In order to achieve credit for 135 course hours in nine quarters, the student must take an average of 15 course hours (3 ¾ course units) per quarter. Unless special permission is granted, no student may take more than 17 course hours in any quarter. Each student is responsible for informing himself at all relevant times of the number of additional credits he requires for graduation.

FIRST-YEAR COURSES


302. Contracts. Promises and consideration—the bargain; fairness, duress, mistake, supervening events, default as an excuse, damages; an introduction to multiple-party transactions. Aut (3), Win (3), Spr (2), Sharp.

303. Criminal Law and Administration. General doctrines of criminal liability, crimes against persons and property, legislative problems of criminal-law revision; selected problems of procedure, administration, and constitutional rights. Aut (3), Win (3), Allen, Morris.

304. Civil Procedure. (1) The elements of civil litigation, including the presentation and the trial of legal claims and defenses. Pleading and related procedures; the fundamental rules of discovery and other pre-trial procedures; an introduction to trials and appeals. (2) The basic concepts of jurisdiction and scope of adjudication. Jurisdiction of state and Federal courts; venue; joinder of claims and parties; the rules of res judicata and collateral estoppel. Aut (4), Spr (4), Hazard, Lucas.

305. Property. Present and future interests in land and chattels; restrictions on the creation of future interests; conveyances inter vivos, including land contracts; adverse possession and statutes of limitation. Win (5), Spr (4), Dunham, Tefft.

306. Torts. Protection of personal integrity, including freedom from contact, defamation, etc.; compensation for personal injuries; protection against injuries to property interests; protection of consumers, purchasers, and investors; protection of business and other interests from willful invasion; theories of civil liability. Aut (3), Win (3), Kalven.

307. Agency. A study of that pervasive device by which one person (association, trust, or corporation) may employ others to do his work, construct his factory, acquire property, or sell and deliver goods, as if he were present and acting—with particular attention to the social basis for vicarious liability and the procedures for allocating risks. Spr (3), Currie.


SECOND- AND THIRD-YEAR COURSES

The program for the second and third years is elective. Courses recommended, but not required, as second-year courses are marked with an asterisk.

400. Equity.* The origin and development of equitable remedies and their role under present conditions. Aut (4), Tefft.

401. Restitution. As an alternative remedy for tort; remedies in contracts induced by fraud or mistake, and in contracts unenforceable because of impossibility of performance, and statute of frauds, or plaintiff's breach; rescission for defendant's breach and duress. (3), Tefft. [Not offered in 1964–65.]

402. Redress of Certain Harms. A detailed study of injury to relational interests with special emphasis on defamation, disparagement, invasions on the right of privacy, and other dignitary torts, as well as tortious interference with contract rights. (3), Kalven. [Not offered in 1964–65.]

403. Trusts.* The creation and termination of trusts; contemporary use of the trust device; constructional problems of trusts. Aut (4), Oaks.

404. Decedents' Estates.* Intestate succession; limitations upon testamentary power; execution and revocation of wills; interpretation of wills; will substitutes; probate and administration. Win (4), Rheinstein.

407. Modern Real Estate Transactions. A study of land marketing transactions emphasizing

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1 An examination will be given at the end of the Winter Quarter.

2 An examination will be given at the end of the Autumn Quarter.
problems of the development of urban land, of marketing urban land, whether by sale or by lease, of financial acquisition of urban land, and of marketable title and title examination. The problems are illustrated with materials from the area of marketing of housing. Spr (4), Dunham.

408. Oil and Gas. Nature of interests in oil and gas, trespassers and adverse claimants, rights and duties under leases, unitization, pooling, and other problems arising from exploration, ownership, and production of petroleum. (3), Oaks. [Not offered in 1964–65.]

409. Mortgages. A study of real estate and chattel mortgages and related types of security, with emphasis upon enforcement and liquidation. Win (4), Tefft.


415. Family Law. Marriage and the family as social and legal institutions; legal relations between members of the family and between the family and outsiders; dissolution of the family. Spr (4), Allen.

420. Evidence. The law governing the proof of disputed issues of fact in trials at law and equity, with incidental treatment of hearings before administrative agencies, including burden of proof, presumptions, and judicial notice; the functions of judge and jury; the examination, competency, and privileges of witnesses; the exclusionary rules of evidence. Aut (5), Melzer.

