board received the report of the Commission on Consolidation which included the survey of the experts. We recall that the president and controller prepared and sent to each member of the Board last spring a book of reports, memoranda, recommendations, and other materials in fifteen sections on the question of engineering and consolidation. The pamphlet prepared by Mr. John Sprunt Hill was properly sent by him to all members of the Board. We recently sent to you the resolutions of the faculty of the University at Chapel Hill and of the faculty of State College, both as worthy of your serious consideration.

In our present deliberations, we must not only consider such valuable materials, but we must also reconsider the whole matter from the several basic viewpoints: first, the possibilities and implications of no consolidation at all; second, complete physical consolidation of all three institutions on one campus; third, the administrative coördination of differentiated schools; and fourth, the functional consolidation of duplicating schools.

NO CONSOLIDATION?

As to the proposal for no consolidation at all, we must remember we are under the legislative mandate to consolidate. We have spent three years in the process and are now set up on a consolidated administrative, budgetary, and functional basis. It was partly through such a united front that the public schools and higher public education in North Carolina with all the frustrations, cuts, and scars of the depression, were enabled to come through with hopes vigorous for another advance in public and higher education in our state. Many of us still shudder to think

what might have happened in several of the darkest times if public education had presented a broken and disunited front to both panic stricken friends and determined opponents of a decent support of the public schools and institutions.

To reverse the consolidation process now would be a waste of time, thought, and plans for the long run consolidation of functions and values basic to the building of a great threefold university in its manifold but united services to the people of North Carolina. To go back to the old status now would set in motion antagonisms, a competitive race for available appropriations, and a reduplication of functions on the higher levels that would damage the cause of education in general and of higher education in particular.

Already there was in prospect the building of four and possibly six graduate schools to be supported by the state. In the course of the decades these developments would have meant that North Carolina could not have supported any graduate school of the first rank. Instead of choosing to build a consolidated university with a preëminent graduate school we can choose to build a number of second rate universities with the quality of the basic schools and colleges drained off at the top by a half dozen inadequate graduate schools. Consolidation of state supported graduate work in North Carolina will save and advance a university of distinguished resources and opportunities. We could choose the simpler and softer way of making no real consolidation at all or take the more difficult and complicated way of planning and guiding the development and consolidating the strength and values of three state institutions of higher learning in the service of youth and the state.

COMPLETE PHYSICAL CONSOLIDATION?

At the opposite end from no consolidation at all was the proposal for complete physical consolidation of the three institutions on one campus. Physical consolidation is theoretically the one complete answer to the complicated problem. Any other answer is theoretically and logically imperfect. But this answer is now humanly, historically, financially, and as a matter of public policy, impossible without wreckage of institutions and damage to the whole state. A half century ago the University rejected the possibility of such a development. Meantime the state has invested upwards of six, seven, and ten millions of dollars respectively in the plants at Raleigh, Greensboro, and Chapel Hill. We have alumni bodies respectively of eleven, fourteen, and eighteen thousands. Precious human treasures of loyalty and spirit are deposited deep in the local soils of these places. By a long established public policy they

are historically separate institutions, twenty-nine, fifty-one, and eighty miles apart, about which cluster devoted traditions and high associations of student generations reaching back half a century and a century and a half.

Furthermore the consolidation act provides that the North Carolina State College of Agriculture and Engineering shall be located at Raleigh and shall be known as the North Carolina State College of Agriculture and Engineering of the University of North Carolina and that the Woman's College shall be located in Greensboro and shall be known as the Woman's College of the University of North Carolina. It is also provided that the final location of all schools, departments, and divisions of work now located at any of the three institutions should be subject to the study and recommendation of the experts and the commission without prejudice by any provision in the act. It was further provided that the governor submit the report of the commission to the trustees and the report as approved or modified by the Board shall be the rules and regulations of the Consolidated University until changed or amended by the Board.

The experts and the commission had the freedom to recommend the final location of all the schools, departments, and divisions in any place or places they chose, even to the point of requiring a change in the name and location of institutions specified in the law. Under the law as it stands, however, there can be no complete physical consolidation in Chapel Hill or anywhere.

