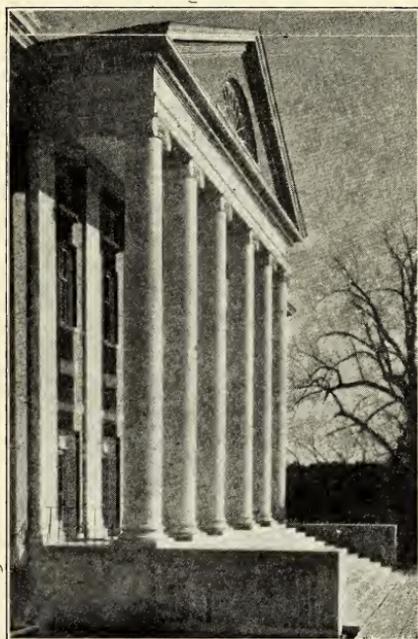


*See next vol. for June  
issue*

MAY, 1929

NUMBER 261

*The*  
UNIVERSITY *of* NORTH  
CAROLINA RECORD



THE SCHOOL OF LAW

1929-1930

THE UNIVERSITY OF NORTH CAROLINA PRESS  
CHAPEL HILL, N. C.

## CALENDAR

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1929

- Sept. 19*                    *Thursday.* Registration for fall term.\*  
*Sept. 20*                    *Friday.* Class work for fall term begins.  
*Oct. 12*                     *Saturday.* University Day exercises.  
*Nov. 27*                    *Wednesday.* Thanksgiving recess begins (1:00 p. m.)  
*Dec. 2*                      *Monday.* Thanksgiving recess ends (8:30 a. m.)  
*Dec. 21 (afternoon)*—*Jan. 1, 1930.* Christmas recess.

1930

- Jan. 2*                      *Thursday.* Class work after Christmas recess begins.  
*Jan. 25*                    *Saturday.* Fall semester ends.  
*Jan. 27*                    *Monday.* Spring semester begins. Registration day.\*  
*Mar. 15-21*                *Saturday afternoon through Friday.* Spring recess.  
*June 5*                     *Thursday.* Spring semester ends.  
*June 6-9*                  *Friday through Monday.* Commencement.

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\* Each student registering later than this date must pay five dollars (\$5.00) as an additional fee for delayed registration.

## THE SCHOOL OF LAW

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HARRY WOODBURN CHASE, Ph.D., LL.D., *President.*

CHARLES TILFORD McCORMICK, A.B., LL.B., *Dean.*

### THE ADMINISTRATIVE BOARD

HOWARD WASHINGTON ODUM, Ph.D., *Kenan Professor of Sociology.*

ROBERT DIGGS WIMBERLY CONNOR, Ph.B., *Kenan Professor of History and Government.*

DUDLEY DEWITT CARROLL, A.M., *Professor of Economics.*

ATWELL CAMPBELL McINTOSH, A.M., LL.D., *Professor of Law.*

ROBERT HASLEY WETTACH, A.M., LL.B., S.J.D., *Professor of Law.*

MAURICE TAYLOR VAN HECKE, Ph.B., J.D., *Professor of Law.*

## FACULTY

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MILLARD SHERIDAN BRECKENRIDGE, Ph.B., LL.B., *Professor of Law.*

Ph.B. 1917, University of Chicago; LL.B. 1917, Yale; general law practice, 1919-1922; Assistant Professor of Law, State University of Iowa, 1922-1924; Associate Professor of Law, Western Reserve University, 1924-1927; Professor of Law, University of North Carolina, 1927—

ALBERT COATES, A.B., LL.B., *Professor of Law.\**

A.B. 1918, University of North Carolina; LL.B. 1923, Harvard; Associate Professor of Law, University of North Carolina, 1923-1926; Professor of Law, 1927—

FREDERICK BAYS McCALL, A.B., LL.B., *Associate Professor of Law.*

A.B. 1915, University of North Carolina; LL.B. 1928, Yale University; general law practice, 1922-1926; Assistant Professor of Law, University of North Carolina, 1926-1927; Associate Professor of Law, 1928—

CHARLES TILFORD McCORMICK, A.B., LL.B., *Dean of the School of Law.*

B.A. 1909, University of Texas; LL.B. 1912, Harvard; general law practice, 1912-1917 and 1919-1922; Professor of Law, University of Texas, 1922-1926; Professor of Law, University of North Carolina, 1926-1927; Dean, 1927—

ATWELL CAMPBELL McINTOSH, A.M., LL.D., *Professor of Law.*

A.B. 1881, A.M. 1887, Davidson College; LL.D. 1923, Davidson College; general law practice, 1882-1904; Professor of Law, Trinity College, 1904-1910; Professor of Law, University of North Carolina, 1910—

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\*On leave of absence, 1929-1930, as Research Fellow in Harvard Law School.

