

Michigan Law Review

Volume 49 | Issue 8

1951

MONTHLY PERIODICAL INDEX

Michigan Law Review

Follow this and additional works at: <https://repository.law.umich.edu/mlr>

Recommended Citation

Michigan Law Review, *MONTHLY PERIODICAL INDEX*, 49 MICH. L. REV. 1268 (1951).

Available at: <https://repository.law.umich.edu/mlr/vol49/iss8/33>

This Index is brought to you for free and open access by the Michigan Law Review at University of Michigan Law School Scholarship Repository. It has been accepted for inclusion in Michigan Law Review by an authorized editor of University of Michigan Law School Scholarship Repository. For more information, please contact mlaw.repository@umich.edu.

MONTHLY PERIODICAL INDEX

This department lists the *articles* and *comments* which appear in leading law reviews. The index embraces material published since the last issue of this REVIEW.

Limitation of space makes necessary the inclusion of only the longer and more important items: articles and comments. Accordingly, decision notes (except those over five pages in length), book reviews and biographical articles are excluded.

(a) indicates a leading article. Where the title of the article or comment is not self-explanatory, an indication of its scope is added in brackets.

ADMINISTRATIVE LAW

FCC comparative hearings. 64 Harv. L. Rev. 947-958 (April).

Some aspects of liquor control in California. (a) Dixwell L. Pierce. 39 Calif. L. Rev. 82-89 (March).

Taft-Hartley—separation of function in N.L.R.B. 99 Univ. Pa. L. Rev. 641-651 (March).

ADMIRALTY

Expanded maritime jurisdiction. (a) Emory Clark Smith. 19 Geo. Wash. L. Rev. 469-489 (April).

ADOPTION

See *Descent and Distribution*.

ALIENS

Alien seamen and airmen under the immigration laws of the United States. (a) Albert E. Reitzel. 19 Geo. Wash. L. Rev. 367-398 (March).

ANTI-TRUST LAWS

See *Housing*.

ARBITRATION

Some confusing matters relating to arbitration in Pennsylvania. (a) Wesley A. Sturges and Stephen B. Ives, Jr. 99 Univ. Pa. L. Rev. 727-765 (April).

ARREST

Some proposals for modernizing the law of arrest. 39 Calif. L. Rev. 96-119 (March).

ATTORNEY AND CLIENT

The bases of the attorney's liability to his client for malpractice. 37 Va. L. Rev. 429-446 (April).

ATTORNEY GENERAL

Some current problems in Pennsylvania law. Attorney general versus district attorney. 99 Univ. Pa. L. Rev. 826-829 (April).

The common law power of state attorneys-general to supersede local prosecutors. 60 Yale L. J. 559-565 (March).

AUTOMOBILES

See *Legislation*.

BANKRUPTCY

See also *Creditors' Rights*.

Bankruptcy and negotiable instruments. 64 Harv. L. Rev. 958-968 (April).

Effect of credit provisions of federal unemployment tax act upon the distribution of insolvent estates between federal and state claims. 35 Minn. L. Rev. 470-482 (April).

BANKS AND BANKING

See also *Legislation*.

LISA—insurance, savings, or both? 39 Calif. L. Rev. 90-96 (March).

BILLS AND NOTES

See *Bankruptcy, Legislation*.

CHARITIES

See also *Taxation*.

"Nontrust funds"—judicial departure from absolute tort immunity of charitable institutions in Illinois. 45 Ill. L. Rev. 776-783 (Jan.-Feb.).

The charitable corporation. 64 Harv. L. Rev. 1168-1181 (May).

CIVIL RIGHTS

See *Constitutional Law*.

CLINICAL PSYCHOLOGY

See *Legislation*.

COMMUNICATIONS

Gaming: effect of restriction of communication facilities on book-making racket. 39 Calif. L. Rev. 145-150 (March).

