III. COURSES OF INSTRUCTION, 1911-12

Pre-Legal Courses

Various studies especially valuable in the preliminary education of a lawyer have been designated as "pre-legal courses" and are enumerated below. Though not required, prospective law students are strongly advised to elect at least a year of work (chiefly in the third college year) from this group, and to choose their Junior College electives with this view. Candidates for the degree of LL.B. are also urged to take pre-legal work before entering the Law School.

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, should take these before entering the Law School.

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 quarter. M = Minor course, four hours weekly for one term. DM = Double Minor course, eight hours weekly for one term. Twelve hours a week is full work. Many of the courses continue through more than one quarter, and for these no partial credit will usually be given. Credit for the first part of a course is provisional until its completion.)

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. 2 Mj. Autumn Quarter, Professor Whittier; Winter Quarter, Professor Cook. (Two sections in Autumn.)

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 (ed. of 1909-10), Vols. I and II. 1½ Mj. Autumn Quarter (five hours); Winter Quarter, First Term, Professor Hall. (Two sections in Autumn.)

2A. Torts.—First half of course 2. DM. Summer Quarter, First Term, Professor Hall.
3. Property.—Distinction between real and personal property. Real property: tenures; estates; seizin 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 (2d ed.), Vols. I and II. 14 Mj. Autumn Quarter; Winter Quarter, First Term; and Winter Quarter, Second Term (two hours), Professor Bigelow. (Two sections in Autumn.)

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. 14 Mj. Winter Quarter, Second Term (three hours); and Spring Quarter, Professor Mecham.

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 (2d ed.), Vol. III, and pamphlet of selected cases. Mj. Summer Quarter, Professor Freund. Mj. Spring Quarter, Professor Bigelow.

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.). 14 Mj. Winter Quarter, Second Term (two hours); and Spring Quarter, Professor Cook.

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

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; right 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.). Mj. Spring Quarter, Professor—

[Given in 1911-12 and in alternate years thereafter]

10. Quasi Contracts.—Sources of obligation; extent of obligation: records, duties (customary, official, statutory), unjust enrichment; obligation distinguished from contract and tort; waiver of tort; money paid under compulsion; benefits received without contract; benefits received under contract unperformed on account of mistake of law or fact, impossibility, illegality, statute of frauds, or inexcusable default. Woodruff, Cases on Quasi Contracts. DM. Summer Quarter, Second Term, Professor Cathcart.

[Given in 1911-12 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 (2d ed.), Vol. IV. DM. Summer Quarter, First Term, Professor Vance. Mj. Winter Quarter, Professor Freund.

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 (2d ed.), Vols. V and VI (part). Mj. Autumn Quarter, Professor Freund.

19. Mining and Irrigation.—Mining: discovery and location of lode claims; nature and extent of interest acquired, annual labor, forfeiture, abandonment, resumption, and relocation; tunnel claims; placer claims; extra-lateral rights; cross veins and veins uniting on the dip; procedure to obtain patent. Irrigation: irrigation at
common law, other systems of irrigation law, doctrine of appropriation; appropriation of water for irrigation, basis of right of appropriation, patentees and appropriators, waters subject to appropriation, requisites of appropriation; priorities, judicial and administrative determination; transfer and extinguishment of water rights. Selected cases. DM. Summer Quarter, Second Term, PROFESSOR POUND.

[Omitted in 1911-12 and in alternate years thereafter]

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 COOK.

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.


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. Summer Quarter (six hours), PROFESSOR MACK. Autumn Quarter; and Winter Quarter, First Term, PROFESSOR COOK ——.

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. Spring Quarter, PROFESSOR COOK ——.

[Omitted in 1911-12 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. Wyman, Cases on Mortgages (ed. of 1906). DM. Summer Quarter, First Term, PROFESSOR MONNET. MJ. Spring Quarter, PROFESSOR ——.

[Given in 1911-12 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; warranty and remedies for breach of warranty; statute of frauds. Williston, Cases on Sales (2d ed.). MJ. Winter Quarter, Second Term; 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. Winter Quarter, Second Term; and Spring Quarter, PROFESSOR ——.