**MAURICE TAYLOR VAN HECKE, Ph.B., J.D., *Professor of Law.***

Ph.B., 1916, J.D., 1917, University of Chicago; general law practice, 1913-1914; Legislative Reference Bureau, Springfield, Ill., 1917-1920; Assistant Professor of Law, West Virginia University, 1920-1921; Associate Professor of Law, University of North Carolina, 1921-1923; Associate and Professor of Law, University of Kansas, 1923-1927; Visiting Professor of Law, Yale University, 1927-1928; Professor of Law, University of North Carolina, 1928—

**ROBERT HASLEY WETTACH, M.A., LL.B., S.J.D., *Professor of Law.***

A.B. 1913, M.A. 1914, LL.B. 1917, University of Pittsburgh; S.J.D. 1921, Harvard; general law practice, 1919-1920; Assistant Professor of Law, University of North Carolina, 1921-1923; Associate Professor of Law, 1923-1926; Professor of Law, 1926—

**PATRICK HENRY WINSTON, *Professor of Law.***

Graduate U. S. Military Academy, West Point, 1905; general law practice, 1906-1909; Professor of Law, University of North Carolina, 1909—

## THE SCHOOL OF LAW

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### GENERAL STATEMENT

*History.*—The law school which developed into the School of Law of the University was founded in 1843 at Chapel Hill as a private school by William H. Battle, then a judge of the Superior Court, later a justice of the Supreme Court of the state. In 1845 Judge Battle was made professor of law in the University, and it was provided that the degree of Bachelor of Laws should be conferred on those completing the prescribed two-year course. From the records of the University, however, it seems that few degrees were actually conferred. For a long time the school maintained a certain independence of the University. The professor of law received no salary, though he enjoyed the fees from his classes, and the students were not entirely subject to the discipline of the University.

This was the position of the school from its formation until 1899, a period which covered the professorship of Judge Battle, who retired in 1879; two years when the law classes were conducted by Kemp P. Battle, then President of the University; and the professorship of John Manning, elected 1881, died 1899. In 1899 the school was completely incorporated into the University, with the late James C. MacRae, previously a justice of the Supreme Court of North Carolina, as the first dean of the School of Law. Among those who have served as members of the faculty of the School of Law are Samuel Field Phillips (1854-1859), later Solicitor General of the United States; Thomas Ruffin (1900-1907); James Crawford Biggs (1898-1900), later a judge of the Superior Court; and Lucius Polk McGehee (1904-1909 and 1910-1923), author of "Due Process of Law."

*Approved by the American Bar Association.*—In 1921 the American Bar Association adopted a resolution reading in part as follows:

- (1) The American Bar Association is of the opinion that every candidate for admission to the bar should give evidence of

graduation from a law school complying with the following standards:

- (a) It shall require as a condition of admission at least two years of study in a college.
- (b) It shall require its students to pursue a course of three years' duration if they devote substantially all of their working time to their studies, and a longer course, equivalent in the number of working hours, if they devote only part of their working time to their studies.
- (c) It shall provide an adequate library available for the use of the students.
- (d) It shall have among its teachers a sufficient number giving their entire time to the school to insure actual personal acquaintance and influence with the whole student body.

The University of North Carolina School of Law has complied with these requirements and is classified by the American Bar Association as an "approved law school."

*Member of the Association of American Law Schools.*—The Law School is a member of the Association of American Law Schools, an association composed of sixty-two of the leading law schools in the United States and including the law schools of such universities as Harvard, Yale, Cornell, and Chicago. The object of this association is to improve legal education in America, and member schools are required to maintain certain high standards relating to entrance requirements, faculty, library, and curriculum.

*Registered Under New York Regents' Rules.*—A carefully compiled list of approved law schools, whose credits are acceptable as evidence of due preparation for the New York Bar Examinations, is published by the University of the State of New York. The School of Law is accredited in this list for the full three years' work.

## REQUIREMENTS FOR ADMISSION

### Regular Students

The matter of admission to the School of Law, as to all the other schools and colleges of the University, is arranged through the Registrar of the University.

The Registrar passes upon all applications for admission, and all inquiries as to eligibility to enter should be addressed to him. Those who intend to enter must furnish to the Registrar (a) a certificate of successful vaccination against smallpox, and (b) a certificate showing the completion of a four years' high school course of fifteen units and the completion of not less than two years of college work (see below), which must be approved by the Registrar. These certificates should be sent by mail to the Registrar at least two weeks before registration day, if possible.

The academic requirements for admission to the School of Law may be satisfied by:

(1) An *academic degree* from the University of North Carolina or any other standard college or university approved by the Registrar.

(2) *Three years* of academic work prescribed in the "Combined Courses in Arts and Law" or in "Commerce and Law" as described on pages 21-23, inclusive, of this bulletin.

(3) *Two full years* (a) of regularly prescribed work counting towards a degree in the College of Liberal Arts, the School of Commerce, or the School of Education, in this University, or (b) equivalent work in some other standard college or university.

(4) The *two-year pre-law course*, in the College of Liberal Arts, *which is strongly recommended by the law faculty as the course best adapted for those devoting only two years to college work.* It is as follows:

FIRST YEAR	SECOND YEAR
English 1, or 1a and 1	Two courses of English 3, 4, 5, or 21 in the discretion of the dean of the College
Mathematics 1-2	Government 1, and either 2, 35, or 47
History 1-2	Economics 1-2
Two courses in a natural science	History 3-4 (English), or 7-8 (American), or Psychology 1-2
*Two courses in a foreign language (French, Latin, German, or Spanish)	Another course in the same foreign language

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\*The total requirement in foreign language is three courses of collegiate grade based upon at least two units completed in high school or the equivalent in elementary courses taken here.

