PROFESSIONAL COURSES

[M. = 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 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.]

1A. Contracts I.—Mutual assent and its communication; offers and their expiration or revocation; consideration; requisites of contracts under seal; rights of beneficiaries; joint and several contracts. Williston, Cases on Contracts, Vol. I. Mj. Autumn, Professor Whittier. (Two sections.)

1B. Contracts II.—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 (part) and II. Mj. Winter, Professor Cook.

2. Torts.—Trespass to person and to property; excuses for trespass; conversion; negligence; legal duties; statutory torts; legal cause; contributory and imputed negligence; contributory illegality; possessory duties; acting at peril; liability for animals; deceit; defamation; slander, libel, privilege, malice; right of privacy; 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. Mj. Autumn; Winter, First Term (five hours); and Second Term (two hours), Professor Hall. (Two sections in Autumn.)

2A. Torts.—Course 2 through possessory duties. DM. Summer, 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. Mj. Autumn (five hours); and Winter, First Term, Professor Bigelow. (Two sections in Autumn.)

4. Agency.—Nature of relation; appointment; liabilities of principal: torts, contracts, crimes, admission; liabilities of agent; parties to writings; undisclosed principal; obligations between principal and agent; delegation of agency; termination of agency; ratification. Wambaugh, Cases on Agency. DM. Summer, Second Term, Professor Huston. Mj. Winter, Second Term; and Spring, Professor Mechom.

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

80. Common Law Pleading.—Forms of action, including their scope, necessary allegations, and methods of pleading defenses; demurrers for 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 (five hours), Professor Whittier.
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.—Parent and Child: custody; support; property and earnings; emancipation; damages to parental rights; liability for torts of children. Infants: contracts; conveyances; affirmane, disaffirmance, restoration of benefits; particular contracts and obligations; necessaries; torts. Husband and Wife: rights of spouses in each other’s property; incapacities of wife; ante-nuptial contracts; torts; separate estate in equity; statutory changes of common law; marriage and divorce. Woodruff, Cases on Domestic Relations (2d ed.). Mj. Summer, Professor Freund. Smith, Cases on Persons; Vernier, Cases on Marriage and Divorce. Mj. Spring, Professor Hinton.

[Given in 1914–15 and in alternate years thereafter.]

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 selected cases. Mj. Spring, Professor Bigelow.

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. Costigan, Cases on Wills. Mj. Winter, 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, Professor Freund.

19. Mining and Irrigation.—Mining: location of lode claims; preservation and loss of location; relocation; tunnel claims; placer claims; extra-lateral rights; cross veins and veins uniting on the dip; proceedings to obtain patent. Irrigation and Water Rights: water rights at common law; other systems of law as to use of water; the doctrine of appropriation; basis and nature of right acquired; requisites of appropriation; priorities; transfer and extinguishment of water rights. Costigan, Cases on Mining Law, and selected cases on Irrigation. DM. Summer, Second Term, Professor Pound.

[Given in 1914–15 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). DM. Summer, First Term. Mj. Autumn, Professor Cook.


22. Equity III (including Quasi-Contracts).—Interpleader; bills of peace; bills quia timet: cancellation of contracts, cloud on title, perpetuation of testimony, rights of future enjoyment. Reformation and rescission of contracts, restitution, at law (quasi-contracts) and in equity: mistake; fraud, misrepresentation, concealment; duress and undue influence; illegality; benefits received without contract; benefits received under contract unperformed on account of impossibility, illegality, statute of frauds, or inexcusable default. Ames, Cases in Equity Jurisdiction, Vol. II; Keener, Cases on Equity Jurisdiction, Vol. III
(part); and Woodruff, *Cases on Quasi-Contracts*. 1½ Mj. Winter, Second Term; and spring, Professor Cook. [The Spring work (Quasi-Contracts) may be taken separately.]

24. Trusts.—Nature and requisites of a trust; express, resulting, and constructive trusts; charitable trusts; appointment and office of trustee; nature of cestus's interest; transfer of trust property by trustee or by cestui; cestus'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.). 1½ Mj. Autumn; and Winter, 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 of subrogation, indemnity, contribution, or exoneration; creditor's right to surety's securities. Ames, *Cases on Suretyship*. DM. Summer, First Term, Professor Vance. ½ Mj. Spring (three hours), Professor Whittier. [Given in 1914–15 and in alternate years thereafter.]

31. Mortgages.—Essential elements of legal and equitable mortgages; rights of mortgagee 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*. ½ Mj. Spring (three hours), Professor Whittier. [Omitted in 1914–15 and in alternate years thereafter.]

