

## Table of Contents, Volume 36

Marquette University

Follow this and additional works at: <http://scholarship.law.marquette.edu/mulr>



Part of the [Law Commons](#)

---

### Repository Citation

Marquette University, *Table of Contents, Volume 36*, 36 Marq. L. Rev. (1952).  
Available at: <http://scholarship.law.marquette.edu/mulr/vol36/iss1/2>

This Article is brought to you for free and open access by the Journals at Marquette Law Scholarly Commons. It has been accepted for inclusion in Marquette Law Review by an authorized administrator of Marquette Law Scholarly Commons. For more information, please contact [megan.obrien@marquette.edu](mailto:megan.obrien@marquette.edu).

# CONTENTS

VOLUME 36

1952-1953

## ARTICLES

THE WISCONSIN BUSINESS CORPORATION LAW — <i>Kenneth K. Luce</i> .....	1
RELIGION, EDUCATION AND THE LAW — <i>James E. Harpster</i> .....	24
THE LAWYER IN PRACTICE AND IN PUBLIC — <i>Vernon W. Thomson</i> .....	135
SOME RECENT DEVELOPMENTS IN PATENT ANTI-TRUST LAW — <i>Newell A. Clapp</i> .....	143
COMPACTS AND AGREEMENTS BETWEEN STATES AND BETWEEN STATES AND A FOREIGN POWER— <i>Herbert H. Naujoks</i> .....	219
PROCEDURE UNDER THE BUREAU OF INTERNAL REVENUE REORGANIZATION— <i>George Reisimer</i> .....	248
TAX CONSIDERATIONS IN PLANNING THE SALE OR PURCHASE OF A BUSINESS— <i>Joseph Berman</i> .....	257
PROPERTY RIGHTS OF RELIGIOUS INSTITUTIONS IN WISCONSIN — <i>William W. Boyer, Jr.</i> .....	329

## COMMENTS

INFANTS—NEGLIGENCE—IMPUTING PARENT'S CONTRIBUTORY NEGLIGENCE TO A CHILD NON SUI JURIS— <i>Edward A. Dudek</i> .....	68
PROPERTY SECURITY—A NEW SECURITY DEVICE—THE WISCONSIN FACTOR'S LIEN LAW— <i>Irving W. Zirbel</i> .....	74
TORTS—APPLICATION OF DISCRETIONARY FUNCTION EXCEPTION OF FEDERAL TORT CLAIMS ACT— <i>Lawrence Kaminski</i> .....	88
TRUSTS—PERPETUITIES—RESTRAINTS ON ALIENATION OF PROPERTY HELD IN TRUST— <i>Leo M. McDonnell</i> .....	97
TELEVISION AND THE RIGHT OF PRIVACY — <i>J. Joseph Cummings</i> .....	157
SPENDTHRIFT TRUSTS IN WISCONSIN — <i>Lawrence J. Binder</i> .....	167
ATTORNEY AND CLIENT—WHAT CONSTITUTES EXTORTION IN COLLECTION LETTERS— <i>Gerald A. Flanagan</i> .....	175

CONSTITUTIONAL PROBLEMS UNDER THE ALIEN LAND LAWS — <i>Fintan M. Flanagan, George Lorinczi, Frank Schlax</i> .....	267
SALES—THE EFFECT OF THE UNIFORM SALES ACT ON CONTRACTS FOR THE SALE OF STANDING TIMBER— <i>John M. Grogan</i> .....	279
EXTENT OF LIABILITY FOR OFF-PREMISES INJURIES IN WORK- MEN'S COMPENSATION CASES— <i>William F. Donovan</i> .....	290
THE PRIVILEGE BARRING CIVIL LIABILITY FOR LIBEL IN PLEADINGS — <i>William H. Bezold</i> .....	299
RESTRAINTS ON ALIENATION OF PROPERTY NOT HELD IN TRUST — <i>Douglas J. McClelland</i> .....	372
THE UNIFORM INSURERS LIQUIDATION ACT AND WISCONSIN LAW — <i>Darrell L. Peck</i> .....	383
EXPERT TESTIMONY BY PHYSICIANS AND SURGEONS — <i>Donald Griffin, Jr.</i> .....	392
LIABILITY FOR FIRE LOSS CAUSED BY INADEQUATE WATER SUPPLY — <i>Janice M. Mannix</i> .....	402