COMPARATIVE LAW

Sources and tendencies of Israel law. (a) Uri Yadin. 99 Univ. Pa. L. Rev. 561-571 (March).

CONFLICT OF LAWS

Conflict of law—divorce—Canadian choice of law. 49 Mich. L. Rev. 1039-1048 (May).

The proper law of a tort. (a) J. H. C. Morris. 64 Harv. L. Rev. 881-895 (April).

Quick divorce—a study. (a) Basil Hubbard Pollitt. 39 Ky. L. J. 289-316 (March).

CONSTITUTIONAL LAW

See also *Jury Trial, Searches and Seizures*.

Constitutional law—due process of law—*Thornhill* re-examined. 49 Mich. L. Rev. 1048-1054 (May).

Denying the privilege against self-incrimination to public officers. 64 Harv. L. Rev. 987-996 (April).

Hawaii drafts a constitution. (a) S. Gale Lowrie. 20 Univ. Cin. L. Rev. 215-238 (March).

Separation of powers revisited. (a) Reginald Parker. 49 Mich. L. Rev. 1009-1038 (May).

Some basic constitutional rights of economic significance. (a) Robert L. Hale. 51 Col. L. Rev. 271-326 (March).

Some current problems in Pennsylvania law. Removal of public officers in Pennsylvania: the constitutional provisions. 99 Univ. Pa. L. Rev. 829-842 (April).

Some elementary principles of constitutional law. (a) Clyde L. Colson. 53 W. Va. L. Rev. 117-141 (March).

The Blaine amendment and the bill of rights. 64 Harv. L. Rev. 939-945 (April).

"The limitation of liberty"—a comparative survey. (a) Chester James Antieau. 24 So. Cal. L. Rev. 238-251 (April).

The treaty power—its scope and limitations under the constitution. 19 Geo. Wash. L. Rev. 422-438 (March).

CONTRACTS

See also *Torts*.

Financing by assignment of government

contracts: expanding the assignee's risk. 60 Yale L. J. 548-553 (March).

Part performance in relation to parol contracts for the sale of lands: II (a) Donald Kepner. 35 Minn. L. Rev. 431-456 (April). [Part I appeared in 35 Minn. L. Rev. 1 (1950)].

CO-OPERATIVE ASSOCIATIONS

Coöperation in medicine. 35 Minn. L. Rev. 373-395 (March).

COPYRIGHTS

Inroads on copyright protection. (a) Melville B. Nimmer. 64 Harv. L. Rev. 1125-1141 (May).

CORPORATIONS

See also *Charities, Taxation*.

Corporate recapitalization in Virginia. 37 Va. L. Rev. 631-644 (May).

Corporations: control of shareholders' meetings. 39 Calif. L. Rev. 127-133 (March).

Corporations: shareholders' right to inspect books of foreign corporations. 39 Calif. L. Rev. 133-138 (March).

Further insight into more effective stockholder participation: the Sparks-Withington proxy contest. (a) Frank D. Emerson and Franklin C. Latcham. 60 Yale L. J. 429-453 (March).

Ratification by majority stockholders—a problem in corporate democracy. (a) Norman Landstrom. 31 Bost. Univ. L. Rev. 165-178 (April).

Stockholder participation in corporate affairs. 37 Va. L. Rev. 595-610 (May).

Stockholders' duty in sale of stock. (a) Austin T. Stickells. 31 Bost. Univ. L. Rev. 191-198 (April).

CREDITORS' RIGHTS

See also *Legislation*.

Federal claims priority statute *versus* the specific and perfected lien. 20 Univ. Cin. L. Rev. 274-293 (March).

CRIMINAL LAW AND PROCEDURE

See also *Arrest, Constitutional Law, Searches and Seizures*.

Homicide—murder—intent to kill as affecting the degree of murder. 24 So. Cal. L. Rev. 288-302 (April).