### Special Students

A limited number of special students, not candidates for a degree, with less than the required two years of academic training may be admitted. They must be at least twenty-three years of age and must furnish evidence to satisfy the law faculty that their experience and training have specially equipped them to engage successfully in the study of law despite the lack of the required college credits. The number of such special students admitted each year may not exceed ten per cent of the average number of students admitted by the school as beginning regular law students during the two preceding years.

### Admission to Advanced Standing

A student from another school of law, in which the requirements for admission are at least as high as in this school, may be admitted to advanced standing for the degree of LL.B. As a rule no more than one year's work will be so credited without residence, but with the consent of the law faculty two years' work may be credited in exceptional cases, provided the last year of work for the law degree is done in residence. A student seeking admission to advanced standing must present satisfactory evidence that the work taken in another school is substantially equivalent to that given in the corresponding year here, both in the character of the work covered and in the amount of time devoted to each subject.

### EXPENSES

Fees	Residents of N. C.	Non- Residents
Tuition for fall and spring terms, each . . . . .	\$50.00	\$62.50
*Matriculation fee each term . . . . .	18.00	18.00
Publications fee each term . . . . .	2.50	2.50
Laundry fee each term . . . . .	12.75	12.75
Law student activities fee . . . . .	2.50	2.50
(\$5.00 payable fall term only)		
Total for each term . . . . .	\$85.75	\$98.25

\*This includes the gymnasium fee, the library fee, the fee for attendance of the university physician, and the fee for debates.

### Board

Excellent board is furnished at Swain Hall for \$22.00 a month. A few students can earn their board by waiting on the tables.

Board without room can be obtained in the town for \$22.50 to \$35.00 a month.

### Dormitory Accommodations

Accommodations for nearly thirteen hundred students are available in the University dormitories. All rooms in the dormitories are completely furnished. Students will, however, provide their own pillows, bed linen (for single beds), and towels.

Room rent ranges from \$5.00 to \$11.00 a month for each occupant, the price depending upon the location of the room. These charges include light, heat, and service.

Application for rooms in dormitories should be made to the Cashier, Business Manager's Office, University of North Carolina, and should be accompanied by a check for \$5.00 as a deposit. The dormitories nearest the Law School are Steele, Ruffin, and Grimes.

### DIVISION OF ACADEMIC YEAR: DATES

Work in the School is divided into two semesters instead of into three quarters. The first semester begins at the same time as the fall quarter of the College of Liberal Arts, and ends on the last Saturday in January. The second semester begins on Monday after the last Saturday in January, and ends at the same time as the third quarter of the College of Liberal Arts.

In 1929-1930, registration day for the first semester is Thursday, September 19, and for the second semester, Monday, January 27. For late registration an additional fee of five dollars (\$5.00) is charged.

Beginning students may enter the School in the summer session, or at the beginning of the first semester in the fall. They may not enter at the second semester except with the written permission of the dean of the School of Law.

## THE SUMMER SCHOOL

The summer school in law offers opportunity for the students to supplement the work of the long session by taking additional courses, some of which are not given in the long session, or to shorten the period of study by completing the work for the law degree in two long sessions and three summer sessions. Provision is made for the admission of beginning students of law, who, by attending throughout the entire summer session, may secure credit for one-third of a year's work. It has been the practice to secure distinguished judges and law teachers from other institutions as visiting professors in the summer school. Among these have been Chief Justice Walter P. Stacy and Associate Justices George W. Connor and W. J. Brogden of the Supreme Court of North Carolina; Professor A. L. Green, Yale University; Dean Young B. Smith, Columbia University; Dean J. L. Parks, University of Missouri; and Professors Edmund M. Morgan, Harvard University, and Wesley A. Sturges, Yale University.

The program for the Summer Session of 1929 is as follows:

CONSTITUTIONAL LAW. *G. W. Connor*, Justice of the Supreme Court of North Carolina.

PUBLIC UTILITIES. *George J. Thompson*, Professor of Law, Cornell University.

FEDERAL TAXATION. *F. D. Siefkin*, Member of the United States Board of Tax Appeals.

DOMESTIC RELATIONS. *A. C. McIntosh*, Professor of Law, University of North Carolina.

CONTRACTS. *M. T. Van Hecke*, Professor of Law, University of North Carolina.

NORTH CAROLINA PLEADING AND PRACTICE. *W. J. Brogden*, Justice of the Supreme Court of North Carolina.

TRUSTS. *George G. Bogert*, Professor of Law, University of Chicago.

BANKRUPTCY. *William E. Britton*, Professor of Law, University of Illinois.

CRIMINAL LAW. *Albert Coates*, Professor of Law, University of North Carolina.

CONTRACTS (continued). *M. T. Van Hecke*, Professor of Law University of North Carolina.

A bulletin announcing the courses to be given in the summer of 1930 will be issued early in that year.

## THE LAW BUILDING

The Law School occupies Manning Hall, named for the late John Manning, formerly a distinguished professor in the School. The building was erected in 1923 and, besides being modern and commodious, is particularly notable for beauty of design.