421. Criminal Procedure. Study of the legal problems arising from the operation of the criminal process, including those associated with the investigation of crime and the detention of suspected persons, the acquisition of evidence, bail, formal accusation and criminal pleading, prosecution and defense of criminal charges, sentencing practices, appeal, and the administration of corrections. Emphasis is given to the development of constitutional doctrine in the field and to modern efforts for procedural reform. Win (4), Allen.

425. Economic Analysis and Public Policy.* The pricing process and the allocation of resources in a free-market system; monopoly and restraint of trade; monetary theory and the credit system; industrial fluctuations; economic analysis and economic policy.1 Aut (4), Coase.

426. Accounting.* Introduction to accounting techniques and the interpretation of financial statements.2 Aut (3), Davidson.

430. Corporation Law. Distribution of control; application of the fiduciary principle to directors, officers, shareholders, and promoters; the procuring and maintaining of corporate capital. Win (5), Kaplan.


432. Insolvency and Reorganization. Credit aspects of inflation and deflation; problems of investment, debt, and failure in a fluctuating economy; debtor relief, including corporate reorganization plans; corporate capital structure. Spr (4), Blum.

435. Federal Taxation I. Income taxation of individuals; the rate structure; the definition of income; the exclusions and deductions; the treatment of gains and losses from property; the taxable unit and the attribution of income. Aut (3), Blum.

436. Federal Taxation II. Income taxation of partnerships, corporations, and other business entities; the corporate income tax; the taxation of shareholders; the comparative tax treatment of partnerships and corporations; the accounting aspects of income taxation; the relationship of taxation to monetary and fiscal policy. Federal Taxation I is a prerequisite. Win (3), Blum.

437. Federal Taxation III. Estate planning; the income taxation of trusts and estates; the estate and gift taxes; the conservation of family estates from a tax point of view; the social and economic implications of progressive taxation. Federal Taxation I is a prerequisite. Spr (3), Oaks.

440. Labor Law I. The legal framework for collective bargaining, strikes, picketing, lockouts and other forms of pressure; the relationship between that framework and a general antimonopoly policy; the selection of the collective bargaining representative and the representative's authority and responsibility with respect to the individual employee; the negotiation, administration, and enforcement of collective bargaining arrangements. Win (4), Melzer.

441. Labor Law II. A more intensive examination of the grievance-arbitration process and of individual rights in the enforcement of the agreement; the regulation of union internal affairs,

1 Recommended as preparation for Law 440, 445, and 446.

2 Recommended in connection with Law 430 and 435. Students who have had as much as a year of college accounting must secure permission of the instructor prior to registering for Law 426.
including admission, discipline, elections, fiduciary obligations and related requirements; inter-
union relations. Labor Law I (or the consent of the instructor, which will be given only in un-
usual situations) is a prerequisite for Labor Law II. Spr (3), Meltzer.

445. Law of Competition and Monopoly. The structure of American industry; the theory of 
competition and monopoly; the growth and application of basic antitrust doctrines in the area of 
restraints and monopoly; antitrust aspects of the misuse of patents; international cartels. 
Spr (5), Neal, Director.

446. Regulation of Competition. A study of governmental limitations upon methods of 
competition and the right to compete, with emphasis on the Robinson-Patman Act, the law of 
unfair competition and trademark infringement, and antitrust aspects of government regulations 
of industry. State fair-trade legislation, state statutes prohibiting sales below cost, and un-
fair competition aspects of patent and copyright infringement also will be studied. Aut (4), 
Dam.

450. Administrative Law.* Constitutional law, statutory law, common law, and agency-
made law concerning the powers and procedures of administrative agencies, including problems 
of adjudication, rule-making, and judicial review. Aut (5), Davis.

451. Constitutional Law I.* The first part of this course will be devoted to an evaluation of 
the history and role of the judiciary in a federal constitutional democracy, including such ques-
tions as the proper scope of judicial review and the propriety of judicial participation in such 
political matters as legislative districting. The second part will treat of the distribution of 
powers between the state and national governments primarily in the area of economic regulation. 
There will be special concern with the question whether federalism, at least in the realm of 
economic affairs, has been destroyed by the subjugation of the states. Win (4), Kurland.

452. Constitutional Law II.* This course is concerned with the rights of the members of the 
American community, non-citizens as well as citizens, vis-a-vis the state and national govern-
ments. Emphasis will be placed on the rights of freedom of speech, assembly, and press and 
the religion clauses of the First Amendment; and on the equal protection clause of the Four-
teenth Amendment especially as it is concerned with the constitutional problems of the claims 
of Negroes to governmental action. Inherent in most of these problems is the question of the 
proper role of the judiciary in their resolution. Spr (4), Kurland.