Some current problems in Pennsylvania law: reversible error in murder cases and the Pennsylvania supreme court. 99 Univ. Pa. L. Rev. 814-826 (April).

DAMAGES

The adequate award. (a) Melvin M. Belli. 39 Calif. L. Rev. 1-41 (March).

Treble damage time limitations: federalism rampant. 60 Yale L. J. 553-559 (March).

DESCENT AND DISTRIBUTION

Inheritance rights consequent to adoptions. (a) Francis H. Fairley. 29 N. C. L. Rev. 227-244 (April).

DIVORCE

See also *Conflict of Laws, Taxation*.

Inter-county divorce in Wisconsin. 1951 Wis. L. Rev. 359-366 (March).

Lump sum settlement in lieu of alimony and effect of remarriage thereon. 45 Ill. L. Rev. 803-809 (Jan.-Feb.).

DUE PROCESS

See *Constitutional Law*.

EVIDENCE

See also *Constitutional Law, Searches and Seizures*.

Evidence—the opinion rule as applicable to dying declarations in West Virginia. 53 W. Va. L. Rev. 170-178 (March).

The evidentiary effect of a view: *stare decisis* or *stare dictis*? (a) Thomas P. Hardman. 53 W. Va. L. Rev. 103-116 (March).

EXECUTORS AND ADMINISTRATORS

Some current problems in Pennsylvania law. A new development by way of dictum: allowance to executors of counsel fees for a will contest in Pennsylvania. 99 Univ. Pa. L. Rev. 870-873 (April).

FEDERAL COURTS

See also *Statutes of Limitations*.

Federal courts—civil rights act—stay of state criminal proceedings. 29 N. C. L. Rev. 287-293 (April).

Federal courts: diversity jurisdiction and venue in shareholders' derivative suits. 39 Calif. L. Rev. 138-145 (March).

FEDERAL PROCEDURE

See also *Pleading*.

The ancillary concept and the federal rules. 64 Harv. L. Rev. 968-976 (April).

FOREIGN AFFAIRS

Lectures on foreign policy. (a) George F. Kennan. 45 Ill. L. Rev. 718-742 (Jan.-Feb.).

FUTURE INTERESTS

Some current problems in Pennsylvania law. A debtor who can consume his own debt. 99 Univ. Pa. L. Rev. 873-879 (April).

HABEAS CORPUS

Habeas corpus protection against illegal extraterritorial detention. 51 Col. L. Rev. 368-378 (March).

HIGHWAYS

See also *Legislation*.

Highway zoning and roadside protection in Wisconsin. (a) David R. Levin. 1951 Wis. L. Rev. 197-228 (March).

HOUSING

Housing: a cursory analysis of available remedies with particular reference to the anti-trust laws. (a) G. E. Hale. 39 Ky. L. J. 255-288 (March).

IMMIGRATION

See *Aliens*.

INJUNCTIONS

See *Labor Law*.

INSANE PERSONS

See *Legislation*.

INSURANCE

See also *Banks and Banking*.

Insurance—application of "incontestable" clause in a life insurance policy to defenses arising out of application for reinstatement. 49 Mich. L. Rev. 1054-1059 (May).

INTERNATIONAL LAW

See *War Crimes Trials*.

INTERSTATE COMMERCE COMMISSION

Federal regulation of private carriers. (a) Frederick M. Porter. 64 Harv. L. Rev. 896-912 (April).

JUDICIAL ADMINISTRATION

The judiciary in Ohio. (a) Warren Cunningham. 20 Univ. Cin. L. Rev. 239-264 (March).

JURISDICTION

Solicitation as a basis of jurisdiction over a foreign corporation. 39 Ky. L. J. 357-363 (March).

JURISPRUDENCE

An outline of the nature and methods of experimental jurisprudence. (a) Frederick K. Beutel. 51 Col. L. Rev. 415-438 (April).

Can we prove that a judicial decision is "right"? (a) James L. Magrish. 20 Univ. Cin. L. Rev. 165-214 (March).

