



Smithsonian Institution

Smithsonian National Air and Space Museum Archives

Hattie Meyers Junkin Papers - Writings: "College Grit," 1933-10-18

Extracted on Apr-23-2024 11:41:33

The Smithsonian Institution thanks all digital volunteers that transcribed and reviewed this material. Your work enriches Smithsonian collections, making them available to anyone with an interest in using them.

The Smithsonian Institution (the "Smithsonian") provides the content on this website (transcription.si.edu), other Smithsonian websites, and third-party sites on which it maintains a presence ("SI Websites") in support of its mission for the "increase and diffusion of knowledge." The Smithsonian invites visitors to use its online content for personal, educational and other non-commercial purposes. By using this website, you accept and agree to abide by the [following terms](#).

- If sharing the material in personal and educational contexts, please cite the Smithsonian National Air and Space Museum Archives as source of the content and the project title as provided at the top of the document. Include the accession number or collection name; when possible, link to the Smithsonian National Air and Space Museum Archives website.
- If you wish to use this material in a for-profit publication, exhibition, or online project, please contact Smithsonian National Air and Space Museum Archives or transcribe@si.edu

For more information on this project and related material, contact the Smithsonian National Air and Space Museum Archives. [See this project](#) and other collections in the Smithsonian Transcription Center.

COLLEGE GRIT
October 18, 1933

[[Heading at Start of column 1 & 2]]

College Grit
Published Monthly by the Undergraduates of

Washington College of Law

[[image - college logo]]

2000 G Street, Northwest, Washington, D. C.

[[image - double line]]

Subscription Rates
\$1.00 per Year Single Copy 10 Cents

[[image - double line]]

OCTOBER 18, 1933

[[image - double line]]

STAFF

HENRY M. FLIEDNER, Editor-in-Chief

PAUL H. SALOMON Assistant Editor
HATTIE M. BARNABY Assistant Editor
CHARLES L. HYDE Advertising Manager
CATHERINE L. VAUX and W. S. PAUL Alumni Editors

REPORTERS
Class

Sara A. Donohoe, '34
Hattie M. Barnaby, '35
Katie Zeigler, '35
Naomi Friedman, '34

Fraternity
James T. Gallahorn, Jr., S. N. Phi.
Paul H. Salomon, S.D.K.
Ocia Webb Christmas, K.B.Pi.
Lilian H. Loggins, P.D.D.

[[image - double line]]

[[Column 1 - article]]



ON OUR WAY

With the time at hand for another issue of THE GRIT we are reminded that time is passing and that we are well into the work of the year. Three short months, and examinations will be upon us. After that only one semester of undergraduate work will be left for the members of the senior class, while those of the other members will have correspondingly advanced.

There is much work to do, and relatively little time in which to do it. No doubt each remaining month will seem shorter than the one preceding. But at any rate we are on our way.

[[image - line]]

THE MOOT COURT

And now we get down to business in earnest! On September 30, the embryo attorneys were given their first instructions in how to meet the joys and sorrows of practicing their profession. Seats were at a premium as we sat listening to the familiar voice of Dr. Mooers, leading us through the preliminary steps of conducting a suit, and giving us an "open sesame" wherewith we might gain entrance to the archives of the courts of the District of Columbia. The quiet of the room was broken only by the striking of the gavel upon the desk as emphasis was given to certain points in the lecture, or, perhaps, by the barking of shins as Dr. Mooers shifted from one position to another in his attempt to become accustomed to the new desk.

The past two weeks have been very busy ones for the members of the senior class. After two full years of school they are at last discovering that those are real law books on the shelves in the library and each day finds a large number of them trying to absorb some of the knowledge contained therein, trying to conceive of a way to write a bill to which opposing counsel cannot demur, or a declaration that will state a cause of action.

Already we are learning just what will serve as a good excuse for not attending court. No, not a ball game! Nothing less than a yachting trip (perhaps skating will do in the winter). At least warning came early and we can make plans accordingly.

Copies of the rules of the Moot Court of the Washington College of Law, based upon the Rules of the Supreme Court of the District of Columbia, are available at the office.

[[column 2 articles]]

THE LIBRARY ENDOWMENT FUND

The Library Endowment Fund was created in 1932 by the first class of the Day Division.

