

[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. DM. Summer, First Term, PROFESSOR MOORE. Mj. Autumn, ASSISTANT PROFESSOR OLIPHANT. (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.), Vol. III, with selected cases. 1½Mjs. 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. 1½Mjs. Winter, Second Term; and Spring, PROFESSOR MECHEM.

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.). 1½Mjs. Winter, Second Term (two hours): and Spring, PROFESSOR HALL.

80. *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 HINTON.

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: necessities, affirmance, disaffirmance, restoration of benefits, particular obligations; torts; crimes. Kales, *Cases on Persons*, with Vernier's *Supplement*. Mj. Summer, PROFESSOR FRIEND. Mj. Spring, PROFESSOR COOK.

[Given in 1916-17 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* (2d ed.). Mj. Spring, PROFESSOR COOK.

[Omitted in 1916-17 and in alternate years thereafter.]

14. **Rights in Land of Another.**—Natural rights respecting air, water, and land; nature and extent of profits, easements, and licenses; covenants and other agreements affecting use of land; classification, apportionment, abatement, and extinguishment of rents. Gray, *Cases on Property* (2d ed.), Vol. II. 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. Gray, *Cases on Property* (2d ed.), Vol. IV. DM. Summer, Second Term, PROFESSOR BINGHAM. Costigan, *Cases on Wills*. Mj. Autumn, PROFESSOR FRIEND.

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 FRIEND.

19. **Mining and Water Rights.**—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. 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.

[Given in 1917-18 and each third year thereafter.]

20. **Equity I.**—Nature of jurisdiction; relation of common law and equity; 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. Boke, *Cases in Equity* (part). Mj. Winter, PROFESSOR COOK.

21. Equity II.—Bills for an account; bills of peace; bills *quia timet*; cloud on title. Specific reparation and prevention of torts: waste; trespass; disturbance of easements; nuisance; interference with business relations; libel; monopoly rights. Boke, *Cases in Equity* (part). $\frac{1}{2}$ Mj. Winter (two hours), PROFESSOR HINTON.

22. Equity III (including Quasi-Contracts).—Reformation, rescission, and restitution, at law (quasi-contracts) and in equity: mistake; misrepresentation, fraudulent and innocent; duress and undue influence; illegality; impossibility; benefits received under contracts within and without the statute of frauds; benefits received without contract. Cook, *Cases on Reformation, Rescission, and Restitution* (in preparation). $1\frac{1}{2}$ Mjs. Winter, Second Term; and Spring, PROFESSOR COOK.

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.). $1\frac{1}{2}$ Mjs. 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, Second Term, PROFESSOR MOORE. $\frac{3}{4}$ Mj. Spring (three hours), ASSISTANT PROFESSOR OLIPHANT.

[Given in 1916-17 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*. $\frac{1}{2}$ Mj. Spring (three hours), ASSISTANT PROFESSOR OLIPHANT.

[Omitted in 1916-17 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.). $1\frac{1}{2}$ Mjs. Summer, PROFESSOR AYER. $1\frac{1}{2}$ Mjs. 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. $1\frac{1}{2}$ Mjs. Winter, Second Term; and Spring, ASSISTANT PROFESSOR OLIPHANT.

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.). $\frac{3}{4}$ Mj. Winter, Second Term (two hours); and Spring (two hours), ASSISTANT PROFESSOR 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*. $\frac{3}{4}$ 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.). DM. Summer, First Term. $1\frac{1}{2}$ Mjs. 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. Richards, *Cases on Corporations*. $1\frac{1}{2}$ Mjs. 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* (2d ed.). $\frac{3}{4}$ Mj. Autumn (three hours), ASSISTANT PROFESSOR OLIPHANT.

63. Constitutional Law I.¹—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.**¹—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.] DM. Summer, First Term. Mj. Spring, PROFESSOR HALL.

65. Municipal Corporations.¹—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 _____.

[Omitted in 1916-17 and in alternate years thereafter.]

67. Administrative Law and Officers.¹—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. Mj. Winter, PROFESSOR FREUND.

[Given in 1916-17 and in alternate years thereafter.]

68. Statutes.¹—Formal requirements: methods of legislation; principles of drafting; scope and effect; principles of construction; legislative history. Selected cases and assigned problems. Mj. Winter, PROFESSOR FREUND.

69. Principles of Legislation.¹—Mj. Winter, PROFESSOR FREUND.

[Omitted in 1916-17. See *Announcements* of Department of Political Science.]

¹ Not credited toward a law degree if taken before courses 1, 2, and 3.

*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. 1½Mjs. Winter, Second Term; and Spring, PROFESSOR BIGELOW.

71. International Law.¹—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. 12) is a prerequisite.] ¾Mj. 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. Case book in preparation. [Course 80 (see p. 12) is a prerequisite.] ½Mj. Autumn (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.). 1½Mjs. 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. Hinton, *Cases on Trial Practice*. Mj. Winter, Second Term (two hours); and Spring (three 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 ¾Mj. Autumn (three hours), PROFESSOR HINTON.

[Required of third-year students.]

NON-CREDIT COURSES

Copyright Law. MR. REED. Trademark Law. MR. REED.

Admiralty Law. MR. KREMER. Legal Ethics. MR. ———.

Use of Law Books (with practical exercises). MR. SCHENK.

[Required of first-year students.]

Brief-Making and Legal Argument (with practical exercises). MR. ———

[Required of first-year students.]

¹ Not credited toward a law degree if taken before courses 1, 2, and 3.