Holmes' positivism—an addendum. 64 Harv. L. Rev. 929-937 (April).

JURY TRIAL

Legislative control of trial by jury. 1951 Wis. L. Rev. 370-378 (March).

JUST COMPENSATION

Requisition at a ceiling price. (a) Robert Braucher. 64 Harv. L. Rev. 1103-1125 (May).

LABOR LAW

See also *Administrative Law, Sociology, Unemployment Insurance*.

Back pay awards against unions under the LMRA. 51 Col. L. Rev. 508-520 (April).

Important aspects of the common law basis of the labor decision and steps towards the development of a national labor policy—Part I. (a) Dwight B. MacCormack. 31 Bost. Univ. L. Rev. 139-164 (April).

Labor injunctions in action: a five-year survey in Los Angeles county. (a) Benjamin Aaron and William Levin. 39 Calif. L. Rev. 42-67 (March).

Legal limitations on union discipline. (a) Clyde W. Summers. 64 Harv. L. Rev. 1049-1102 (May).

The slow-down, and unprotected concerted activity—a pyrrhic victory for management. 60 Yale L. J. 529-537 (March).

LEGAL ETHICS

See also *Attorney and Client*.

Report on observance by the bar of stated professional standards. (a) Robert T. McCracken. 37 Va. L. Rev. 399-425 (April).

LEGISLATION

Comments on a draft act for the hospitalization of the mentally ill. 19 Geo. Wash. L. Rev. 512-530 (April).

Commercial Code: Part II. A Symposium. 16 Law and Contem. Prob. 165-343 (Spring). [Part I appeared in 16 Law and Contem. Prob. (Winter)].

The impact of the secured transactions article on commercial practices with respect to agricultural financing. (a) Robert S. Hunt and Glenn R. Coates. 165-182.

The modernization of commercial security under the uniform commercial code. (a) Homer Kripke. 183-196.

The case of the mysterious accessory. (a) R. Bruce Townsend. 197-248.

Article 8—investment securities. (a) Carlos L. Israels. 249-266.

The effect of the bulk sales article on existing commercial practices. (a) Frank W. Miller. 267-283.

Innovations in articles three and four of the uniform commercial code. (a) Richard Cosway. 284-307.

Bank deposits and collections. (a) Robert H. Brome. 308-329.

On the legal method of the uniform commercial code. (a) Mitchell Franklin. 330-343.

Regulation of psychological counseling and psychotherapy. 51 Col. L. Rev. 474-495 (April).

Some current problems in Pennsylvania law. The Pennsylvania court and retroactive effect of recent legislative provisions. 99 Univ. Pa. L. Rev. 864-867 (April).

The defense production act: choice as to allocations. 51 Col. L. Rev. 350-361 (March).

Minnesota rules of the road. 35 Minn. L. Rev. 357-372 (March).

Uniform laws in California. (a) Victor R. Henley. 39 Calif. L. Rev. 68-81 (March).

LIENS

Liens—priority of federal claims over attachments. 29 N. C. L. Rev. 293-301 (April).

MOTOR CARRIERS

See also *Interstate Commerce Commission*.

The regulation of motor carriers in Wisconsin: II. (a) Carl A. Auerbach. 1951 Wis. L. Rev. 229-343 (March). [Part I appeared in 1951 Wis. L. Rev. 5-113 (Jan.)].

MUNICIPAL CORPORATIONS

Are suburbs necessary? (a) Charles Alan Wright. 35 Minn. L. Rev. 341-355 (March).

The power of the zoning board of adjustment to grant variances from the zoning ordinance. (a) Phillip P. Green, Jr. 29 N. C. L. Rev. 245-279 (April).

NEGLIGENCE

See also *Attorney and Client, Legislation, Torts*.

Loss apportionment in negligence cases: part I. (a) Francis S. Philbrick. 99 Univ. Pa. L. Rev. 572-609 (March).

