PROFESSIONAL COURSES

[The credit-value of courses of instruction is reckoned in majors and minors. 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 ordinarily 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 Moore. (Two sections.)

1B. Contracts II.—Alternative contracts; conditional contracts; illegality, impossibility; 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. 1½Mjs. Autumn; Winter, First Term (five hours); and Second Term (two hours), Professor Hall. (Two sections in Autumn.)

3. Property.—Real property: tenure, seisin, disseisin, adverse possession, prescription; livery of seisin, fines and recoveries, releases, surrenders, conveyances under statute of uses; description of property; size of estates; creation of easements and profits; covenants for title; execution of deeds; estoppel; priority, notice, and record. Personal property: distinction between real and personal property; acquisition of rights; gift; bailment; lien; pledge; fixtures; emblements. Gray, Cases on Property (2d ed.), Vols. I and III, with selected cases. 1½Mjs. Autumn (five hours); and Winter, First Term, Professor Bigelow. (Two sections in Autumn.)

3A. Property.—Distinction between real and personal property. Real property: tenures; estates; seisin and conveyance; statute of uses; profits; natural rights; easements; covenants at law as to use of lands. Gray, Cases on Property (2d ed.), Vols. I and II. DM. Summer, First Term, Professor Bigelow.

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. 1½Mjs. Winter, Second Term; and Spring, Professor Mecham.

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.). DM. Summer, Second Term, Professor Keedy. 1½Mjs. Winter, Second Term (two hours); and Spring, Professor Cook.

60. 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

**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.—Husband and Wife: marriage and divorce; incidents of marital relation as between spouses and against third parties; husband's liability for torts and contracts of wife; incapacities of wife; statutory changes in common law. Parent and Child: custody; support; earnings and services; parental rights against third parties; parental liability for torts of or to children. Infants: contracts and conveyances: necessaries, affirmancence, disaffirmance, restoration of benefits, particular obligations; torts; crimes. Kales, *Cases on Persons*, with Vernier's *Supplement*. Mj. Spring, Professor Hall.

[Omitted in 1915-16 and in alternate years thereafter.]

9. 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*. DM. Summer, Second Term, Professor Moore. Mj. Spring, Professor Hall.

[Given in 1915-16 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. Summer, Professor Freund. Mj. Spring, Professor Bigelow.

[Not open to those who have credit for course 3 in 1915-16. Subject-matter will be changed in 1916-17.]

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. Autumn, Professor Freund.


19. Mining and Water Rights.—Mining: location of lode claims; preservation and loss of location; relocation; tunnel claims; placer claims; extralateral rights; cross veins and veins uniting on the dip; proceedings to obtain patent. Water Rights and Irrigation: 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 Water Rights. DM. Summer, Second Term.

[Omitted in 1915-16 and in alternate years thereafter.]

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). M. Summer, First Term, Professor Scott. §Mj. Winter (two hours), Professor Hinton.

22A-B. Equity III (including Quasi-Contracts).—A: Interpleader; bills of peace; bills quia timet: cancellation of contracts, cloud on title, perpetuation of testimony, rights of future enjoyment. B: 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. Selected cases (in preparation). MJ. Spring, Professor Cook.

[Part A omitted in 1915-16.]

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; assignment of choses in action. Ames, Cases on Trusts (2d ed.). MJ. Summer, First Term (eight hours); and Second Term (four hours), Professor Scott. §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. §Mj. Spring (three hours), Professor Moore.

[Omitted in 1915-16 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; exten-
sion, assignment, and discharge of mortgages. Kirchwey, Cases on Mortgage. DM. Summer, First Term. §Mj. Spring (three hours), Professor Moore.

[Given in 1915-16 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, Second Term; and Spring, Professor Mecham.

41. Bills and Notes.—Formal requisites; acceptance; indorsement; trans-
fer; purchase for value without notice; overdue paper; extinguishment; obliga-
tions of parties; checks; diligence: presentment, dishonor, protest, notice; the
Negotiable Instruments Law. Ames, Cases on Bills and Notes, Vols. I and II. §Mj. Winter, Second Term; and Spring, Professor Moore.

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; bag-
gage; compensation and lien. Wyman, Cases on Public Service Companies
(2d ed.). §Mj. Autumn (two hours); and Winter, First Term (two hours),
Mr. Oliphant.

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. §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.). Mj. Autumn; and Winter, First Term (two hours), Professor Mechém.

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. Richards, Cases on Corporations. Mj. Autumn; and Winter, First Term, Professor Mechém.

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. Mj. 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; inter-governmental relations; state laws impairing obligations 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, dissolution; 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 judgments against. Beale, Cases on Municipal Corporations. Mj. Winter, Professor Moore.

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. Winter, Professor Freund.

68. Statutes.—Formal requirements; methods of legislation; principles of drafting; scope and effect; principles of construction; legislative history. Selected cases and assigned problems. Mj. Summer, Professor Freund.

69. Principles of Legislation.—Mj. Winter, Professor Freund.

70. Conflict of Laws.—(1) Jurisdiction: sources of law and comity; territorial jurisdiction; jurisdiction in rem and in personam; (2) remedies, rights of

1 Not credited toward a law degree if taken before courses 1, 2, and 3.
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. Winter, Second Term; and Spring, Professor Bigelow.

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

81. Code 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). [Course 80 (see p. 11) is a prerequisite.] 2MJ. Autumn (three hours), Professor Hinton.

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_. [Course 80 (see p. 11) is a prerequisite.] 2MJ. Spring (two hours), Professor Hinton.

86. 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.). 1MJ. 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. DM. Summer, Second Term. 2MJ. 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. 2MJ. 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. Kremer.  
Legal Ethics. Mr. Freeman.  
Use of Law Books (with practical exercises). Mr. Schenk.  
[Required of first-year students.]

Brief-Making and Legal Argument (with practical exercises). Mr. Oliphant.  
[Required of first-year students.]

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