Complete physical consolidation of these three institutions is, it appears, legislatively, traditionally, and financially impossible. We respect these institutions and have the double public obligation not to destroy any one of them but to develop all of them to the limit of their purposes and consolidate them to the highest possible point of practicable wisdom, functional capacities, and educational values.

Though physical consolidation is the complete logical answer to the problem of consolidation, there are real compensations in its impossibility. The bigness of modern universities, developed to the point of becoming great educational factories for mass production, sometimes comes at the price of the finer and more intimate associations of smaller institutions and to the hurt of the spiritual quality of the more excellent life of an uncrowded place. We can in our consolidation be one in three and three in one with the distinct qualities, associations, and loyalties of the smaller institutions preserved in the traditional localities, yet united in functions, values, and services for the whole state.

INSTITUTIONAL COORDINATION OR FUNCTIONAL CONSOLIDATION?

It seems then that no consolidation is unwise and complete consolidation is impossible. Our duty as officers and trustees, who have accepted the obligations of a public trust, is to accept our responsibility and consolidate to the limit of possibility and wisdom. The question is not limited to any one school or centered at the point of any one special institutional interest but involves the consideration of all the duplicate schools and curricula on the higher and graduate levels in the whole University. We found within the University what in effect were duplications of curricula on the upper levels in library schools, science, business, education, engineering, three incipient graduate schools, and the possibility in the state of six graduate schools to be supported by the state. The question arose, should there be simply a coördination of the work of the several duplicating schools and curricula or should there be consolidation of these schools with no duplication of the schools and curricula on the upper and graduate levels? The mere coördination of the work, without breaking up the unity of the group of courses devoted to library science or business administration or engineering, does not eliminate duplication on the upper and graduate levels. In the case of education, one suggested answer was the consolidation of all three departments at the University center in Chapel Hill. We have effected such a consolidation at Chapel Hill as far as it was practicable and wise with elementary education for men, secondary education, and graduate work in elementary education, secondary education, administration, supervision, and all other graduate work except in agriculture and industrial arts consolidated at Chapel Hill. The Woman's College by its foundation, function, facilities, and services had, as a teachers' college, and has, as a woman's college, one of its highest purposes in the training of teachers. If the Woman's College is to carry on a fundamental part of its great function, it must provide not only for the training of elementary women teachers, but also for the training of secondary women teachers as a coördinate undergraduate woman's college of arts and sciences. If State College is to carry on a vital part of its fundamental mission, it must provide for the training of teachers of agriculture and industrial art for which there is functional provision only at State College. Except for the recognition of the coördinate place of the Woman's College and the functional set up of State College, all work in education is concentrated at Chapel Hill with no duplication in schools or curricula on the upper and graduate levels. The coördinate function of the Wom-

an's College as a distinctly woman's college makes necessary the provision on the undergraduate level for secondary education for women at Greensboro and for elementary education for men at Chapel Hill. The plan thus worked out provides in its development for meeting with a various but complete curriculum the teacher training needs of our state.

This principle, which has thus been applied in the coördinated division of education, has been applied, without the necessities of such coördination, in the outright consolidation of the duplicating curricula of the library schools at Chapel Hill and of science and the business schools at Chapel Hill. The Woman's College at Greensboro has been coördinated with the college of arts and sciences at Chapel Hill. With the working principle of having no duplication in schools and curricula on the upper and graduate levels, we have followed through in coördinating and consolidating three departments of education, in consolidating two library schools, two science curricula, and two schools of commerce. The University at Chapel Hill has been the logical and educationally valuable focus of all these consolidations. On the basis of the working principle, shall we follow through in the consolidation of the two engineering schools, and if so, where?

THE ENGINEERING SCHOOLS

The proposal is made that we do not consolidate the two engineering schools but that we either maintain them as separate schools or that we differentiate and coördinate them as two separate divisions of one school. Some five proposals, overlapping in parts, have been made as to the basis of such a differentiation between the engineering work to be given at Chapel Hill and at Raleigh: first, the basis of a major and minor function; second, the separation of branches; third and fourth, two proposals for two distinct types of engineering schools; and fifth, the development of one school of engineering and one school of industries.