Loss apportionment in negligence cases: part II. (a) Francis S. Philbrick. 99 Univ. Pa. L. Rev. 766-812 (April).

Negligence—contributory—obstructions of view at railroad crossings. 29 N. C. L. Rev. 301-307 (April).

Res ipsa loquitur as applied to a runaway car—*Lewis v. Wolk*. 39 Ky. L. J. 328-335 (March).

NEGOTIABLE INSTRUMENTS

Negotiable instruments—discharge of prior party by statute of limitations—effect on guarantor and surety. 29 N. C. L. Rev. 307-319 (April).

PATENTS

The doctrine of equivalents revalued. 19 Geo. Wash. L. Rev. 491-505 (April).

Double patenting where a generic patent is issued after a species patent. 19 Geo. Wash. L. Rev. 505-512 (April).

Economic standards applicable to limitations upon compulsory licensing by judicial decree. 19 Geo. Wash. L. Rev. 400-422 (March).

Protection and use of trade secrets. 64 Harv. L. Rev. 976-986 (April).

PHILOSOPHY

The lawyer: how modern can he be? (a) David M. Burrell. 45 Ill. L. Rev. 743-763 (Jan.-Feb.).

PLEADING

Common law pleading modified versus the federal rules: III. (a) Marlyn E. Lugar. 53 W. Va. L. Rev. 142-169 (March). [Parts I and II appeared in 52 W. Va. L. Rev. 137 and 53 W. Va. L. Rev. 27].

POLITICAL SCIENCE

See *Constitutional Law*.

PUBLIC LANDS

Management of public land resources. 60 Yale L. J. 455-482 (March).

Some current problems in Pennsylvania law. Judicial assent to sale of public lands in Pennsylvania where a higher bid is received prior to confirmation. 99 Univ. Pa. L. Rev. 867-870 (April).

PUBLIC OFFICERS

See *Constitutional Law*.

PUBLIC UTILITIES

Power districts: an emerging device for low cost electricity. 60 Yale L. J. 483-505 (March).

RAILROADS

Chief Justice Shaw and the formative period of American railroad law: I. (a) Leonard W. Levy. 51 Col. L. Rev. 327-348 (March).

REGULATION OF BUSINESS

See also *Interstate Commerce Commission, Legislation, Motor Carriers, Railroads*.

Judicial application of antitrust law to regulated industries. 64 Harv. L. Rev. 1154-1167 (May).

SALES

Allergy of the plaintiff as a defense in actions based upon breach of implied warranty of quality. (a) Harold W. Horowitz. 24 So. Cal. L. Rev. 221-237 (April).

SEARCHES AND SEIZURES

Admissibility in state courts of evidence obtained by unreasonable searches and seizures. 35 Minn. L. Rev. 457-470 (April).

SECURITIES

See also *Legislation*.

Manipulation of the stock markets under the securities laws. 99 Univ. Pa. L. Rev. 651-691 (March).

SOCIAL SECURITY

See *Unemployment Insurance*.

SOCIOLOGY

Migrant farm workers in Wisconsin. 1951 Wis. L. Rev. 344-358 (March).

STATUTES

Judicial abrogation of the obsolete statute: a comparative study. 64 Harv. L. Rev. 1181-1189 (May).

STATUTE OF FRAUDS

See *Contracts*.

STATUTES OF LIMITATIONS

See also *Damages, Negotiable Instruments*.

Limitations and the federal courts. (a) William Wirt Blume and B. J. George, Jr. 49 Mich. L. Rev. 937-1008 (May).

TAXATION

See also *Bankruptcy*.

California property tax trends: 1850-1950. (a) W. Sumner Holbrook, Jr. and Francis H. O'Neill. 24 So. Cal. L. Rev. 252-285 (April).

Charitable and religious tax exemptions in Ohio. 20 Univ. Cin. L. Rev. 266-274 (March).