#### RECENT DECISIONS

BANKRUPTCY—TITLE TO UNSCHEDULED ASSETS AFTER DISCHARGE — <i>John J. Wittak</i> .....	107
INSURANCE—CONSTRUCTION OF AIRPLANE LIFE AND ACCIDENT POLICY— <i>Janice Mannix</i> .....	109
INSURANCE—INSURABLE INTEREST IN PROPERTY CONDEMNED BY EMINENT DOMAIN— <i>John A. Formella</i> .....	112
LABOR LAW—EQUITY—SPECIFIC PERFORMANCE OF ARBITRATION AGREEMENTS— <i>William F. Donovan</i> .....	117
TRUSTS—POWER OF TRUSTEE TO GRANT LEASES EXTENDING BEYOND PROBABLE PERIOD OF TESTAMENTARY TRUST — <i>Louis R. Gilbert</i> .....	121
TRUSTS—STOCK DIVIDENDS—ALLOCATION TO INCOME OR CORPUS — <i>Richard P. Buellesbach</i> .....	124
WRONGFUL DEATH—EFFECT OF TORTFEASOR'S IMMUNITY FROM ACTIONS BY INJURED PARTY— <i>Robert M. Weiss</i> .....	129
EMINENT DOMAIN—THE EFFECT OF A REVOCABLE LICENSE ON THE DETERMINATION OF COMPENSATION— <i>John Grogan</i> .....	184
EVIDENCE—WHEN IS FACT OF PRIOR CRIMINAL OFFENSE ADMISSIBLE TO SHOW COMMON SCHEME— <i>Fintan M. Flanagan</i>	188

FUTURE INTERESTS—CONSTRUCTION OF CONVEYANCE TO “A” AND HIS CHILDREN”—RULE IN WILD’S CASE— <i>William A. Gigure</i>	191
BAILMENTS—EFFECT OF STATUTE IMPUTING NEGLIGENCE OF CONDITIONAL VENDEE, BAILEE, OR NEGLIGENCE OF AGENTS, SERVANTS, OR EMPLOYEES OF SAID VENDEE OR BAILEE TO CONDITIONAL VENDOR OR BAILOR— <i>Douglas J. McClelland</i>	194
JUDGMENTS—EQUITABLE RELIEF FROM JUDGMENTS OBTAINED BY FRAUD, INTRINSIC AND EXTRINSIC— <i>Donald Griffin, Jr.</i>	198
ESTOPPEL—EFFECT OF OVERRULING A JUDICIAL DECISION—EQUITABLE ESTOPELL AGAINST THE TAXING POWER OF THE STATE— <i>Darrell L. Peck</i>	201
RES IPSA LOQUITUR—APPLICATION TO EXPLODING BOTTLE CASES— <i>O. Michael Bonahoom</i>	205
LANDLORD AND TENANT—RIGHT OF ONE TO CONTRIBUTION OR INDEMNITY AGAINST THE OTHER WHERE A COVENANT TO MAINTAIN AND REPAIR THE PREMISES IS BREACHED— <i>James B. Rose</i>	208
WILLS—DIRECTION TO EMPLOY CERTAIN ATTORNEY FOR PROBATE— <i>Gaylord L. Henry</i>	211
TAXATION—RELATED TRANSACTIONS AND THE TAXABLE YEAR— <i>Harold M. Frauendorfer</i>	307
DAMAGES—SIMILARITY OF RULE AS TO DAMAGES IN AUTOMOBILE ACCIDENT AND DEFRAUDED VENDEE CASES— <i>Gerald A. Flanagan</i>	309

## JURISPRUDENCE

LAW AND MORALITY— <i>Arthur Scheller, Jr.</i>	319
---	-----

## BOOK REVIEWS

PROCEDURE IN ANTI-TRUST AND OTHER PROTRACTED CASES— <i>Arthur H. Seidel</i>	133
POLICE ORGANIZATION AND MANAGEMENT— <i>Hubert E. Dax</i>	216
FOURTH COPYRIGHT LAW SYMPOSIUM— <i>Curtis B. Morsell, Sr.</i>	315
MARQUETTE UNIVERSITY INSTITUTE ON TAXATION— <i>Richard L. Greene</i>	414