The first proposal envisages "two sets of objectives of each institution: major objectives in which duplication will be avoided and prevented, and minor objectives which depend for their existence upon economy and necessary service in the unit in which they are found." Thus engineering might be, it was suggested, a major objective at Raleigh and a minor objective at Chapel Hill and business administration might be a major objective at Chapel Hill and a minor objective at Raleigh. The service courses, necessary to a major objective, thus become the nucleus of an independent school. However, we are concerned that basic and cultural service courses find a high purpose and a more vital value in becoming, not so much an independent school and detached in

their ends from the functional schools but more basic to and a more vital part of these schools. Moreover, we have not been able to find a clear and resolute basis for preventing a minor function from becoming of its own processes a duplicating major function in reversal of consolidation.

A second proposal would provide for two coördinated divisions of one engineering school with some branches of engineering in Raleigh and other branches in Chapel Hill. This does not seem to us the wisest educational procedure. The interrelation of mechanical, civil, electrical, and chemical engineering is basic and strong. It is not a sound answer to break up the valuable unity of either engineering school when it is functionally practicable and educationally valuable to consolidate the two schools in one place.

The third suggestion would provide for the maintenance of both of the present engineering schools on the college level, both giving the fundamental branches but differentiated in emphasis and coördinated in values. The engineering school at State College under this plan would be more practical, less professionally scientific, and more adapted to preparing men for the specific needs of industries. The engineering school at Chapel Hill would accordingly be more professional, more highly scientific and investigative, and adapted to preparing men for the general practice of engineering as a profession. There is, it seems to us, no stable basis for such a demarcation between engineering schools on the college level. The quality, standards, and values of any engineering school on the college level are determined by the quality, standards, and excellent work of the staff and students. With both engineering schools rightly striving for excellence in the quality and work of staff and students, the line of differentiation becomes less and less in the fact of two engineering schools in the same University. Such a basis of consolidation would likely raise the question of finding some such basis for two library schools, two schools of commerce, and all other duplicating curricula on the upper levels.

The fourth interesting suggestion, made by a distinguished practising engineer, unconnected with either institution, would have "the School of Professional Engineering limited to Chapel Hill." This was not to be done by way of "reducing the A. and E. College to the status of a Junior College" as was recommended but "to perfect the plan on which the school was started; namely, that of a college of Agriculture and Mechanic Arts" and "to make the College at Raleigh the best agricultural and textile school in the country, a part of the University, its graduates ranking equal with the graduates at Chapel Hill and Greensboro, but devoted

to a specialized type of education to meet the needs of this day." There would, it was pointed out, be no duplication in the work at the two institutions. The two schools would accordingly prepare engineers for "two distinct fields," a small number of "professional engineers" for a limited field and a large number of "technically trained" or "artisan engineers" to meet the heavy, more specialized needs of industry as "technicians, operators, superintendents, and employees of industrial plants" who will be "the mainstay of industry but only a few of whom will rise to be recognized as men of outstanding ability and position."

We hold that the need for the training of such technicians can best be met by technical institutes. In "A Study of Technical Institutes" published by the Society for the Promotion of Engineering Education, it is pointed out that industry in an average year could absorb 40,000 to 50,000 men so trained and that technical Institutes might thrive in most cities of 50,000 or more. The study goes on to point out that "the situation warrants a great expansion of technical education above the secondary level . . . and that a need exists in our post-secondary scheme of education for a large number of technical schools giving a more intensive and practical training than provided by the engineering college.

"These schools should train principally for supervisory and technical positions in particular industries and to a less extent for engineering work of a general character." It was emphasized in this study that "the largest field to be served by the technical institutes appears to be that of training men in the specific methods and skills of particular industries rather than that of generalized engineering courses of broad aims. The former is not largely occupied by the colleges and probably rightly so, while the latter field is widely and fairly adequately covered." This work, then, should be post-secondary but not collegiate in character. When non-collegiate work is included in the services of the college, it should be at extension centers or in short courses outside the regular curriculum. The vast unfilled need in industrial America for industrial technicians can be met more adequately on the post-secondary level by technical institutes or similar agencies rather than by colleges and universities. The engineering work at State College in the plans of consolidation on the college and university level should not tend toward a trade school, a technical institute, the old college of mechanic arts or a school for "artisan engineers."