Prior to 1929, Washington College of Law conducted only evening classes. In that year Dean Grace Hays Riley saw the need for expansion and added a Day Division.

When the first class of that division was graduated in 1932, it desired to celebrate the historic event in some fitting and unusual manner.

Joseph Molitoris, a member of the class who had commenced his legal education at Fordham University School of Law, but who received his degree of LL.B. from Washington College of Law, was inspired with the idea of creating a Library Endowment Fund.

The first contributors to this fund, Joseph Molitoris, Ernest Feild Parkinson, Jane McHarg, Andrew Kenny and Charles Bevans, all members of the first day class, were formed into a committee to spread the idea, which received the enthusiastic commendation of the Evening Division. Contributions and pledges soon amounted to several hundred dollars.

The scheme, finally worked out, was for each senior class to appoint a committee, whose duty it would be to pass the idea on to the succeeding senior class, through its president, and so on ad infinitum, thus forming an endless and perpetual chain.

The committee further suggested that the presidents of the freshman and junior classes be invited to attend the meeting, at which the idea was passed on to the senior president, in order that, they, too, might become conversant with the plan, and also, to permit any interested members of their classes to contribute in the years they were actively using the library, if they so desired.

The first committee appointed for this purpose was one with a double function. The class of '32 appointed a permanent class committee and entrusted to them the responsibility of properly informing the class of '33. The members of this committee were: Ralph Andrews, Elizabeth Cubberley, Olive M. Keys, Ernest Parkinson, Vincent A. Quinn, Edward C. Radue and Gertrude Smith.

The senior and the postgraduate classes of '33, desiring to stimulate new methods of augmenting this fund, have made contributions thereto.

Contributions may be made by the students as individuals, clubs, groups, fraternities, or classes. They may be made in cash or in pledges over such periods as may be convenient to the donor. The alumni friends and well wishers are invited to contribute.

We all love our library and realize its importance to the school. We realize our indebtedness thereto. Let us put our shoulders to the wheel and see how fast we can make this fund grow.

[[image - line]]

THE TEST OF TIME

Two young ladies were looking out of the window just before class one morning as Doctor Mooers and Mrs. Mooers drove up to school and Doctor Mooers got out of the automobile. The ladies were unaware that they were heard when one remarked:

"There is Doctor Mooers."
"Yes," answered the other. "Bless his heart"

That reminds us of the song Jimmy Walker wrote in his youthful, care-free days, before he took to politics. Its title was: "Will You Love Me in December as You Do in May?"

The analogy is obvious.
When it is January, instead of October, and reports come in, will it still be "Bless his heart"?

OBITER DICTUM

Of obiter dictum we have to say, that it is like the legitimate offspring, conceived in the mistake and born in error, with no parent but the one that gave it birth, and the fair name of that blighted by the birth of it. Brought into the family of the good and proper, it is disowned by those who stand its sponsors whenever it seeks to take its proper place among them. It is cast out by reason, because it is without right.

Tolerated but not adopted, found but not followed, fit for space but not for place, written without right, printed without principle, done but to be undone. It is far fetched and unfair; it is not wicked but worse. It flatters the fool and fights the fair. It is words without wisdom. More than nothing, yet less than something. To follow it is to go from error to wrong, and the perversion of right, placing with the things that are the things that seem to be.

Usually bad reason, always bad taste and never good law. It is a fiction and a failure. Ill-conceived, ill-considered, and illborn. Like the hanging culprit, it stands on nothing and kicks at law.

-From Case and Comment

[[image - line]]

Policeman: "How did the accident happen?"
Motorist: "My wife fell asleep in the back seat." -Everybody's Weekly.

THE PRACTICE COURT

BY DR. EDWIN A. MOOERS

Editors Note-The Staff has been asked to reprint this article by Doctor Mooers. It should be of material aid in the preparation of cases for trial in the Moot Court.

Under the rules of the Practice Court, students will not be permitted to try cases until they have submitted to the judge a brief showing satisfactory evidence of preparation. The brief may be handed to the judge on the evening of the trial, and, if satisfactory, will be returned to the student for use during the trial, after which it must be filed with the papers in the case.