### THE LAW LIBRARY

The library is the most complete and extensive law school library in the state and is one of the largest in the South. It has more than 20,000 well selected volumes on its shelves, which include the reports of the courts of last resort of all the states either in official volumes or the National Reporter System, and also the United States Supreme Court Reports, The Federal Reporter, The New York Supplement, Illinois Appellate Reports, The English Reports Reprint, The Law Reports (English), The Law Journal Reports, The Law Times Reports, The Times Law Reports, The Dominion Law Reports, the codified laws of each state in the union, the federal and English statutes, and a comprehensive selection of digests, encyclopedias, annotated reports, textbooks, and law journals. It contains, among other material of historical legal interest, the law libraries of Chief Justice Richmond M. Pearson, Chief Justice William A. Hoke, and Judge Charles M. Cooke. The law library was substantially augmented in 1928 by a gift from a former student of the School of \$10,000, called the Lucius Polk McGehee Memorial Fund, which was expended for the purchase of books for the law library.

### THE NORTH CAROLINA LAW REVIEW

*The North Carolina Law Review*, issued quarterly, is published by the Law School. It is devoted to the discussion of general and local legal problems and new cases, especially those of interest to North Carolina lawyers. The notes on recent cases are prepared by the student editors, in consultation with faculty advisers. Selection of the student editors is made by the faculty on the basis of scholarship, and membership on the editorial board is the highest scholastic honor attainable by a law student before the graduating year.

### THE LAW CLUBS AND LAW SCHOOL ASSOCIATION

The Law School Association is a voluntary association of students which, under the guidance of a faculty member—Professor Coates—promotes the activities of the law clubs, and endeavors to bring the students and the faculty of the Law School into a co-

operating relationship with the members of the bench and bar. Law clubs are organized in each class and their members argue law questions upon agreed statements of fact before members of the faculty. From the winners in these arguments are selected those who will participate in the final argument. This is held before a court consisting of distinguished lawyers and judges. In 1928 the court consisted of Associate Justices W. J. Adams and W. J. Brogden of the Supreme Court of North Carolina, and Messrs. A. L. Brooks, of Greensboro, J. S. Manning, of Raleigh, and John A. MacRae, of Charlotte.

### TRIAL AND OFFICE PRACTICE

The course in trial and office practice is believed to be organized on lines which will make for the highest practical value to the student. Recently Mr. C. L. Shuping, of Greensboro, generously gave the sum necessary to install in Manning Hall a complete trial court room; similar assistance by Mr. W. M. Hendren, of Winson-Salem, and others made possible the installation of a large practice office, with necessary desks and files for the use of a class. In these quarters the practice class will carry on trial and office work. The office work consists chiefly in the drafting of contracts, deeds, leases, mortgages, wills, and corporation and partnership documents, the preparation and examination of abstracts of title, and the preparation of the forms used in judicial proceedings. This will be done under the guidance of the various members of the faculty teaching the respective substantive law subjects involved. This will be followed by the trial of cases. Stenographic reports of actual trials in state and federal courts will be used as laboratory material. Plaintiff's testimony will be given to a plaintiff's counsel and defendant's testimony to a defendant's counsel, who will prepare their respective pleadings. Witnesses taken from the class will read the record and prepare to give evidence based upon the actual testimony. Counsel will prepare pleadings without having seen the actual pleadings and will try the case before a student jury, and the instructor will preside and will thereafter criticize the pleadings, trial tactics, and arguments of the counsel on the law and facts. It is believed this will impart in a vivid way some knowledge of the *art*, as well as the law, of trials.

## THE ORDER OF THE COIF

In twenty-eight of the leading law schools of this country, selected as conforming to very high standards, chapters have been established of the Order of the Coif. Membership is purely honorary and is awarded each year to those students of the senior class who throughout their law school career have attained the highest standing in their courses. Thus far it has been awarded to the following:

Class of 1927: Samuel Eldon Vest, Joseph Lapsley Cantwell, Jr., and William Harrison Abernathy.

Class of 1928: Charles Raper Jonas, Clarence Windley Hall, and Frank Bird Gummey II.

## READING COURSE

In addition to the regular class work and collateral reading, it is the aim of the School to develop the habit among the students of frequent informal conferences with faculty members over the difficulties and problems which are encountered in their studies. It is believed that this personal contact between student and teacher, which is no longer possible in the larger schools, is of inestimable value and will foster some of the professional spirit that was engendered by the former association between lawyer and student in the days when legal instruction was secured in law offices. To this end a reading course has been introduced for first-year students. This course will consist solely of the reading of books designed to acquaint the student at the outset with some of the history, general ideas, outstanding personalities, and rich literature of the law. The students will be divided into small groups, each of which will be assigned to a different professor as adviser. He will hold individual conferences on the readings.

