III. COURSES OF INSTRUCTION, 1908-9

PRE-LEGAL COURSES

The pre-legal curriculum in the first year of the Senior Colleges (the third college year) is intended to direct the college work of prospective law students to studies especially useful to the future lawyer. It is not required, but students are strongly advised to pursue it, and to choose their Junior College electives with this view.

A choice among the courses offered in the University upon the following subjects is particularly recommended:

Principles of Political Economy; Constitutional and Political History of the United States; National, Federal, State, and Municipal Government; Constitutional and Political History of England; Roman Law; Oral Debates and Argumentation; Bookkeeping and Accounting; Railway Transportation and Regulation of Rates; Economic and Social History; Finance, Money and Banking; Financial and Tariff History; Organization of Business Enterprise; Introduction to Study of Society; Contemporary Society in the United States; Industrial Groups and Urban Communities; Charities and Social Treatment of Crime; Social Forces in Modern Democracy; Logic and Psychology; Political and Social Ethics.

With the approval of the Dean of the Law School other courses may also be accepted as pre-legal work, especially those offered in the Departments of Political Economy and Political Science, courses in English, American, and modern European history, and courses dealing with modern social and municipal problems. Students who have not had the course in Civil Government in the United States, or who have not completed the English composition required in the Junior Colleges, will be expected to take these during the pre-legal year.

NOTE.—For detailed information concerning the above courses, see the Announcements of the Departments of Political Economy, Political Science, History, and Sociology, which will be sent upon application to THE UNIVERSITY OF CHICAGO.

PROFESSIONAL COURSES

[Mj=Major course, four hours weekly for one term. M=Minor course, four hours weekly for one term. DM=Double Minor course, eight hours weekly for one term. Many of the courses continue through more than one quarter, and for these no partial credit will usually be given. All Summer Quarter courses are completed then.]

FIRST-YEAR COURSES

[The work of the first year is required.]

1. Contracts.—Mutual assent and its communication; offers and their expiration or revocation; consideration; requisites of contracts under seal; rights of beneficiaries and assignees; joint and several contracts; alternative contracts; conditional contracts; illegality; impossibility; duress; discharge of contracts or causes of action arising thereupon by rescission, novation, accord and satisfaction, release, or other means. Williston, Cases on Contracts, Vols. I. and II. 2Mj. Autumn and Winter Quarters. PROFESSOR WHITTIER.

2. Torts.—Trespass to person and to property; excuses for trespass; conversion; negligence; legal cause; contributory and imputed negligence; contributory illegality; duties of makers of chattels; duties of landowners; hazardous occupations; liability for animals; deceit; defamation; slander, libel, privilege, malice; malicious prosecution; interference with social and business relations: inducing breaches of duty, fair and unfair competition, strikes, boycotts, business combinations. Ames and Smith, Cases on Torts, Vols. I and II, with Supplement. 12Mj. Autumn Quarter;
First Term, Winter Quarter; and Second Term, Winter Quarter (two hours). Professor Hall.

2A. Torts.—First half of Course 2. DM. First Term, Summer Quarter. Professor Hall.

3. Property.—Distinction between real and personal property. Real property: tenures; estates; seisin and conveyance; Statute of Uses; profits; natural rights; easements; covenants as to use of lands; rents; landlord and tenant; emblements; manure; fixtures. Personal property: acquisition of rights; gift; bailment; lien; pledge. Gray, Cases on Property, Vols. I and II (2d ed.). Professor Freund.

3A. Property and Contract.—Second half of Course 2. DM. First Term, Winter Quarter (three hours); and Spring Quarter. Professor E. H. Hall.

4. Agency.—Nature of relation; appointment; liabilities of principal: torts, contracts, crimes, admissions; liabilities of agent; parties to writings; undisclosed principal; obligations between principal and agent; delegation of agency; termination of agency; ratification. Wambough, Cases on Agency. Second Term, Winter Quarter (five hours). Associate Professor Bigelow.

4A. Agency.—A slightly briefer treatment of Course 4. MJ. Summer Quarter. Assistant Professor Keedy.

14. Title to Real Estate.—Essentials of a deed: signing, sealing, delivery; priority, notice, and record; leases; covenants for title; estoppel; the property conveyed; original acquisition; acquisition by lapse of time. Gray, Cases on Property, Vols. III (2d ed.) and VI (part). MJ. Spring Quarter. Professor Freund.

60. Criminal Law.—The criminal act; criminal attempts; consent; criminal intent, specific and constructive; circumstances affecting intent; justification; parties in crime: agency, joint principals, accessories; jurisdiction over crimes; crimes against the person, especially murder and manslaughter; larceny and kindred offenses. Beale, Cases on Criminal Law, (2d ed.). Second Term, Winter Quarter (two hours); and Spring Quarter. Associate Professor Bigelow.