General relief provisions of the excess profits tax act of 1950. (a) John H. Alexander. 60 Yale L. J. 395-428 (March).

Integration of taxes on capital gains and income. (a) M. Francis Bravman. 37 Va. L. Rev. 527-553 (May).

I.R.C. section 112(g)(1)(D) and the term "shareholders." 45 Ill. L. Rev. 798-803 (Jan-Feb.).

Law, fact, and taxes: review of tax court decisions under section 1141 of the internal revenue code. (a) Ralph S. Rice. 51 Col. L. Rev. 439-472 (April).

Legislative response to the collapsible corporation. 51 Col. L. Rev. 361-367 (March).

Relief provisions of the excess profits tax act of 1950. 64 Harv. L. Rev. 1143-1154 (May).

Salvation through redemption: section 115(g)(3) of the internal revenue code. 45 Ill. L. Rev. 765-777 (Jan-Feb.).

Some comments on the revenue act of 1950: II. (a) Chester C. Hilinski. 99 Univ.

Pa. L. Rev. 610-639 (March). [Part I appeared in 99 Univ. Pa. L. Rev. 455 (Jan.)].

Some current problems in Pennsylvania law. Home rule taxation and the Pennsylvania court. 99 Univ. Pa. L. Rev. 842-859 (April).

Taxation—alimony payments—state and federal income tax consequences. 29 N. C. L. Rev. 319-326 (April).

Taxation—deduction of ordinary and necessary business expenses which contravene public policy. 31 Bost. Univ. L. Rev. 209-214 (April).

Taxation of charities in Massachusetts. 31 Bost. Univ. L. Rev. 200-208 (April).

Tax free exchanges of property of like kind under section 112(b)(1) of the internal revenue code. (a) Robert T. Molloy. 37 Va. L. Rev. 555-591 (May).

Taxing corporate distributions of stock or property warrants. 51 Col. L. Rev. 496-508 (April).

The residence concept and taxation of foreign income. 51 Col. L. Rev. 378-385 (March).

The Virginia income tax. (a) Robert H. May. 37 Va. L. Rev. 463-518 (April).

Transfer of pension plan carryovers. 60 Yale L. J. 541-547 (March).

TORTS

See also *Charities, Conflict of Laws, Damages*.

"Discretionary function" exception under the federal tort claims act. 45 Ill. L. Rev. 791-797 (Jan-Feb.).

Refusal to deal as a tort—conspiracy in a civil suit. 45 Ill. L. Rev. 784-791 (Jan-Feb.).

Reliance upon gratuitous promises or other conduct. (a) Warren A. Seavey. 64 Harv. L. Rev. 913-928 (April).

Trespass to negligence to absolute liability. (a) Charles O. Gregory. 37 Va. L. Rev. 359-397 (April).

TREATIES

See *Constitutional Law*.

TRESPASS

See *Torts*.

TRUSTS

Some current problems in Pennsylvania law. Trusts—inter vivos or testamentary? For what purpose? 99 Univ. Pa. L. Rev. 879-886 (April).

UNEMPLOYMENT INSURANCE

Some current problems in Pennsylvania law. "Wilful misconduct" and the Pennsylvania unemployment compensation act. 99 Univ. Pa. L. Rev. 860-863 (April).

The adequacy of social security in Massachusetts; unemployment compensation. (a) T. Noel Stern. 31 Bost. Univ. L. Rev. 179-190 (April).

VENDOR AND PURCHASER

See *Contracts*.

VENUE

See *Divorce, Federal Courts*.

WAR CRIMES TRIALS

War crimes—a refutation of objection. (a) Otto E. Reik. 39 Ky. L. J. 317-326 (March).

ZONING

See also *Highways, Municipal Corporations*.

Building size, shape, and placement regulations: bulk control zoning reexamined. 60 Yale L. J. 506-528 (March).