The fifth proposal is to have at Chapel Hill the professional school of engineering and at Raleigh a strong school of industries. It is well pointed out that we already have the nucleus for such

divisions in the engineering school at Chapel Hill and the textile school at Raleigh. The consolidated University should in this view be prepared for "the development of two distinct types of engineer: the one, the broadly educated engineer who will engage in general practice and the more specialized type of engineer who will enter industry as a life work." If the school of industries is to have more of the nature of a technical institute, then it does not belong to the college except, as suggested, in short courses or at extension centers. In so far as the school of industries or the technology of specific industries is included or is to be included in the college, it should have underneath and as a part of itself the strength, standards, breadth, and richness of the basic general college undergirding the basic years and reënforcing the upper more specialized years without duplication of schools or curricula. Such a school of industries, even though developed along different lines, is, on the college level, at the same center a proper companion of a high grade college engineering school.

The agricultural, technological, and engineering concentration the Board of Trustees has in mind for State College would not be overweeningly technical or narrowly industrial, but broadly based and reënforced by the general college. The general college without duplicate schools or degree granting curricula is to be a vital part of rather than apart from the schools and departments of agriculture and forestry, textiles, engineering, and vocational education. The faculties of both the general college and the technological schools as already provided by the Board will share in the making of the various curricula of the two year general college and in the making of the curricula of the upper years of the technological schools to the end that the necessary pre-technological will be in the basic general years and some of the general and cultural will be continued in the more specifically technological years. Moreover, we expect to see some students who take their bachelors' degrees at Chapel Hill take their technological and engineering degrees at State College and who take their bachelors' degrees at the Woman's College take the textile degrees at State College. Already an increasing number of students are going with their bachelors' degrees from the University at Chapel Hill to take the textile degrees at Raleigh. We would not make technological and engineering separations between Raleigh and Chapel Hill, but rather a concentration at Raleigh of the agricultural, industrial, and engineering schools as parts of a stronger united college in a stronger united university devoted to the training of youth in excellence and to the building to the highest levels the manifold life of all our people.

Such a concentration in Raleigh will be neither at the expense of the basically cultural in the technological schools, which constitute State College, nor at the expense of the basic sciences which are at the heart of the college of arts and sciences and the graduate school at Chapel Hill. In so far as the humanities, exact sciences, business, and social science are needed as service courses in agriculture, forestry, engineering, textiles, and vocational education, they will rightfully be given at State College but without duplication in schools or curricula. In so far as engineering courses are proper service courses in the curricula at Chapel Hill, as for example sanitary engineering in the division of public health, they will be given but without duplication in schools or curricula.

The expressed fear that the agricultural, industrial, and engineering concentration at State College will be at the expense of the basic scientific departments at Chapel Hill is not well founded. Strong scientific departments are required for agriculture, forestry, textiles, vocational education, which are already at State College. Further strengthening for engineering is to be through careful studies for the optimum use of the available money and the money released by contractions in duplicating curricula. During the past year there has been a marked strengthening in the staff and equipment of both the chemistry department at Chapel Hill and the chemical engineering department at State College. One of the most distinguished professors of chemistry in the country came into the University faculty this year and another of the eminent younger American leaders in physical chemistry enters the chemistry department next September. More professors with their doctors' degrees have been added to the departments of mathematics and chemical engineering at State College during this current year than were ever included in those departments in all the rest of their history. These men came with good records from the best universities and institutions in this country and were added simply by way of wise replacements in the existing staff and not at the expense of any other department or institution, and not to the disadvantage of additional selections to be made for the consolidated departments. The biological and medical departments have been strengthened at Chapel Hill during the past year or two with young men of high excellence added in the lower ranks. Moreover, a nationally distinguished physicist has been made head of the department of physics; and in the long run, equally important is the fact that one of the coming young physicists of the country who did distinguished work at Hopkins and more recently as an honored fellow at the Bohr laboratories at Copenhagen has come into the physics department at Chapel

Hill this year. The strengthening of the German department with two other scholars of distinction has added basically to the scientific spirit and tools at Chapel Hill. The strong biological faculty at State has not impaired but rather has reënforced the strength of the biological departments at Chapel Hill. We see not a decline but an advance in the basic sciences at Chapel Hill. Let us take courage and rejoice in every advance and on any front of the whole University.