453. State and Local Government. Selected problems in state constitutional and administra-
tive law and the general legal principles applicable to the operation of counties, cities, and 
towns. Aut (4), Lucas.

454. State and Local Taxation. A study of selected problems dealing with the power to tax 
and limitations placed upon such power by the federal and state constitutions; the chief sources 
of state and local tax revenues; and problems of conflict between tax systems in a federal state. 
Federal Taxation I is a prerequisite. (4), Lucas. [Not offered in 1964–65].

455. Federal Jurisdiction. History of federal judiciary acts; structure and business of the 
federal courts; nature of federal judicial function; diversity of citizenship jurisdiction; federal 
question jurisdiction; jurisdictional amount; removal jurisdiction; jurisdiction to enjoin 
federal courts; three-judge courts; law applied by federal courts. Win (4), Currie.

456. Admiralty. Admiralty and maritime jurisdiction; marine insurance; carriage of goods; 
charter parties; general average; rights of seamen and other maritime workers; collision; 
salvage; maritime liens and ship mortgages; limitation of liability. Win (4), Lucas.

457. Conflict of Laws. The problems arising when significant aspects of a case relate to 
more than one state or country. Aut (4), Currie.

460. International Law. Nature, source, and application of international law; international 
agreements; membership in the international community; territory of states; nationality; 
jurisdiction and jurisdictional immunities; state responsibility and international claims; the law 
of war; and an introduction to international organization law. Spr (4), Mentschikoff.

461. International Commercial Problems. A study of international sales transactions with 
emphasis upon government controls over currency and commodities, such as exchange con-
trols, quotas, licenses, tariffs, and the common market state trading. Commercial Law I is a 
prerequisite, except with special permission of the instructor. Win (3), Mentschikoff.

462. International Investment Problems. A study of legal and economic factors influencing 
the international flow of capital, particularly in the form of direct investment in foreign sub-
sidaries. Problems of organizing, financing, and operating foreign companies will be examined 
with particular emphasis upon national and international law about concessions, subsidies, 
licensing, monopoly, and competition; expropriation and protection of property abroad; copy-
right and patent protection; taxation of foreign business; and related problems. Spr (4), Dam.

463. Regional and International Institutions. A study of the substantive and procedural rules 
governing the activities of regional and international political, economic, and military institu-
tions. Primary attention will be devoted to the European Economic Community and the United Nations. Win (4), *Dam.*

470, 471, 472. Civil Law. Contracts, torts, property, and family relations law under the systems of the French and German civil code. This course constitutes a part of the Foreign Law Program; properly qualified students who are not in the Foreign Law Program may be admitted for one quarter. Aut (6), Win (6), Spr (6), Rheinstein, *Brède de l'Isle, Janisens.*

474. Comparative Constitutional Law. Comparative treatment of the following topics: the vocabulary of constitutional law; the establishment of constitutions; the efficacy of constitutions; the content, development, and amendment of constitutions; the protection of fundamental human rights and freedoms (with reference also to International Law); problems of federalism. Spr (4), *Cowen.*

475. Jurisprudence. A study of the province of jurisprudence; problems of methodology; the nature of the judicial, legislative, and administrative processes in their relation to each other, with particular reference to the idea of "principled adjudication"; a reassessment of statutory interpretation; the various relations between law and justice. Aut (4), *Cowen.*

499. Individual Research. Individual research projects under the supervision of members of the faculty may be undertaken for credit by arrangement with the instructor concerned and with the permission of the Dean.

SEMINARS

501. Seminar: Contracts. Selected problems. This year the seminar will explore some of the overlapping ideas influencing insurance and suretyship, particularly as they affect the surety bond. Permission of the instructor is required. Aut (3), *Sharp.*


515. Seminar: Law and Criminology. An examination of a variety of issues of criminal-law administration including juvenile delinquency, probation, parole, and the organization of correctional systems. Emphasis is given to the evaluation of relevant criminological materials. Win (3), *Allen, Morris.*

525. Seminar: Money, Banking, and Employment. Discussion of past and proposed plans for dealing with the problem of economic stability. (3), *Director.* [Not offered in 1964–65.]