The function of the trial brief is twofold: first, to assist the student in the trial of his case, and, second, to indicate the nature and extent of his preparation, to the end that proper credit may be allowed.

It is suggested that in all cases involving jury trials the brief should contain:

1. The statement of facts.
2. A summary of the pleadings.
3. Outline of preliminary statement to jurors, prior to examination on the voir dire.
4. Questions to be propounded to jurors in examination on the voir dire.
5. Outline of opening statement to jury.
6. Summary in narrative form of the testimony of each witness.
7. Anticipated rebuttal testimony.
8. Copy of prayers.
9. Outline of closing argument to jury.
10. Applicable law.

In preparing the law applicable to the case, the student should bear in mind that a list of cases, cited only by name, volume and page will be of little value either to himself or to the court. If a case is important enough to justify its citation, there should be included a summary of the facts in sufficient detail to refresh the recollection and to permit of its intelligent discussion. Quotations from digests should be avoided, and no case should be cited unless it has been actually read and considered. Do not cite a case unless you are prepared to answer the question that may be propounded to you from the bench: "What are the facts of the case?" Pertinent portions of the opinions and recognized text authorities should be included by way of direct quotation.

It should be remembered that nothing so provokes the court as to have its time consumed in listening to a discussion of authorities that are not pertinent. A multitude of cases that are not in point can be easily overcome by the citation of one that is.

In the preparation of authorities, be honest with the court and with yourself. Do not attempt to deceive the court by quoting misleading authorities, or by utilizing garbled quotations.

It is often wise to call to the attention of the court the authorities that seem to be adverse to your contention, and to distinguish them, if possible, from the case at bar, or to overcome their effect by showing that they are contrary to the weight of authority, or are contrary to general principles of morality and should be ignored. The more time that is spent in examining authorities favorable to your opponent, the better prepared you will be to try your case.

So arrange and classify the authorities that they may be immediately available for use without unnecessarily consuming the time of the court. If the brief is of sufficient length to require an index for this purpose, prepare one.

In the preparation of the case for trial, the student should endeavor to put himself in the position of counsel retained to prosecute or defend an actual case involving similar facts. The practice court is designed to prepare the student for actual court work, and it will serve this purpose only to the extent that the student brings to the work an earnestness of purpose, and a serious and thorough preparation. In the assignment of grades for moot court work, no consideration is given to the verdict or the decision that may be rendered, but upon the thoroughness of preparation and the ability displayed in the conduct of the trial.

In preparing the case for trial bear in mind the following quotation taken from an opinion of Judge Lamm of the Missouri Court of Appeals, permanently preserved in the archives of the court as fitting tribute to the ability of the attorney who prepared the case.

"The record presented in this case is most delightfully unintelligible, incomprehensible, and inexcusable complication compilation of alleged court proceedings possible of conception. There are numerous and lengthy briefs containing allegations and arguments as to what the record does or does not show, together with myriads of citations of authority upon technical questions, none of which should have been raised or considered in the case. The pleadings and proceedings as appearing as appearing in the disputed record thereof, and many briefs filed, are masterpieces in the matter of seeming effort to keep from this court any clear understanding of the merits of the controversy."

[[image - double line]]

Hattie Meyers Junkin Papers - Writings: "College Grit," 1933-10-18
Transcribed and Reviewed by Digital Volunteers
Extracted Apr-23-2024 11:41:33



Smithsonian Institution

Smithsonian National Air and Space Museum Archives

The mission of the Smithsonian is the increase and diffusion of knowledge - shaping the future by preserving our heritage, discovering new knowledge, and sharing our resources with the world. Founded in 1846, the Smithsonian is the world's largest museum and research complex, consisting of 19 museums and galleries, the National Zoological Park, and nine research facilities. Become an active part of our mission through the Transcription Center. Together, we are discovering secrets hidden deep inside our collections that illuminate our history and our world.

Join us!

The Transcription Center: <https://transcription.si.edu>

On Facebook: <https://www.facebook.com/SmithsonianTranscriptionCenter>

On Twitter: [@TranscribeSI](https://twitter.com/TranscribeSI)

Connect with the Smithsonian

Smithsonian Institution: www.si.edu

On Facebook: <https://www.facebook.com/Smithsonian>

On Twitter: [@smithsonian](https://twitter.com/smithsonian)