## METHOD OF INSTRUCTION

In its teaching the School of Law has adopted the method used in the leading schools in this country. This is called the "case-method" because the starting point is the statement in class by the students of the results of their independent analysis of actual decisions. These are selected so as to reveal the fundamental prin-

ciples of a given subject, as they have been developed in the settlement of actual human controversies. The cases thus stated are the basis for an active discussion by the class, under the guidance of the instructor, of the practical applications of the doctrines so revealed. This is supplemented by assigned readings in the state and federal statutes, and in standard textbooks and periodicals. During the fifty years during which this method has gradually won acceptance in practically all the standard schools, experience has shown that it gives training in the analysis of the actual problems that are presented to a lawyer and promotes accuracy of thought, readiness of statement, and a vivid and retentive perception of legal principles, more completely than the methods previously in vogue in which the student played the passive part of accepting the law as handed down in lectures.

### STUDENTS FROM OTHER STATES

While greater emphasis is placed upon North Carolina decisions and statutes than those of any other states, the legal doctrines are studied as part of the Anglo-American common law system and the case-books used are selections of cases taken from all the common law jurisdictions. Students from other states are encouraged to investigate the decisions and statutes of their own states in regard to the questions discussed, and the law library provides the materials necessary for such investigation. The law course as a whole is designed to prepare the student in the fundamentals of the common law in such a manner as to fit him for practice in any state.

### AIM OF THE SCHOOL

The aim of the School is to develop competent lawyers and not merely to prepare students for the bar examination. The course extends over three years and subjects are offered in what seems the most advantageous sequence. Students are required to follow the order of the curriculum, and one who stops before completing it will not have a comprehensive or adequate legal education. While no particular attention is paid to preparing men for the bar examination, our students have been successful in passing it.

## SUBJECTS OF INSTRUCTION

All subjects in the first year are prescribed. Those in the second and third year are elective, but second-year students may not elect third-year subjects except by permission of the dean.

## FIRST YEAR

## CONTRACTS

*Mr. Van Hecke*

The formation, construction, operation, and performance of contractual obligations, including offer and acceptance, consideration, seals, the Statute of Frauds, conditions, discharge, third party beneficiaries, assignments, joint contracts, and effect of illegality.

*Three hours, both semesters.*

*Corbin's Cases on Contracts.*

## TORTS

*Mr. Wettach*

Principles of tort liability as developed in the action of trespass; justification and excuse; negligence as a basis of liability; common law and statutory duties of care; legal cause; contributory negligence; absolute liability; deceit; defamation; malicious prosecution and abuse of process; interference with social and business relations.

*Four hours, first semester; two hours, second semester.*

*Bohlen's Cases on Torts (2d ed.).*

## PROCEDURE I

*Mr. McCall*

This is an introductory course on procedure at common law. Its purpose is to acquaint the student with the court system and to give him an elementary view of methods of trial and appeal, with a fairly detailed study of the forms of action and fundamental principles of pleading.

*Three hours, first semester.*

*Morgan's Introduction to the Study of Law.*

*Cook and Hinton's Cases on Common Law Pleading.*

## PERSONAL PROPERTY

*Mr. McCormick*

The nature of possession; rights based upon possession, tenants, bailees, finders. Acquisition of title to chattels without the consent of the owner, bona fide purchase, limitations, accession, tortious confusion. Gifts *inter vivos*. Distinction between sale and bailment. Liens and pledges. Conversion.

*Three hours, first semester.*

*Edward Warren's Cases on Property.*

## LEGAL BIBLIOGRAPHY

*Mr. Van Hecke*

A practical course in the use of law books. The briefing of cases in preparation for arguments in the law clubs constitutes part of the work of the course. The problems assigned require the student to familiarize himself with the method of finding authorities upon concrete fact situations, through the use of digests, encyclopedias, textbooks, annotated cases, and constitutional and statutory sources.

*One hour, first semester.*

## READING COURSE

*Entire Faculty*

Described on page 14.

*One hour, second semester.*

## AGENCY

*Mr. Breckenridge*

Distinction between agency and other legal relationships. Express, implied, and apparent authority of agent; liability of disclosed and undisclosed principal to third party in contract and in tort; liability of agent to third party and of third party to principal and agent; ratification of unauthorized acts; termination of agency. Assigned problems will also be given in the law of Workmen's Compensation.

*Three hours, second semester.*

*Mechem's Cases on Agency* (2d ed.).

## CARRIERS

*Mr. McIntosh*

The history and development of the obligations of carriers and other public servants; the nature of the undertakings of carriers of passengers and freight; limitation of liability connecting carriers; charges and liens.

*Three hours, second semester.*

*Beale's Cases on Carriers* (2d ed.).

## REAL PROPERTY I

*Mr. McCall*

Tenure, estates, joint and common ownership, reversions and remainders. Seisin and disseisin. Common law methods of creating and transferring estates. Rents. The statute of uses. Rights in the land itself, and in air and water, incident to ownership. Fixtures. Emblements. Waste. Profits, easements, and covenants.

*Three hours, second semester.*

*Edward Warren's Cases on Property.*

## CRIMINAL LAW

*Mr. Coates*

Introduction: the problem of criminal justice. The history of criminal procedure, nature and elements of a crime, act and intention. Attempts, jurisdiction, consent, recrimination and condonation, culpability as affected by necessity, duress, coverture, infancy, insanity, etc. Justification and excuse: self-defense. Parties. Criminal conspiracy. Former jeopardy. Specific crimes: homicide, rape, assault, larceny, embezzlement, false pretenses, receiving stolen property, robbery, burglary, arson, forgery, perjury.