The Board of Trustees by long and lawful custom has placed upon the President responsibility under the Board for the selection of the staff and the making of the budget of the whole University. It is hardly necessary for him to say that, because he shares this responsibility with administrative officers and elected faculty representatives in faculty advisory committees in each institution, he has not by this direct democratic faculty participation abdicated from his executive responsibility under the Board and that the composite budget will not be made at the expense of the staff or the basic sciences or any other basic courses in any member institution. A sincere regard for the present work and future development at State College is, we trust, only a part of a larger conception of the functions and future development of all three institutions to the highest reaches of their capacities and opportunities within the framework of a functionally consolidated, deeply resourceful, and widely serving university of the people.

CONCLUSIONS

The functional coördination of the Woman's College as a distinctly woman's college of arts and sciences, the agricultural, technological, and engineering concentration at State College, and finally the graduate concentration at the University in Chapel Hill are all organized to the high ends of a democratic state. Consolidation reaches its height in the graduate school. At the University in Chapel Hill we have the concentration of graduate work in the humanities, natural sciences, and social sciences. At Chapel Hill are to be administered and given all doctor's degrees, whether through the resources here or through our consolidated resources, and all other graduate, postgraduate, and professional degrees except the professional, postgraduate, or master's degrees in home economics and secretarial science at the Woman's College, and in agriculture, forestry, engineering, textiles, and vocational education at State College.

We can, through our consolidated graduate resources of all three institutions, the coöperation of the Central Agricultural Experiment Station at Raleigh, the Institute for Research in the

Social Sciences at Chapel Hill, the University Press, the Agricultural Extension Division at State College, and the Extension Divisions of all three institutions consolidate a research and extension program for knowing the needs, developing the resources, advancing the opportunities, and enriching the life of all the people of our state.

Out of the many reports, memoranda, studies, and exchanges of responsible, appointed, and elected committees, out of long consideration and much thinking of many people, have emerged these four working principles adopted by the Board on the recommendation of the president as the bases for the consolidation of duplicating schools, the coördination of three institutions, and the unification of the state program of higher education.

First, provision for two years of fundamental and cultural courses throughout the three institutions with no duplication in schools or curricula on the upper and graduate levels. The courses of the first two years will not be uniform but basic with variations according to the function of the college and the aptitudes and choices of the students.

Second, the coördination of the Woman's College as a distinctly woman's college of arts and sciences with no women students admitted at Raleigh or Chapel Hill in the first two years. To round out a complete college of liberal arts, three new departments have been added at the Woman's College this year as a part of this coördination as recommended by faculty committees: first, courses in Greek as a part of the new department of classical civilization; second, an independent art department as part of the college of arts and as a focus for all the art work of the college; and third, a department of philosophy. We recall that the recovery of the ancient Greek learning led to the discovery of a new world, and we hope that its inclusion in the curriculum of the Woman's College will lead to a revival of the classical learning for those few who drink deep in the ancient springs of Greek literature, art, and philosophy, the most classic of all the liberal arts. The department of art was added for the young women students in the college not so much for them as artists as for them as human beings in need of some knowledge of the history, function, and satisfactions of art as well as some opportunities to express in various art forms the creative artistic aspiration deep in the nature of youth. The department of philosophy was added because of the need in this complex world of facts, things, and change, of some acquaintance with the history of thought, a deeper sense of ethical values, and a basis for a spiritual integration of knowledge and ethics into a philosophy

of life. Much of this is by way of fulfilling the function of the Woman's College as a coördinate college for women who need and have the right to resource themselves in the literature, the arts, and the philosophies from the classical to the modern age.

Third, concentration at State College of the schools and departments of agriculture and forestry, textiles, engineering, and teacher training in agriculture and in industrial arts. This agricultural, technological, and engineering consolidation at State College as a part of a consolidated and coöperative enterprise in state building in a state built on farms and factories, energized by engines and dynamos, and tied together by highways and high tension power lines, can multiply productive power and widen the democratic basis for a juster and more beautiful civilization.

