

**ALUMNI HOLDS****SPRING MEETING**

(Continued from page 1)

AND WHEREAS, the intimate relations maintained for nearly a quarter century by him with the student body and the alumni of the college makes us desirous of recording our appreciation of his services and devotion; be it therefore

RESOLVED, that in the untimely death of Professor Hegarty the college and its alumni association has lost a true friend and wise counselor; its Alma Mater a learned instructor and indulgent benefactor; and the community a worthy citizen and honored member of the legal profession whose departure leaves a vacancy and casts a shadow that is deeply realized by all.

RESOLVED, that in deep sympathy with the relatives and friends of the deceased we express the earnest hope that even so great a bereavement may be assuaged by the consciousness of the sacrifices made by him for the benefit of his fellow men. "The elements so mixed in him that Nature might stand up to all the world and say 'This was a man'."

RESOLVED, that a copy of these resolutions be inscribed in the minute book, and that a copy thereof be appropriately engrossed and presented to the family of the deceased.

**DEAN SPEAKS****IN BALTIMORE**

Dean Grace Hays Riley was the guest of honor and speaker at the first dinner given by the Women's Bar Association of Maryland on Monday evening, May 2nd. Mrs. Riley talked on the development and accomplishments of the Women's Bar Association of Washington. Miss Katherine Pike, Professor of Administrative Law and President of the National Women Lawyer's Association, is invited by the Maryland Association to speak at their next meeting to be held at the Hotel Rennert on June 6th.

The President of the Women Lawyers' Association of Maryland, Miss Henrietta D. Stonestreet, and the Secretary, Miss Marie W. Preston, will be the guests of Dean Riley at luncheon on Saturday next, at the Women's City Club. Other guests are: Mrs. Ellen Spencer Mussey, Mrs. Burnita Shelton Matthews, President of the D. C. Women's Bar Association, Miss Katherine Pike, Judge Mary O'Toole, Miss M. Pearl McCall and Miss Helen E. Jamison.

**TRUE SYMPATHY**

Lawyer: "What? Ten thousand a year to your wife if she marries again, and only \$5,000 if she doesn't? Most unusual that!"

Client: "Yes, but you see I am considering my successor. He deserves extra."

—Boston Transcript.

**EXAMINATIONS AND DATES**

Subjects	Date	Class
Real Property I	May 10	Fresh.
Equity Pleading	May 16	Junior
Testamentary Law	May 26	Junior
Federal Procedure	June 2	Senior
Constitut. Law	June 10	Senior
Com. Law Pldg. I	June 13	Fresh.
Equity Jurispru.	June 14	Junior
Torts and Cases	June 15	Fresh.
Constitut. Law	June 16	Junior
Agency	June 17	Fresh.

**Joseph Smith Takes Needed Rest**

We are sorry to report that Joseph Smith of the junior class is suffering from a nervous breakdown, having lost his father recently. Mr. Smith is taking a much needed rest from his studies, and the college expects to welcome him back next year.

**Juniors Travel During Holidays**

Morris Rabkin and Isaac Goldstein, both of Boston spent their Easter holiday visiting in the Hub City.

David Goldstein took a trip to his home town, Cleveland, Ohio, to look the old burg over. By the way, Dave owns a Ford. Does it still go?

**HONORARY DEAN SPEAKS****IN PHILADELPHIA**

Honorary Dean Ellen Spencer Mussey, one of the founders of the Washington College of Law gave a very interesting address at the National Convention of Supervisors of Penmanship in the Public Schools of the United States at the Bellevue-Stratford, Philadelphia, on Friday morning, April 29th. Mrs. Mussey talked of the work of her father, Platt R. Spencer, author of the Spencerian system of penmanship. The title of the speech was "The Man Who Taught America to Write." Mrs. Mussey is the only surviving member of the Spencer family.

**ABSOLUTION OR RESTITUTION**

A negro, accused of stealing a chicken, was found not guilty for want of sufficient evidence.

"You are acquitted," said the Judge. The negro's jaw dropped. "What dat mean? I gotter bring back de chicken?"

—Boston Transcript.