527. Seminar: The Nature and Function of Property Rights in Social Organization. Review of the classical justification for property rights and the relation of such rights to freedom and efficiency. Three specific topics will be studied with a view to formulating a general theory of property rights: (1) the origin of property rights in resources; (2) the evolution of rights to specific resources; (3) the conditions which determine the size distribution of property rights. Spr (3), *Director, Currie, Demsetz.*

530. Seminar: Current Corporation Problems. A more intensive consideration than is possible in the course in corporations of current corporation problems, such as matters relating to stock options, convertible securities, mutual funds, exculpatory clauses, or other matters of a similar nature. Corporation Law is a prerequisite. Spr (3), *Kaplan.*


540. Seminar: Labor Law. An examination of selected problems of labor law, including problems involved in the drafting, administration, and enforcement of collective-bargaining agreements. The basic course in labor law is usually a prerequisite, but students who have had relevant practical experience or relevant work in other departments may be admitted with consent of the instructor. (3), *Meitner.* [Not offered in 1964–65; individual research may be arranged with the consent of the instructor.]

545. Seminar: Workshop in Industrial Organization. Studies in the structure and behavior of industries, with special emphasis on the role of government regulation. Permission of the instructor and Dean is required. Aut (3), Win (3), Spr (3), *Stigler, Coase, Director, and other members of the faculty.*

546. Seminar: Regulated Industries. A study of comprehensive regulation of individual industries by such federal agencies as the Interstate Commerce Commission, Federal Aeronautics Board, Federal Power Commission, and Federal Communications Commission. Primary emphasis will be on substantive rather than procedural issues. A different industry will be
studied each year. Prerequisite: Law 446 or consent of instructor. (3), Dam. [Not offered in 1964-65.]

547. Seminar: Administrative Regulation. Problems in a substantive field of administrative regulation, such as transportation, radio and television, or natural gas; emphasis on individual research. Law 450 is a prerequisite. (3), Davis. [Not offered in 1964-65.]

550. Seminar: Administrative Law. Research problems on the frontier of rapidly developing administrative law; that is, the law about powers and procedures of administrative agencies. Law 450 is a prerequisite. Win (3), Davis.

551. Seminar: Constitutional Law. The seminar this year will be concerned with constitutional problems arising in the area of fair trial with some emphasis on the proper role of the jury in civil and criminal cases. Seminar discussions will center around special reading assignments and student papers. Aut (3), Kurland.

552. Seminar: The Supreme Court. An analysis of work of the Supreme Court and its opinions for the current term. Enrollment is limited and by permission of the instructor. Win (3), Currie, Kurland, Neal.


555. Seminar: Local Government. Selected topics in local government law and administration. The seminar this year will be especially concerned with the role of the private citizen in local law enforcement: standing to bring legal proceedings to enforce ordinances and local regulations through taxpayer suits, mandamus, injunction, and administrative review; protection from abuse through actions for malicious prosecution and abuse of process. Win (3), Lucas.

556. Seminar: Public Regulation of Land. A survey of various regulatory laws controlling land use, such as housing and building codes, zoning and planning, antitrust suits, statutes, water regulation, etc. Spr (3), J. Levi.

557. Seminar: Law Revision. In Autumn 1964 the topic of the seminar will be portions of a model probate code. On the basis of some field research on the topic the student will prepare a report on the problem and a draft of a proposed solution. The problem will be the treatment of claims of creditors in a probate proceeding. Aut (3), Dunham.

561. Seminar: Taxation of Foreign Income. A study of selected problems concerning the taxation of foreign income. (3), Blum, Dam. [Not offered in 1964-65.]

565. Seminar: International Organization for Trade and Development. A research seminar, primarily for graduate students, for the analysis of national, regional, and international programs and institutions affecting trade among nations and economic development. The seminar will run through the year. Open only with the permission of the instructor. Aut (2), Win (2), Spr (2), Dam.


575. Seminar: Reasoning and Law. The functions of logic and other experiences in the law. Permission of the instructor is required. Spr (3), Sharp.


599. Foreign Law Study. Students in the second year of the Foreign Law Program spend a year of study abroad pursuing programs planned individually in consultation with Professor Rheinstein. Aut (12), Win (12), Spr (12).

COURSES IN THE SUMMER SESSION, 1964

Redress of Certain Harms. (4) Jo Desha Lucas.

Trusts. (4) Edward C. Halbach, Jr.

Modern Real Estate Transactions. (4) Sheldon Teffy.

Constitutional Law II. (4) Philip B. Kurland.

Conflict of Laws. (4) Stanley A. Kaplan.

Seminar: Economic Analysis of Robinson-Patman Act Cases. (3) Aaron Director.