(Not given in 1929-30, but will be given in 1930-31.)

*Four hours, second semester.*

*Sayre's Cases on Criminal Law.*

## COURSES OPEN TO SECOND- AND THIRD-YEAR STUDENTS

## PROCEDURE II

*Mr. McIntosh*

The course is designed to cover the proceedings in an action under the code system, with the exception of the actual trial. It covers the commencement of actions, special proceedings and provisional remedies, pleadings, judgments and their enforcement, appeal and error.

*Four hours, first semester.*

*Hinton's Cases on Code Pleading* (2d ed.), and assigned readings.

## MUNICIPAL CORPORATIONS

*Mr. McIntosh*

Origin and history of municipal corporations; municipal officers; municipal legislation; powers of municipalities; revenue; indebtedness; contracts; property rights; municipal liability for injuries.

*Three hours, first semester.*

*Tooke's Cases on Municipal Corporations.*

## NEGOTIABLE INSTRUMENTS

*Mr. Breckenridge*

Form and content of checks, drafts, notes, and trade acceptances; their rise in the business and banking fields, negotiability, acceptance, and certification; rights of holder in due course and liability of parties; clearance and collection of checks, presentment, notice of dishonor; the provisions of the Negotiable Instruments Law.

*Four hours, first semester.*

*Britton's Cases on Bills and Notes.*

## SURETYSHIP

*Mr. Winston*

The law of suretyship and guaranty, especially with reference to modern developments in connection with corporations acting as surety.

*Two hours, first semester.*

*Arant's Cases on Suretyship.*

## REAL PROPERTY II

*Mr. McCall*

Title by limitation. The form of conveyances, descriptions, estates, landlord and tenant, creation of easements and profits, covenants for title. Execution of deeds. Registration. Estoppel by deed. Dedication.

*Four hours, first semester.*

*Joseph Warren's Cases on Conveyances.*

## INSURANCE

*Mr. Winston*

A study of the history and fundamental principles of marine, fire, and life insurance. Special attention is given to the standard fire insurance policy and to preparation for insurance business and practice.

*Three hours, first semester.*

*Woodruff's Cases on Insurance (2d ed.).*

## ADMINISTRATION OF JUSTICE

*Entire Faculty*

A seminar course, meeting once each month, for the discussion of present day problems in judicial administration. Among the problems to be considered are: the unification of courts; functioning of incorporated bars; selection, tenure, and compensation of judges; modification of the jury system; arbitration and conciliation; control of procedure by (a) legislatures, (b) courts, and (c) judicial conferences; uniform systems of judicial reports and statistics. Each member of the faculty will be responsible for supervising investigation of one of these subjects by a group of students and will have charge of one of the monthly meetings.

*One hour, both semesters.*

## EQUITY

*Mr. Van Hecke*

The relations between legal and equitable remedies, historically and under modern codes; the subject-matter of equitable relief, and the enforcement of equitable decrees, with particular reference to injunctions against torts and crimes and the specific performance of contracts.

*Four hours, second semester.*

*Durfee's Cases on Equity.*

## SALES

*Mr. McCall*

Subject-matter of sale; executory and executed sales; bills of lading; stoppage *in transitu*; overdue paper; fraud; factors' acts; warranty and remedies for breach of warranty.

*Four hours, second semester.*

*Woodward's Cases on Sales (2d ed.).*

**WILLS** *Mr. Winston*

The substantive and adjective law of wills, including descent and the administration of estates.

*Three hours, second semester.*

*Costigan's Cases on Wills.*

**DAMAGES** *Mr. McCormick*

Nominal and exemplary damages. Compensatory damages: direct and consequential damages, avoidable consequences and mitigation. Certainty. Liquidated damages. Value. Interest, expenses, and counsel fees. Damages in particular types of actions.

*Two hours, second semester.*

*Crane's Cases on Damages.*

**MORTGAGES** *Mr. Winston*

The nature of a mortgage; equitable mortgages; restrictions on redemption; priorities; transfers of mortgagee's and mortgagor's interests; subrogation; marshalling assets; foreclosure; the Uniform Mortgage Act.

*Three hours, second semester.*

*Parks's Cases on Mortgages.*

**COURSES OPEN TO THIRD-YEAR STUDENTS ONLY****TRUSTS** *Mr. Van Hecke*

The historical development of the trust; the settlor; the creation of the trust relation; the cestui que trust; the trustee; the subject-matter of the trust; the administration of the trust; creditors' rights; tracing, preference and priorities; modification and termination.

*Four hours, first semester.*

*Costigan's Cases on Trusts, and assigned problems.*

**TRADE REGULATION** *Mr. Breckenridge*

Contracts in restraint of trade and competition; monopolies, the federal and state anti-trust acts; unfair business practices at common law, in equity, and under the Trade Commission Act of 1914. Independent research by the students will be required. Admission to the course only by permission of the instructor.

*Three hours, first semester.*

*Oliphant's Cases on Trade Regulation.*

**PARTNERSHIP** *Mr. Winston*

A complete study of the law of partnership in all its branches, including the limited partnership.