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**PHI DELTA DELTA NOTES**

Miss Mary Senart was toastmistress at a dinner given by Beta Chapter, Phi Delta Delta Women's Legal Fraternity, Saturday, April 16, at the Women's City Club.

Guests and members present were: Judge Mary O'Toole, Nila Allen M. Pearl McCall, Grace Knoeller, Grace E. Collins, E. Virginia Evans, Ellen McDonald, Eleanor G. Prince, Sue T. Campbell, Gertrude E. Coyle, Mary Senart, Helen Considine, Corinne Quarles, Scotia S. Hegarty, Agnes Quinn, Bessie Koehl, Dorothea Wassermann Mary Reagan, Elizabeth Buckley, Bertha V. McCormick, Adelaide Schlaudecker, Edith Tannehill, Pearle Cooper, Ernestine Matthews and Katherine Schenkat.

Short talks were given by Judge Mary O'Toole and by the International Secretary, Grace Knceller. Another delightful feature of the evening was a group of songs by Miss Helen Considine.

Following the dinner, Miss E. Virginia Evans, Class '28, and the Misses Grace E. Collins, Ellen McDonald and Eleanor G. Prince, Class '29, were initiated.

Beta Chapter joined Zeta and Washington Alumnae Chapters in giving a dinner in honor of Miss Eleanor Curnow, province secretary of the fraternity, on April 24th at the Cafe Pierre. Miss Curnow visited Washington for a few days before returning to her duties as Register of Brooklyn Law School (St. Lawrence University), Brooklyn, N. Y.

Mrs. Mabel Walker Willerbrandt, assistant Attorney General of the United States, entertained members of Beta Chapter, Monday, April 4th, in honor of Mrs. Ethel B. Burnside, of Pittsburgh, former national secretary of the fraternity.

**SIGMA NU PHI NOTES**

The annual meeting of Sigma Nu Phi Fraternity, now the largest legal fraternity of America, was held at Chicago, April 15, 16 and 17. Oliver Wendell Holmes Chapter of Washington College of Law was represented by Mr. Chris H. Nanz. Continued growth of the fraternity was reported, and new chapters are petitioning constantly.

On Sunday evening, April 3rd, Holmes Chapter held its second initiation of the season at the College. The following candidates were admitted: Walter S. Welsh, Carl L. Rinker and Charles D. Schaffner. Messrs. Victor Martin and Clark Bettinger were among the guests present.

On Tuesday evening, April 26th, the Chapter held a smoker as a guest of Victor Martin, former chancellor. The honor guests of the evening were David D. Caldwell, retiring High Lord Chancellor, and Carlyle S. Baer, Grand Master of Rolls. The evening was given over to speaking, after a very amusing eating contest. The winner, John C. Conliffe, challenged all comers.



## EVOLUTION OF PROPERTY LAW

There are few things which so generally strike the imagination as the right of property; that despotic dominion which one man claims over external things of the world in total exclusion of the right of any other individual in the universe. Yet how few of us consider the origin and foundation of this right? Pleased as we are with the possession, we seem afraid to look back to the means by which it was acquired, as if fearful of some defect in our title; or at best we are satisfied with the decisions of the courts in our favor, without examining the reasons upon which those laws have been built.

In the beginning of the world, we are informed by holy writ, the Creator gave to man "dominion over all the earth, and over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth." The earth, therefore, and all things therein, are the general property of all mankind, from the immediate gift of the Creator.

So long as the earth continued sparse of inhabitants, it is reasonable to suppose that all was held in common among the few people then existing, and that each man took from the public stock, for his own use, such things as his immediate necessities required. These general notions of property were then sufficient to answer all the purposes of human life, and might perhaps still answer them had mankind remained in a state of primeval simplicity. But the world moved onward. Soon, by the law of nature and reason, he who first began to use a thing, acquired therein a kind of transient property, that lasted so long as he was using it, and no longer.

Or, as we would say in legal circles today, several thousand years ago the right of possession in property continued only so long as the actual possession lasted. And in this statement we can easily see the origin of the old common law lien, depending for its validity upon actual possession.

Thus, the ground was held in common, and no part of it was the permanent property of any man in particular; yet whoever was in possession of any particular spot of ground, for rest, shade, or the like acquired for the time a sort of ownership, from which it would have been unjust and contrary to the law of nature to have driven him by force. But, the instant that he quitted the use or occupation of it, another might seize it, without injustice.