60A. Criminal Law.—A slightly briefer treatment of Course 60. DM. Second Term, Summer Quarter. Professor Pound.

Second-and Third-Year Courses

[These courses are elective, and need not be taken in any fixed order. Students are advised to postpone starred (*) courses to the third year. The practice courses are required.]

7. Persons.—Infancy: period of infancy; voidable acts, disaffirmance, ratification; contracts for necessaries; obligations created or authorized by law; liability for tort; guardian and ward. Marriage: promise to marry; rights of husband and wife in each other's property; status of married women; transactions between husband and wife; torts affecting marital relations; separation; divorce. Parent and Child: custody; services and earnings; torts to children; torts by children; adoption; bastardy. Woodruff, Cases on Domestic Relations (2d ed.). Professor Freund. [Omitted in 1908-9]

10. Quasi Contracts.—Records. Statutory, official, or customary duties. Unjust enrichment; benefits conferred without contract; unenforceable contracts; incapacity of parties; mistake of fact and of law; duress; illegal contracts; breach of contract; waiver of tort; contribution between wrongdoers; obedience to legal mandate; equity jurisdiction. Woodruff, Cases on Quasi Contracts. DM. Second Term, Summer Quarter. Professor Woodward. [Given in 1908-9 and in alternate years thereafter]

15. Wills and Administration.—Intestate succession; dispositions in contemplation of death; testamentary capacity; execution, alteration, revocation, and revival of wills; probate; executors and administrators; survival of rights and liabilities; priority of claims; assets; payment of legacies and distribution; ademption and lapse of legacies. Gray, Cases on Property, Vol. IV (2d ed.). MJ. Winter Quarter. Professor Freund. DM. First Term, Summer Quarter. Professor Bates.

16. Future Interests.—Life estate, fee, and fee tail; contingent remainders and executory devises; powers; rule against perpetuities; conditions; restraints on alienation; joint ownership; curtesy; dower. Gray, Cases on Property, Vols. V (2d ed.) and VI (part). MJ. Autumn Quarter. Professor Freund.
20. Equity I.—Nature of jurisdiction; specific performance of contracts: affirmative contracts; negative contracts; third persons; legal consequences of right of specific performance; partial performance; consideration; marketable title; Statute of Frauds; plaintiff's conduct as a defense; mistake; hardship; mutuality. Ames, Cases in Equity Jurisdiction, Vol. I (part). MJ. Autumn Quarter. Professor Hall.

21. Equity II.—Bills for an account; specific reparation and prevention of torts: waste; trespass; disturbance of easements; nuisance; interference with business relations; libel; monopoly rights: patent; copyright; franchises. Ames, Cases in Equity Jurisdiction, Vol. I (part). MJ. Winter Quarter (two hours). Professor Hall.

22. Equity III.—Interpleader; bills of peace; bills a quia timet: cancellation of contracts, cloud on title, perpetuation of testimony, rights of future enjoyment; reformation and rescission of contracts: mistake; fraud, misrepresentation, concealment; duress and undue influence; illegality. Ames, Cases in Equity Jurisdiction, Vol. II, and selected cases. MJ. Spring Quarter. Professor Hall. MJ. Summer Quarter. Professor Schofield.

24. Trusts.—Nature and requisites of a trust; express, resulting, and constructive trusts; charitable trusts; appointment and office of trustee; nature of cestui's interest; transfer of trust property by trustee or by cestui; cestui's interest as affected by death, marriage, or bankruptcy of trustee or cestui; duties of trustee; extinguishment of trust; removal or resignation of trustee; accounting. Ames, Cases on Trusts (2d ed.). MJ. Autumn Quarter; and First Term, Winter Quarter. Professor Mack.

24A. Trusts.—A brief treatment of Course 24. MJ. Summer Quarter. Associate Professor Horfield.

30. Suretyship.—Kinds of suretyship; Statute of Frauds; surety's defenses due to original defects in his obligation or its subsequent discharge; surety's right to subrogation, indemnity, contribution, or exoneration; creditor's right to surety's securities. Ames, Cases on Suretyship. MJ. Second Term, Winter Quarter (two hours); and Spring Quarter (three hours). Professor Whittier. MJ. Summer Quarter. Associate Professor Horfield.

[Given in 1908-9 and in alternate years thereafter]

31. Mortgages.—Essential elements of legal and equitable mortgages; rights of mortgagor and mortgagee at law and in equity: title, possession, dower, curtesy, waste, priorities, collateral agreements, foreclosure, redemption; extension, assignment, and discharge of mortgages. Kirchwey, Cases on Mortgage (2d ed.). Professor Whittier.