*Three hours, first semester.*

*Gilmore's Cases on Partnership.*

**CONSTITUTIONAL LAW** *Mr. Wettach*

A brief course in the elements of Federal Constitutional Law, including the constitutional limitations and guarantees with regard to the impairment of contracts, due process and the equal protection of the laws. Interstate commerce clause. The police power. The power of taxation and eminent domain.

*Two hours, both semesters.*

*Long's Cases on Constitutional Law.*

## EVIDENCE

*Mr. McCormick*

Judicial notice. Presumptions and burden of proof. Functions of court and jury. Witnesses: examination, competency, and privilege. Rules of exclusion: evidence illegally obtained; the Hearsay Rule and its exceptions. Rules as to writings: evidence of authenticity; Best Evidence Rule; Parole Evidence Rule. Opinion evidence. Remote and prejudicial evidence. Character and reputation.

*Three hours, first semester; two hours, second semester.*

Separate credit may be secured for first semester.

Thayer's *Cases in Evidence* (Maguire's ed.), and assigned problems.

## CONFLICT OF LAWS

*Mr. Wettach*

This course treats of the principles of international private law; jurisdiction, particularly in connection with the effect of foreign judgments; the applicability of rules derived from foreign or extra-state law in respect to procedure, torts, contracts, quasi-contracts, and domestic relations; and the creation, transfer, etc., of all forms of property.

*Three hours, second semester.*

Lorenzen's *Cases on Conflict of Laws* (2d ed.).

## TRIAL AND OFFICE PRACTICE

*Mr. McIntosh*

Described on page 13. Assigned readings, records, and other material.

*Three hours, second semester.*

## CORPORATIONS

*Mr. Breckenridge*

The nature of a corporation; promotion of corporations; corporate powers; corporate liability for torts and crimes; unauthorized corporate action; including doctrines of *de facto* corporations, and *ultra vires* acts; officers, stockholders, and creditors of corporations; re-organization of corporations.

*Four hours, second semester.*

Warren's *Cases on Corporations* (2d ed.).

## LEGAL ETHICS

*Mr. McCormick*

Required for the degree.

The history and organization of the legal profession in England and the United States. The lawyer's qualifications. The admission and discipline of lawyers. The ethical duties of lawyers to courts. Ethics of legal employment in general. Solicitation of legal business. The ethical duties of lawyers in criminal and civil cases. Pecuniary relations of lawyers and clients.

*One hour, second semester.*

Costigan's *Cases on Legal Ethics*.

## DEGREES

## The Degree of LL.B.

The degree of Bachelor of Laws is conferred upon a regular student who has spent in resident study in the School of Law a period of at least three academic years, and passed satisfactory examinations on all required subjects and enough elective sub-

jects to make up an aggregate of eighty-two\* semester hours. Two long sessions and three summer sessions of at least ten weeks each are regarded as a compliance with the residence requirement.

### The Degree of J.D.

The degree of Doctor of Law (J.D.) will be conferred upon students who comply with all the following conditions:

1. Complete the work requisite for the A.B. degree or its equivalent before entrance upon the work of the School of Law.
2. Study law for a period of at least three academic years.
3. Obtain an average grade of B on all required subjects and enough elective subjects to complete the requirements for the LL.B. degree.
4. Prepare and have accepted for publication in *The Law Review* an article of at least ten pages, or case notes which in the aggregate shall be at least eight pages in length.

The degree of J.D. was conferred in 1928 upon Mr. Charles Raper Jonas and Mr. Frank Bird Gummy II.

### The Degree With Honors

The degree with honors will be conferred, on recommendation of the faculty, upon students selected from the highest one-tenth of the graduating class.

The degree with honors was conferred in 1928 upon Mr. Charles Raper Jonas.

### The Degrees of A.B. and LL.B.

The University offers a combined course in the College of Liberal Arts and in the School of Law upon completion of which students may receive the two degrees of A.B. and LL.B. in six years instead of the seven years required for the two degrees in the regular course.

Upon completing the courses in the College of Liberal Arts outlined below (before matriculation in the Law School) and the first year of law, students may receive the degree of A. B., and, upon the completion of the third year in the Law School, the degree of LL.B.

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\*This is the requirement for those graduating in 1930. This requirement will be further reduced by two hours in each of the two following years.

Prescribed courses in the College of Liberal Arts for the two degrees of A.B. and LL.B.:

	FIRST YEAR	SECOND YEAR	THIRD YEAR		
	Eng. 1	Eng. 3 and 4 or 5	Econ. 1-2		
	Math. 1-2	Hist. 3-4 or 7-8	Psychology 1-2		
			**English—2		
Select two	{	Select two	{		
				*Latin 3, 5	courses
				Greek 5	***Hist. and
				French 5	Gov't.—2
				German 21	courses
Spanish 5	One Elective				
Select one	{	Select one	{		
				Botany 1-2	
				Chem. 1-2	
				Physics 1-2	
				Zoölogy 1-2	
				Botany 1 and Zoölogy 1	
Geology 1-2					

*The foregoing academic curriculum requires at least three courses in each of two foreign languages. Instead of this requirement, the student is allowed the option of completing five courses in one such foreign language.* In case this option is taken, it is advisable that the courses in science shown in the second year be taken in the first year, and that Economics 1-2 be shifted similarly from the third to the second year. This arrangement necessitates also some obvious changes in the electives.