As mankind increased in number, craft and ambition, it became necessary to entertain ideas of more permanent dominion over property, and to appropriate to individuals not the immediate use only, but the very substance of the thing to be used. Otherwise, the order of the world would be continually broken and disturbed by reason of innumerable persons striv-

ing to get the first possession and occupation of the same thing.

Again, as man became more refined, numbers of conveniences were devised, such as habitations for shelter and safety, and clothing for warmth and decency. But no man would trouble himself to provide these things, so long as he could have only a transitory property right in them which would cease the instant he quitted possession. If, as soon as he walked out of his hut, or pulled off his garment, the next passing stranger would have a right to inhabit the former and wear the latter there would be no incentive to become more refined.

Man early realized that even the brute creation, to whom everything was in common, maintained a sort of a permanent property in their dwellings, especially for the protection of their young. The birds had nests and the beasts had caverns, the invasion of which they considered a flagrant injustice, and would sacrifice their lives to defend. Hence, property rights were soon established in every man's home-stall.

Next came the desire for food, obtained by hunting, fishing, planting, etc. Frequent disappointments incident to depending upon chance and the spontaneous products of the earth, induced men to gather together such animals as were most tame, and to establish a more or less permanent property in their flocks and herds. The support of these animals soon made the article of water also a very important property right. Thus, in the book of Genesis, we find frequent instances of violent struggles and contentions concerning wells, the exclusive property of which appears to have been established in the first digger or occupant. In one case, we find Abraham, who was but a sojourner, asserting his right to a well in the country of Abimelech, "because he had digged that well."

As the world by degrees grew more populous, it daily became more difficult to seek out new spots to inhabit, without encroaching upon former occupants.

Necessity begat property, and in order to insure that property, recourse was had to civil society. But the question remains: How did property become vested? What was it that gave man an exclusive right to retain permanently a specific thing, or specific lands, which theretofore had belonged generally to everybody, but particularly to nobody?

The old writers all agree that occupancy is the thing by which the title was in fact originally gained, every man seizing for his own continued use such spots of ground as he found most agreeable, provided he found them unoccupied by anyone else. Thus, being originally acquired by the first taker, the property right remained in him until he did some act which showed an intention to abandon it, at which time it became public property once again, liable to be again appropriated by the next occupant.

So if one owned a thing and cast it into the sea, or upon a public hillside, he had abandoned it, and the finder seized it as his own. But if he hid the thing in a secret place and it was discovered, the finder took no property in it. And this, we may remember, is nothing more than the doctrine of treasure trove well known to the common law of England.

Eventually, it was learned that what might become an inconvenience to one man might be highly useful to another, who was ready to give in exchange some equivalent that would be equally desirable to the former proprietor. This mutual convenience introduced commercial traffic, and gradually grew into our present day sales and conveyances.

The theory still exists behind our present system of conveyancing. The first taker holds the right to use and occupation, and a deed of conveyance is a mere evidence of intention on his part to abandon the property. It follows that the grantee in the deed, being the first man acquainted with this intention to abandon, immediately steps in and seizes the abandoned possession. Thus the conveyance, which is proof of abandonment, gives the guarantee a good right against the one who abandoned the property, and the immediate taking of possession confirms that right as against all the rest of the world; for it is today the well settled law of ejectment that the plaintiff must recover on the strength of his own title and not on the weakness of his adversary's.

### KAPPA BETA PI NOTES.....

The members of Epsilon Chapter were delightfully entertained by Mrs. Claire Trick Willison at her home at Livingstone Heights, Virginia, on April 24th. Messrs. Vladimir Vasa, pianist, and Jaroslav Hanak, violinist, of Moravia, Czechoslovakia, rendered numerous selections, and little Mary Russell Williams sang a number of songs.

At the April meeting, the Dean of the Chapter, Mrs. Martha R. Gold, read a very instructive paper on "How to get a Bill through Congress." At the conclusion of the reading, the members participated in a discussion of the subject, manifesting keen interest.