[Omitted in 1908-9 and in alternate years thereafter]

40. Sales.—Subject-matter of sale; executory and executed sales; bills of lading and jus disponendi; stoppage in transitu; fraud; factors' acts; warrant and remedies for breach of warranty; Statute of Frauds. Williston, Cases on Sales (2d ed.). MJ. Second Term, Winter Quarter; and Spring Quarter. Professor Mechem.

41. Bills and Notes.—Formal requisites; acceptance; indorsement; transfer; purchase for value without notice; overdue paper; extinguishment; obligations of parties; checks; diligence: presentment, dishonor, protest, notice; the Negotiable Instruments Law. Ames, Cases on Bills and Notes, Vols. I and II. MJ. Second Term, Winter Quarter; and Spring Quarter. Professor Mack.

42. Public Service Companies and Carriers.—Nature of public employment; its rights and duties; railroads and canals; telegraph and telephone; light and water companies; irrigation and drainage; inns and warehouses. Common carriers of goods and persons; liability; limitation of liability; bills of lading; stoppage in transitu; connecting carriers; actions against carriers; tickets; baggage; compensation and lien. Beale and Wyman, Cases on Public Service Companies, and McClain, Cases on Carriers. MJ. Autumn Quarter (two hours); and First Term, Winter Quarter (two hours). Mr. Eckhart.

44. Insurance.—Marine, fire, and life insurance, with respect to: insurable interest; concealment; misrepresentation; warranties; other causes of invalidity of
contract; amount of recovery; subrogation; conditions; waiver, estoppel, election, and powers of agents; assignees and beneficiaries. Wambaugh, Cases on Insurance. 1Mj. Winter Quarter, First Term; and Second Term (two hours). ASSOCIATE PROFESSOR BIGELOW.

50. Partnership.—Nature of a partnership, its purposes, and members; creation of partnership; nature of partner's interest; firm name and good will; mutual rights and duties of partners; actions between partners, at law and in equity; powers of partners; liability of partners; dissolution; notice; consequences of dissolution; debts; distribution of assets; limited partnerships. Mechem, Cases on Partnership (2d ed.). 1Mj. Autumn Quarter; and First Term, Winter Quarter (two hours). PROFESSOR MECHEM.

*51. Private Corporations.—Nature of a corporation and relation to its stockholders; its creation; stock subscriptions; promoters; interpretation of charters; formalities of contracts; powers and duties of directors; rights of stockholders; dividends; transfer of stock; forfeiture of charters; corporate liability; ultra vires transactions; rights and remedies of creditors; preferences; stockholder's liability; intercorporate relations; purchase by a corporation of its own stock; dissolution; receiverships; foreign corporations; limits of legislative control. Smith, Cases on Private Corporations, Vols. I and II (2d ed.). 1Mj. Autumn Quarter; and First Term, Winter Quarter. PROFESSOR MECHEM.

*52. Bankruptcy.—Jurisdiction of the United States and the States; who may be a bankrupt; who may be petitioning creditors; acts of bankruptcy; what property passes to the trustee; provable claims; protection, exemption, and discharge. Williston, Cases on Bankruptcy. 1Mj. Autumn Quarter (three hours). ASSOCIATE PROFESSOR BIGELOW.

63. Constitutional Law I.—Written constitutions; making, revision, amendment, judicial power to declare laws unconstitutional; due process of law; administrative proceedings, legislative action, judicial proceedings; separation of powers and independence of the judiciary; delegation of legislative power; limitations of legislative power: equality, liberty, property; police power; eminent domain. Thayer, Cases on Constitutional Law, Vol. I. Mj. Autumn Quarter. PROFESSOR FREUND.

*64. Constitutional Law II.—Federal jurisdiction and express powers; implied powers; citizenship; privileges and immunities of citizens; suffrage; effect of later amendments; taxation; ex post facto and retroactive laws; laws impairing obligations of contracts; regulation of commerce; money; war. Thayer, Cases on Constitutional Laws, Vols. I (part) and II. [Course 63 is not a prerequisite.] 1Mj. Winter Quarter (two hours); and Spring Quarter. PROFESSOR HALL.

65. Municipal Corporations.—General nature; corporate capacity; selfgovernment: creation, annexation, division, dissolution, succession; mode of action, ratification, and curative acts; estoppel by recitals; municipal police power; local improvements and services, including special assessments; municipal property, especially public streets; municipal contracts; expenditures and donations; indebtedness and its constitutional limit; liability. Smith, Cases on Municipal Corporations, and selected cases. Mj. Winter Quarter. PROFESSOR FREUND.