Fourth, concentration at the University in Chapel Hill of graduate work. On top of the college of arts and sciences, the school of commerce, the school of public welfare, the division of education, the library school, the division of public health, and the professional schools of law, pharmacy, and medicine, forever, I trust, to be preserved in Chapel Hill, is this consolidation of graduate work to the highest reaches of the humanities, the natural and exact sciences, and the social sciences. With no sacrifice of standards and values, the graduate school is rather to be advanced in its graduate distinction in the world of scholarship, teaching, and high research, and in its scientific, economic, social, and spiritual services to our state and region and the generations to come.

We would thus have in this consolidated framework the coördination of a distinguished Woman's College at Greensboro as a distinctly woman's college of arts and sciences; the agricultural, textile, technological, and engineering concentration at State College in Raleigh on a high level for North Carolina and the South; and summarily at the University in Chapel Hill the college of arts and sciences, six schools, and three other divisions as the basis for the greatest graduate concentration in the Southern States. Running through it all is the main working principle of allocation of functions and no duplication of schools or curricula on the upper and graduate levels. We have on such a basis a framework of consolidation founded on the integrity of working principles instead of a structure built on the shifting sands of special local interests, the combination of institutions, the pressure of groups, and the controls of politics.

Within such a framework all institutions have more high functions than have yet been fulfilled and more opportunities than have yet been realized. With something more of a common faith and good will we can come through in this great adventure of

making University consolidation an enterprise of creative coöperation for the training of youth and rebuilding of an historic old commonwealth toward the Kingdom of God. In the University brotherhood we respect honest fears of institutions and appreciate the fine loyalties of their sons and daughters. Despite the temporary alarms, misunderstandings and all the anguish of the birth pangs of real consolidation and even while holding forever fast to the spiritual stuff of our own loyalties to our own institutions, we will yet see the value of the united strength of all in the cause of all and in the long run interests of the state we all hope to help build. It is, we take it, the faith and plan of this Board, with the coöperation of the administrative officers and the several faculties to preserve in all their distinguished qualities the high traditions of all three institutions. With them as separate foundations, we can build on a great past and on present sound working principles the united university as a basic part of the building of the resources and the life of the state to the end that there will be more abundant resources for all our schools, institutions, and agencies devoted to a more abundant life for all people. It is our accepted public responsibility to hear above the fears and sometimes clamor of the hour, the call of the future of our state for a unified University at work for the well being and advancement of the opportunities of the people, their children, their homes, churches, schools, colleges, farms, forests, factories, stores, newspapers, libraries, their professions and vocations, their organizations, their health, welfare, leisure, their work, and their common life in a nobler commonwealth for which our people still have the faith to dream and hope.

THE ACTUAL STEPS IN CONSOLIDATION TO DATE

1. One board of trustees.
2. One executive committee of the board.
3. One president.
4. One controller.
5. One administrative council of representatives of the three institutions and their faculties.
6. Transformation of three schools of education into departments.
7. No new registration in the school of science and business at State College.
8. No new registration of undergraduate women in elementary education in the college at Chapel Hill.
9. Discontinuance of the library school at the Woman's College.

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Under the Act of August 24, 1912.

10. A joint directorate, under a chairman, of the all-University Extension Division.

11. No men students at the Woman's College, in accordance with its purpose and the needs of the state for a distinctly and preëminently woman's college of arts and sciences, and no new admission of women students to the freshman and sophomore classes at the University at Chapel Hill and at State College.

12. The abolition by the board of the offices of vice-president and the appointments by the president, with advice of the trustees' committee, of three deans of administration.

13. The appointment of one director of the coördinated summer school, the abolition of the offices of associate directors, and the assumption of their administrative responsibilities by the deans of administration.

14. The beginning of the mobility of staffs and students.

15. The appointment of one dean of one graduate school and the beginning of the coördination and consolidation of graduate work in one graduate school under a provisional council appointed by and responsible to the president.

16. The establishment under a director of an all-University division of education on a functional basis for the training of teachers and to give unity and leadership to professional education in North Carolina.

17. No new registration in the engineering school at Chapel Hill.