Miss Carrie Hunter, winner of the Corpus-Juris prize in the Legal Bibliography course, class of 1926, was a recent visitor at the college. Miss Hunter is practicing law with her father in Tennessee.

Miss Elizabeth Harris, honorary member of Epsilon Chapter, has been elected president of the Washington Zonta Club.

### JOHN J. MILO STEPS OFF

Friends of John J. Milo, class of 1926, will be interested to know that his engagement to Miss Doris K. Del Vecchio has been announced. Miss Del Vecchio is now teaching school at Bridgeport. The wedding will take place in the near future.



# THE COLLEGE GRIT

Published Monthly by the

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## STAFF

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 Samuel Robinson, 1927.....Circulation Manager

## SUBSCRIPTION RATES

Single Copy.....Ten Cents  
 Collegiate Year.....One Dollar

May 9, 1927.

## "Copy-1927"

"Copy-1927" has just been published by D. Appleton & Company, and can be purchased for the very reasonable sum of \$2.00. This book is made up from the published work of the Writers' Club of Columbia University. All the writing is by advanced students in creative writing at the University. The unique anthology contains a splendid collection of short stories, poems and one-act plays. The book is highly recommended to the weary law student as a means of spending many happy hours in mental recreation.

Pathos, wit, satire; all these abound in plenty. The first story, "A Departure Delayed" by James W. Bennett, deals with the tragedy of genius and centers around four musicians—an American, two Russians and a Chinese. The scene is laid in China when a fearful plague is raging. It ends like all good Chinese stories, with the Oriental heroes taking poison to "save their faces" and to uphold the dignity of their ancestors. This tale is poignantly emotional and contains many passages of musical interpretation ranking with the genius of Tolstoi in "The Kreutzer Sonata."

"The Sub-Dub" by Weare Holbrook, will reach the heart of every good American. A bookkeeper in a small town hardware store in Kansas, suddenly smitten with the bug of genius, scribbles some rhythmic jingles and mails them to a New York bunco steer, who, for a money consideration, showers our hero with flattery and promises enormous royalties to accrue, however, in the future. Then follows a trip to the great Metropolis by the Kansas song-writer, and his more than humorous experiences. He made a scoop when he sold some of his songs to the headwaiter of a fashionable night club who thought he

was dealing with a bootlegger. But who could expect a Kansas bookkeeper to know that in the slang of New York's night life "songs" meant liquor. This delightful little story contains two definitions, which, since Blackstone seems to have omitted them from his commentaries, will be repeated here for the enlightenment of our law students. A dub is a fool who knows he is a fool, but the fool who doesn't know he's a fool is a sub-dub; and we are told that one usually has to be a sub-dub for quite a while before becoming a full-fledged dub.

"A Husband for George-Anne," by Hazel Christie MacDonald, deals with the unique friendship of a classical maiden—raised by a male parent, Professor of Greek and Egyptology on a diet of Marcus Aurelius, trigonometry and the fourth dimension—who had never been kissed, and her good Aunt Dorinda Van Duyke, who at the age of forty-two had been wedded four times and as many times bewidowed. Aunt Dorinda had a happy faculty of confiding in everybody, especially about her husbands. She eventually confided in the Bishop, and straightway annexed him as Number Five, but not until she had taught George-Anne a few feminine traits and launched her safely on a solid matrimonial venture with just a dash of love thrown in, and a honeymoon in Egypt looming straight ahead.

"Hurricane" by Helen Claiborne, is a vivid and colorful description by an eye witness of the three hurricanes which jumped from the Bahamas to Florida during the summer of 1926. It is highly exhilarating, as well as instructive.

"Close to the Wind," a one-act play by Eleanor A. Barnes, portrays the sweet pathos of the child heart. All those who revere child life should read this skit. The authoress displays a thorough knowledge of the inherent wisdom and truthful simplicity of little children, and in a few words paints a picture of childish heartaches destined to move the most matter-of-fact to tears.

The book contains several short poems, perhaps the best of which is "Portrait" by Parmenia Migel. This is a subtle bit of satire, but so true to life that it should have a widespread appeal. It might be labeled a study in ego, picturing one of those ladies of whom we have all met so many. "I," said her carriage, her eyes, her well-thought out nod, and her well-posed gestures. And then, after just the proper period of suspense, sure enough, "I," said her voice.