The School of Law suggests the courses named below as suitable electives in this course, but choice is not restricted to these; English 6, 17, 21, 22, 23; Psychology 38 (Legal Psychology), 40; History 59, 60; Economics 10, 11, 40; Sociology 10, 12.

The A.B. degree, on this basis, is conferred at the end of the fourth year (first year in law), provided the student has satisfactorily passed all of the work of the first year.

### The Degrees of S.B. in Commerce and LL.B.

The University offers a combined course which leads to the degree of S.B. in Commerce at the end of four years and LL.B. at the end of six years.

\*Latin 1, 2, 3, 5, are to be taken by students who have presented only two units for entrance. In case the student is required to pursue only Latin 3, 5, or 2, 3, 5, the number of electives is increased to make up the difference. In every case 27 courses of college grade must be completed.

\*\*The Law School recommends that at least one of these courses be advanced composition, Eng. 21.

\*\*\*The Law School recommends that the courses in History and Government be courses in English and American History or Government.

The first three years of this combined course are in the School of Commerce and are devoted to the subjects outlined below. The last three years are in the School of Law and are devoted to the courses prescribed for the LL.B. degree.

Prescribed courses in the School of Commerce are as follows :

#### FIRST YEAR

English 1  
Mathematics 1-2  
History 1-2

\*Modern Language: two courses  
Geology 5  
Commerce A

#### SECOND YEAR

Economics 1-2  
English 3 and 4 or 5  
\*Modern Language: one course  
Government 1  
Natural Sciences: two courses  
Economics 5 or History 65  
\*\*English 21 or English 16-17-18

#### THIRD YEAR

Psychology 1-2 or Education 1 and 20  
Economics 10-11  
Commerce 1-2  
Commerce 10  
Economics 30, or  
Economics 40  
Two courses chosen from the courses offered by the Department of Economics and Commerce

### EXAMINATIONS AND GRADES

*Examinations.* Preliminary hour-examinations will be held in each course in November; also at the end of the first semester, hour-examinations will be given in all courses running through the year. Individual research assignments may be substituted for preliminary examinations. Final examinations are held at the end of the first semester in the subjects then completed, and at the close of the year in all other subjects.

*Grades.* The grading of students will be indicated by the letters A, B, C, D, and F, representing respectively excellent, good, satisfactory, fair, and failed. A student receiving the grade of F (failed) in any subject will be required to repeat the course.

Full credit may not be secured for more than ten semester hours of D grade work in one long session, nor for D grade work

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\*The total requirement in modern language is three courses of collegiate grade based upon 2 units completed in high school or the equivalent in the elementary courses taken here.

\*\*English 22 may be substituted on recommendation of the English Department.

in more than one-half the hours taken in a summer session. D grade work in excess of these amounts will be given only one-half the usual credits.

### ELIMINATION OF STUDENTS

A student must obtain a grade of D or better in at least two-thirds of the total number of semester hours for which he registers, and any student who fails to do so shall thereby automatically be excluded from further work in the School. Likewise, the law faculty may drop from the School at any time any student who in their judgment is not making sufficient progress to warrant his continuing in the School.

Any instructor, with the concurrence of the dean, may drop a student from a course at any time for unsatisfactory work, poor attendance, or other good cause.

### NUMBER OF HOURS OF WORK REQUIRED AND PERMITTED

The normal amount of work is thirteen or fourteen class hours per week. Not more than fifteen hours of law work may be taken nor, if academic work is being taken at the same time, may more than twelve hours of law be taken with one academic course.

No student taking fewer than ten hours weekly will be considered as studying law within the rule of the Supreme Court which requires of applicants for license to practise in North Carolina two years' study of law as a necessary preliminary.

### PRIZES

*The Hill Law Review Prize*, established by George Watts Hill Esq., of the Durham Bar, is an award of fifty dollars to the student editor who makes the best total contribution to the *Law Review* during the school year. It was won in 1928 by Mr. Algon L. Butler.

*The Callaghan Prize in Law*. A copy of the Cyclopedic Law Dictionary is offered by Callaghan and Co., Law Publishers, to that member of the senior class each year who obtains the high-

est general average in his work for the year. It was won in 1928 by Mr. Charles Raper Jonas.

### ADDITIONAL OPPORTUNITIES OF UNIVERSITY LIFE

Students in the Law School may be admitted without additional expense to the courses given in the departments of Economics, English, Philosophy, and History in the College of Liberal Arts, subject to the rules stated as to the number of hours which a student may take, and subject to the approval of the dean of the School of Law. A student taking such a course must satisfy the entrance requirements for the course selected.

Students of the School are urged to become members of the Dialectic and Philanthropic literary societies, where they may take part in or witness debates and train themselves in parliamentary law.

As students of the University, they enjoy all the privileges of the University library, the University gymnasium, and the organizations of the University generally—literary, social, and athletic.

### INFORMATION

For further information as to requirements for admission, or as to living conditions, address **The Registrar, The University of North Carolina, Chapel Hill, N. C.**

For information as to courses or other matters pertaining particularly to the Law School, address the **Dean of the School of Law, The University of North Carolina, Chapel Hill, N. C.**