[Given in 1908-9 and in alternate years thereafter.]

67. Administrative Law and Officers.—Administrative regulations; jurisdiction, discretion, adjudication; enforcement of orders; habeas corpus; mandamus; certiorari; equitable jurisdiction in public law. Public officers: nature of office; elegibility, appointment, election, acceptance, expiration of term, resignation, removal; execution of authority; liability; special remedies. Selected cases. PROFESSOR FREUND.

[Omitted in 1908-9 and in alternate years thereafter.]

*70. Conflict of Laws.—(1) Jurisdiction: sources of law and comity; territorial jurisdiction; jurisdiction in rem and in personam; (2) remedies, rights of action, and procedure; (3) creation of rights: personal rights; rights of property; inheritance; obligations ex delicto and ex contractu; (4) recognition and enforcement of rights: personal relations; property; inheritance; administration of estates; judgments; obligations. Beale, Cases on Conflict of Laws, Vols. I, II, and III. 1Mj. Second Term, Winter Quarter; and Spring Quarter. ASSOCIATE PROFESSOR BIGELOW.
71. International Law I.—Mj. Autumn Quarter. PROFESSOR JUDSON.
72. International Law II. 4Mj. Winter Quarter (two hours). PROFESSOR JUDSON.
[See Announcements of Department of Political Science]
75. Roman Law. PROFESSOR FREUND.
[See Announcements of Department of Political Science]
[Omitted in 1908-9]
80. Pleading.—Common law pleading with reference to code pleading and equity pleading. Necessary allegations for various causes of action; demurrers; methods of pleading defenses, whether in denial or by confession and avoidance; replications; duplicity; departure; new assignment; motions on the pleadings. Ames, Cases on Pleading (2d ed.), and selected cases. 1RfMj. Second Term, Winter Quarter; and Spring Quarter. PROFESSOR WHITTIER.
82. Damages.—Exemplary, liquidated, nominal, direct, and consequential damages; avoidable consequences: counsel fees; certainty; compensation; physical and mental suffering; aggravation and mitigation; value; interest; special rules in certain actions of tort and contract. Beale, Cases on Damages. Mj. Spring Quarter. MR. ECKHART. DM. Second Term, Summer Quarter. PROFESSOR RICHARDS.
[Given in 1908-9 and in alternate years thereafter]
84. Evidence.—Nature of evidence; the jury; judicial notice; burden of proof; presumptions; admissions; law and fact; rules of exclusion: misleading or unimportant matters, character evidence, confessions, hearsay, with their exceptions; opinion evidence; real evidence; writings, including proof of execution and contents, and the “parol evidence” rule; competency, privilege, and examination of witnesses. Thayer, Cases on Evidence (2d ed.). 1RfMj. Autumn Quarter (five hours); and First Term, Winter Quarter. PROFESSOR WHITTIER.

PRACTICE COURSES
90. Practice I.—Powers of courts; principles of jurisdiction; commencement of actions, venue, service of process; proceedings in rem, quasi in rem, and personal actions; court records; filing and serving pleadings; defaults; assessment of damages, entry of judgment, appearance, motions to set aside defaults or vacate judgments; settling pleadings; death of parties; amendments; preparation and trial of cases: right to open and close, presentation of evidence, instructions to jury, motions for new trial, entry of judgment; affidavits and depositions. 4Mj. Second Term, Winter Quarter (two hours); and Spring Quarter (two hours). PROFESSOR TENNEY.
[Required of second-year students]
91. Practice II.—Judgments and decrees at law and in equity; form and mode of entering; judgments by confession; enforcement of judgments and decrees; judgment liens and executions; review of judgments on appeal: nature of appellate jurisdiction, preserving questions for review, bills of exceptions, certificates of evidence, appealable orders, appeals, writs of error, preparation of transcript, assignments of error, hearings, briefs, arguments; judgment of reviewing court: affirmation, reversal, modification, proceedings in lower court; practice regarding receiverships, injunctions, attachment, garnishment, and replevin suits; practical suggestions upon conducting a law office. 4Mj. Autumn Quarter (two hours); and First Term, Winter Quarter (two hours). PROFESSOR TENNEY.
[Required of third-year students]
LECTURE COURSES
[Non-credit courses]
Copyright Law. MR. REED. Trademark Law. MR. REED.
Mining Law. MR. ZANE. Irrigation Law. MR. ZANE.
Admiralty Law. MR. KREMER. Legal Ethics. MR. JUSTICE FREEMAN.