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. Wyman, Cases on Public Service Companies (2d ed.). MJ. Autumn Quarter (two hours); and Winter Quarter, First Term (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.*

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* (3d ed.). 1/4 Mj. Autumn Quarter; and Winter Quarter, First Term (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; stockholders’ liability; intercorporate relations; purchase by a corporation of its own stock; dissolution; receiverships; foreign corporations; limits of legislative control. Warren, *Cases on Private Corporations.* 1/4 Mj. Autumn Quarter; and Winter Quarter, First Term, 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.* 1/4 Mj. Autumn Quarter (three hours), Mr. Henickman.

63. Constitutional Law I.—Judicial power to declare statutes unconstitutional: origin of doctrine, limitations upon exercise of power, separation of departments of government, advisory opinions; making and changing constitutions; general scope of fundamental guaranties; slavery; privileges and immunities of citizens; due process and equal protection of law: procedure, police power, eminent domain; *ex post facto* and retroactive laws. Thayer, *Cases on Constitutional Law,* Vol. I. Mj. Winter Quarter, Professor Hall.

64. Constitutional Law II.—Federal jurisdiction and express powers; implied powers; citizenship; suffrage; effect of later amendments; taxation; laws impairing obligations of contracts; regulation of commerce; money; war. Thayer, *Cases on Constitutional Law,* Vols. I (part) and II. [Course 63 is not a prerequisite.] Mj. Spring Quarter, Professor Hall.

65. Municipal Corporations.—General nature; corporate capacity; self-government: 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.

[Omitted in 1911-12 and in alternate years thereafter]

67. Administrative Law and Officers.—Administrative power and action; discretion: form and proof of official acts; notice; hearing and evidence; execution. Relief against administrative action: action to recover damages; specific relief (extraordinary legal remedies); jurisdiction, conclusiveness, and judicial control. Freund, *Cases on Administrative Law.* Mj. Summer Quarter. Mj. Winter Quarter, Professor Freund.

[Given in 1911-12 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. 1/4 Mj. Second Term, Winter Quarter; and Spring Quarter, Professor Bigelow.

71. International Law I.—Mj. Autumn Quarter, Professor Judson.

72. International Law II.—4 Mj. Winter Quarter (two hours), Professor Judson.

[See Announcements of Department of Political Science]
75. Roman Law.—Mj. Professor Freund.
[See Announcements of Department of Political Science]
[Omitted in 1911-12]

80. Common Law Pleading.—Forms of action, including necessary allegations and methods of pleading defenses; objections by motion or demurrer to irregularities, defects in form, dilatory defects, and defects in substance; defaults; pleas: dilatory, to capacity, and in bar by way of traverse or confession and avoidance; cross demands; replications and further pleadings; amendments. Whittier, Cases on Common Law Pleading, and Ames, Cases on Pleading (ed. of 1905). Mj. Spring Quarter, Professor Whittier.

81. Code Pleading.—Introductory summary of common law pleading. Actions and special proceedings; the complaint, including necessary allegations, method of statement, and prayer for relief; answers, including general and special denials, new matter, equitable defenses, counter claims, and union of defenses; replies; demurrers. Hinton, Cases on Code Pleading, and Ames, Cases on Pleading (ed. of 1905). DM. Summer Quarter, Second Term. 1½ Mj. Spring Quarter (six hours), Professor Whittier.

*82. Equity Pleading.—Bills in equity, including parties, general requisites, and multifariousness; disclaimer and default; demurrers; pleas; answers; replications; cross bills; amendments. Thompson, Cases on Equity Pleading and Practice. ½ Mj. Autumn Quarter (two hours), Professor Whittier.

83. 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 (2d ed.). Mj. Spring Quarter.

[Omitted in 1911-12 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.). 1½ Mj. Autumn Quarter (five hours); and Winter Quarter, First Term, Professor Cook.

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. ½ Mj. Winter Quarter Second Term (two hours); and Spring Quarter (two hours), Professor———.

[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, attachments, garnishment, and replevin suits; practical suggestions upon conducting a law office. ½ Mj. Autumn Quarter (two hours); and Winter Quarter, First Term (two hours), Professor———.

[Required of third-year students]

LECTURE COURSES

Copyright Law. Mr. Reed.
Admiralty Law. Mr. Kremer.
Trademark Law. Mr. Reed.
Legal Ethics. Mr. Freeman.