"The Wharf Rats" by Eric Walrond, breathes the atmosphere of the southern seas. The scene is laid in Panama among the motley crew recruited from all parts of the world to dig the canal. Gently romantic Maura, beautiful daughter of a Tortola mulatto, falls madly in love with San

Tie, a Chinese half-breed; but alas, she loves in vain. Philip eldest son of Jean Baptiste, a dusky peon from the coral isles of the Caribbean, undertakes to play the role of big brother to Maura. Maffi, a black Trinidad girl, loves Philip, and then the fun begins. At least it, might have begun, but it so happens that Philip and his little brother Ernest were courageous pickaninnies, whose habit it was to amuse passengers on visiting ocean liners by diving into the briny deep for pennies tossed from the decks. However, Philip's shiny black body took the icy dip once too often, for alas, the story ends with a cry of "shark!" a fiendish gangle, a gnashing of bones, and the sea closing its jaws for the last time over poor Philip.

"I Just Couldn't Stant It" by Mella McCallum, depicts the despair of American womanhood when after raising a family of children, the last of her babies marries and departs. Suddenly bereft of her chains, the mother heart, like a ship that has lost its anchor, tosses about seeking some new interest but knowing in the bottom of her soul that the world holds none for her. There were three such women in the story, and each attempted to solve her problem in a different manner. One turned to green smocks and a paint brush, at the age of fifty-five.

"Copy-1927" contains fifteen short stories, five essays, seven poems and two one-act plays. It is quite the best anthology of the year and can well be recommended as a joyous collection displaying to great advantage the real literary ability of our present generation.

## SERVICES IN CAPITOL FOR MISS GILLETT

On Sunday afternoon, May 15th, at three o'clock, memorial services will be held in the crypt of the National Capitol Building in reverence of Miss Emma M. Gillett, late Dean Emeritus and one of the founders of the Washington College of Law. This will be under the auspices of the National Women's Party, Women's City Club, Women's Bar Association, American Legion Auxiliary and the Alumnae of this College.

Dean Gillett was a pioneer in opening the study and practice of law to women and a life-long worker for the advancement of her sex in every way.

Music for the memorial will be furnished by the First Congregational Church under the direction of Mrs. Ruby Smith Stahl, by Miss Edith Athey, organist, Mrs. Rose Dickey, violinist, and by the orchestra of the United States Marine Band. Arrangements for the ceremony are under the direction of Mrs. Marie Moore Forrest.

Dean Grace Hays Riley will officially represent the college and deliver a short address. The faculty and student body are cordially invited to attend.



# THE COLLEGE GRIT

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## 31st Annual Banquet Gay Success

On Saturday evening, April 23rd, the College held its thirty-first annual banquet at Rauscher's. Dean Grace Hays Riley presided. John C. Conliff, Jr., president of the junior class, acted as toastmaster, according to the tradition of the school, and introduced the speakers. The principle address delivered by Clyde B. Aitchison, Chairman of the Interstate Commerce Commission, was on "The Lawyer as a Public Servant." Commissioner Aitchison stressed the importance of specializing in one's life work, and urged the students to master thoroughly at least one line of study. He called attention to the ever increasing demand for governmental work being carried on through highly specialized administrative agencies.

Others who gave greetings to the guests were Mrs. Ellen Spencer Mussey, Honorary Dean; Dr. Edwin C. Dutton, President of the Board of Trustees, Judge Mary O'Toole and Dean Grace Hays Riley.

The students contributed entertaining novelties to the program, the freshman class with a skit entitled, "A Suit About a Suit," being a take-off from a case recently heard and decided by Judge Mary O'Toole in the Municipal Court. The participants were the Misses Frances Wright Porter, Ellen C. McDonald, Norine Kloss and Messrs. Daniel Partridge, Andrew D. Kane and Allen M. Boattcher.

The seniors gave a sketch, "Now I'll Ask One," Herbert L. Wynne being the interrogator. Questions were cleverly answered by members of the class and professors in the school. Miss Marion L. Hines gave a song and dance.