40. Sales.—Subject-matter of sale; executory and executed sales; bills of lading and *opus disponenti*; stoppage in *transitum*; fraud; factors' acts; warranty and remedies for breach of warranty; statute of frauds. Williston, *Cases on Sales* (2d ed.). 1½ Mj. Winter, Second Term; and Spring, 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. ½ Mj. Summer (six hours), Professor Moore. Winter, Second Term; and Spring, Professor Hall.

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 *transitum*; connecting carriers; actions against carriers; tickets; baggage; compensation and lien. Wyman, *Cases on Public Service Companies* (2d ed.). ¾ Mj. Autumn (two hours); and Winter, First Term (two hours), Mr. Eckhart.

44. Insurance.—Fire, life, and accident 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*. DM. Summer, Second Term. ¾ Mj. Winter (three hours), 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* (3d ed.). 1½ Mj. Autumn; and Winter, 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. Richards, Cases on Corporations. 1½Mj. Autumn; and Winter, 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. ¾Mj. Autumn (three hours),
Mr. Oliphant.

63. Constitutional Law I.—Making and changing constitutions; function
of judiciary in enforcing constitutions; separation and delegation of powers of
government; personal liberty; interstate privileges and immunities of citizens;
operation of fourteenth amendment; due process and equal protection of law:
procedure, police power, taxation; eminent domain; protection to persons
accused of crime. Hall, Cases on Constitutional Law. Mj. Winter, Professor
Hall.

*64. Constitutional Law II.—General scope of powers of federal government;
money, banking, postal, and military powers; citizenship and suffrage; foreign
relations, Indians, aliens; territories, dependencies, new states; federal taxation;
regulation of commerce; intergovernmental relations; state laws impairing obli-
gations of contracts; retroactive civil laws; jurisdiction of federal courts. Hall,
Cases on Constitutional Law. [Course 63 is not a prerequisite.] Mj. Spring,
Professor Hall.

65. Municipal Corporations.—General nature; creation, alteration disso-
lution; legislative control; internal organization; powers: general, legislative,
police, taxation, contracts, property; liability: contracts, quasi-contracts, torts
in general, negligence in performance of various functions; enforcement of judg-
ments against. Beale, Cases on Municipal Corporations. Mj. Winter, Pro-
fessor Hinton.

67. Administrative Law.—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 (extra-
ordinary legal remedies); jurisdiction, conclusiveness, and judicial control. Freund,
[Given in 1914-15 and in alternate years thereafter.]

*70. Conflict of Laws.—(1) Jurisdiction: sources of law and comity; terri-
torial 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 enforce-
ment of rights: personal relations; property; inheritance; administration of
estates; judgments; obligations. Beale, Cases on Conflict of Laws, Vols. I, II,
and III. 1¾Mj. Winter, Second Term; and Spring, Professor Bigelow.

71. International Law.—Mj. Winter, Professor Judson.
[See Announcements of Department of Political Science.]

81. Code Pleading.—Actions and special proceedings; the complaint, includ-
ing 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). [Course 80 (see p. 11)
is a prerequisite.] ¾Mj. Autumn (two hours), Professor Hinton.

82. Equity Pleading.—Bills in equity, including parties, general requisites,
and multifariousness; disclaimer and default; demurrers; pleas; answers;

¹ Not credited toward a law degree if taken before courses 1, 2, and 3.
replications; cross bills; amendments. Thompson, *Cases on Equity Pleading and Practice*. [Course 80 (see p. 11) is a prerequisite.] 1\(^{\circ}\)Mj. Spring (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*. Mj. Spring, Professor Hinton.

[Omitted in 1914–15 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.). 1\(^{\circ}\)Mj. Autumn; Winter, First Term; and Second Term (two hours), Professor Hinton.

**PRACTICE COURSES**

90. Practice I.—Jurisdiction *in personam* and *in rem*; service and return of process; appearance; filing and settling pleadings; amendments; defaults, setting aside, and proceedings to final judgment; qualification and selection of jury; function of the court and jury; non-suits and directed verdicts; instructions or charge to the jury; verdicts; special interrogatories; trials without jury; motions for new trials; bills of exceptions; writs of error and statutory appeals. Sunderland, *Cases on Trial Practice*. 1\(^{\circ}\)Mj. Winter, Second Term (two hours); and Spring (two hours), Professor Hinton.

[Required of second-year students.]

*91. Practice II.—Practical exercises: commencement of actions; use of motions and demurrers; pleadings to issue and amendments; preparation for trial; trial of issues of fact, with and without jury; settling instructions; exceptions; return and entry of verdicts; motions for new trial and in arrest of judgment; entry of judgment; settling and allowance of bills of exceptions; writs of error; transcripts of the record; assignments and joinder in error; briefs and argument. 1\(^{\circ}\)Mj. Autumn (three hours), Professor Hinton.

[Required of third-year students.]

**LECTURE COURSES**

[Non-credit courses.]

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

Use of Law Books (with practical exercises). Mr. Schenk.