The decorations, prepared by members of the junior class, were unique in design and displayed considerable ingenuity. They were delightfully appropriate for a law students' banquet. Invitations were in the form of a summons in the case of The Junior Class, Plaintiffs, v. The Alumni and Students of the Washington College of Law, Defendants. The menu, program and place cards took the form of properly clipped miniature blue-backed legal documents purporting to convey good title to a host of rarely delicious food, in fee simple.

In addition to the speakers, the guests of honor were: Judge and Mrs. Stanton J. Peelle, Mrs. Clyde B. Aitchison, Dr. Charles W. Needham, Mrs. Edwin C. Button Mr. Herbert L. Davis, Mrs. Helena Hoocey Reed,

president of the Alumni Association, Miss Pearle Cooper, president of the senior class, and Mr. Walter S. Welsh, president of the freshman class.

Special tables were arranged for members of former classes, the class of 1908 being guests of Dean Riley. Hostesses for the undergraduating classes were: senior class, Misses Pearle Cooper, Dorothy C. Bennett and Marion L. Hines; Junior class, Misses Madeleine Couzens, E. Virginia Evans, Virginia Brodel and Mrs. Olive Roberts Freer; freshman class, Misses Frances Wright Porter, Ellen C. McDonald, Mildred Rackner and Eleanor G. Prince.

After the banquet came dancing, which continued until the wee small hours.

### SENIORS ELECT

#### NEW OFFICERS

Owing to nervous breakdown, Charles H. Cullinan, president of the senior class, has resigned that position and temporarily withdrawn from the school. On Monday evening, May 2nd, Miss Pearle Cooper, formerly vice-president, was elected president of the class of 1927, and Samuel Robinson was elected vice-president.

### HARRY A HEGARTY MEMORIAL FUND

A movement has been started in the student body, and among members of the Alumni association for a memorial fund in honor of Professor Harry A. Hegarty, recently deceased, who was so dear to the hearts of the college family. Many pledges already have been received, and interest is being shown not only by former students, but old friends and associates as well. The idea has spread so rapidly, and the interest is so deep, that it is now believed the fund should be used for a "Harry A. Hegarty Scholarship."

### Good-Will Flyer Greeted

When the Good-Will flyers returned from their flight around South America, where they visited all the Pan American countries, Leut. C. McK. Robinson, a member of the flying party, was cordially greeted by his brother, Samuel Robinson, vice-president of the senior class. The Robinson brothers are graduates of Ohio State University and both served in the aviation during the World War.

### ALUMNI HOLDS

#### SPRING MEETING

At the spring meeting of the Alumni Association of the Washington College of Law, held at 2000 G Street, Friday evening May 6th, resolutions were passed expressing the sorrow of the association in the loss of its Dean Emeritus Emma M. Gillett and the late Professor Harry A. Hegarty. There was general discussion as to the form memorials should take to be permanent tributes to these two individuals who contributed so much to the success of the Washington College of Law. A committee with Judge Mary O'Toole as chairman, was appointed to raise money for the Harry A. Hegarty Memorial Chair; and a similar committee to act in behalf of the memory of Miss Emma M. Gillett, with Miss Helen E. Jamison as chairman.

Mrs. Helena D. Reed, president of the association, appointed Mrs. Sarah F. Andrews and Miss May D. Trader as official representatives of the Alumni Association, to attend the memorial services to be held in honor of Miss Gillett at the crypt of the National Capitol Sunday afternoon, May 15th at three-thirty o'clock.

The following resolutions were passed:

WHEREAS, the death of Emma M. Gillett has taken from us an inspiring presence whose sincerity of purpose, loyalty to high ideals and unselfish devotion to the advancement of women placed her in the foremost ranks of the pioneer women of our country;

RESOLVED, that the Alumni Association of the Washington College of Law hereby expresses profound sorrow and grateful appreciation of all that this beloved leader has done to inspire and aid men and women in the legal profession, and, as a tribute to her memory pledges its membership to an emulation of the lofty example she set as an individual and as a lawyer.

RESOLVED, That the secretary of the association transmit a copy of these resolutions to the family of the deceased.

WHEREAS, the Supreme Ruler of the Universe has, in his infinite wisdom, called from his earthly labors our beloved preceptor and dear friend, Harry Aloysius Hegarty;

(Continued on page 4)