Subject Index: Volumes 31 to 35

Marquette University

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

Part of the Law Commons

Repository Citation
Marquette University, Subject Index: Volumes 31 to 35, 35 Marq. L. Rev. (1952).
Available at: http://scholarship.law.marquette.edu/mulr/vol35/iss4/15

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.
SUBJECT INDEX
Volumes 31 to 35, inclusive

(a) after a reference indicates a leading article.
(c) after a reference indicates a comment.
(d) after a reference indicates a recent decision.

ADMINISTRATIVE LAW
The effect of publication in the Federal Register (c) vol. 32, p. 58
The Wisconsin idea in administrative law (a) vol. 34, p. 1
 Administrative agencies; Also some Minnesota and Wisconsin comparisons (a) vol. 34, p. 90
Administrative law—National Service Life Insurance—Doctrine of sovereign immunity in the field of governmental commercial enterprise (c) vol. 35, p. 176
“Review of whole record” in determining substantiality of evidence to sustain administrative board’s finding (c) vol. 35, p. 361

AIR LAW
The adjudication of rights in air-space by judicial process (c) vol. 31, p. 113
A brief survey of aviation case law in Wisconsin (a) vol. 31, p. 193

ATTORNEY AND CLIENT
The proper place and function of the lawyer in society (a) vol. 35, p. 1
Let’s let the lawyers live (a) vol. 35, p. 99
Unauthorized practice of law—What constitutes the “practice of law” in tax matters vol. 35, p. 370

BANKRUPTCY
Effect of receipt of note as evidence of, or in payment of, a tort claim otherwise barred from discharge in bankruptcy (d) vol. 32, p. 218
Creditors rights under the Bankruptcy Act (a) vol. 33, p. 135

BANKS AND BANKING
Liability for misrepresenting deposits of customer to third party (c) vol. 31, p. 97
Insurance of bank deposits by the Federal Deposit Insurance Corporation (c) vol. 32, p. 132
 Problems involved upon payment by drawee bank of a check lacking the payee’s endorsement (c) vol. 32, p. 272

BILLS AND NOTES
Power of donor-drawer of check to stop payment (d) vol. 31, p. 313
Statutory limitations on bank’s common law liability respecting forged instruments (c) vol. 32, p. 65
Liability of drawee of draft who has orally promised to accept (d) vol. 33, p. 60

BOOK REVIEWS
Vladimir Gsovski, Soviet Civil Law, Vol. I vol. 33, p. 80
University of Notre Dame Natural Law Institute vol. 33, p. 82
Majority Rule and Minority Rights vol. 33, p. 260
Percival E. Jackson, Law of Cadavers vol. 34, p. 228
William J. Bowe, Life Insurance and Estate Tax Planning vol. 34, p. 229
Nigel Moreland, An Outline of Scientific Criminology vol. 34, p. 230
Harry A. Toulmin, Jr., A Treatise on the Anti-Trust Laws of the United States vol. 34, p. 310
University of Notre Dame Law Institute Proceedings, Vol. III vol. 34, p. 311
Social Meaning of Legal Concepts—The Powers and Duties of Corporate Management vol. 35, p. 95
Joseph Berry Keenan and Brendan Francis Brown, Crimes Against International Law vol. 35, p. 96
L. Doris and E. J. Friedman, Corporate Meetings, Minutes, and Resolutions vol. 35, p. 97

CONFLICT OF LAWS
Conflict of law of torts in Wisconsin (a) vol. 31, p. 127
Foreign statute of limitations applied in wrongful death action (d) vol. 33, p. 258
Conflict of Laws—Enforcement of wrongful death cause of action arising in another state (d) vol. 35, p. 303

CONSTITUTIONAL LAW
Cruel and Unusual Punishment by Electrocution vol. 31, p. 108
Result of the “Everson Amendment”—The McCollum Case (c) vol. 32, p. 138
Buses, released time and the political process (a) vol. 32, p. 179
Court martial and the constitution
(a) vol. 33, p. 25

Discrimination by state against non-resident's fishing and hunting privileges (c) vol. 33, p. 192

Discrimination between natural and naturalized citizens (d) vol. 33, p. 253

Constitutional Law—curfew law constitutional (d) vol. 34, p. 43

Constitutional Law—protection against unreasonable search and seizures (d) vol. 34, p. 52

Judicial delimitation of the First Amendment Freedoms (a) vol. 34, p. 57

Constitutional Law— Sufficiency of notice under requirement of due process (c) vol. 34, p. 120

Constitutional Law—Bible reading in public schools (d) vol. 34, p. 297

Constitutional Law— Taxation of vendors by state of market (d) vol. 35, p. 198

Constitutional Law— Rights of witnesses before congressional investigating committees (c) vol. 35, p. 282

Church and State—Validity of "released time" program (d) vol. 35, p. 385

CONTRACTS

Recovery for services to parents (d) vol. 32, p. 168

Covenants not to compete (d) vol. 32, p. 282

Sufficiency of notice to passengers in contract of carriage (d) vol. 33, p. 196

Importation of consideration from original agreement (c) vol. 33, p. 233

CORPORATIONS

Power of court of equity to set aside the incorporation of a partnership on the ground of fraud (d) vol. 31, p. 182

Corporation legislation in Wisconsin-1947 (a) vol. 31, p. 202

Promoter's contract binding upon a corporation (d) vol. 32, p. 170

Corporation legislation in Wisconsin (c) vol. 33, p. 113

Wisconsin corporate dissolution anomaly (c) vol. 33, p. 114

Disregard of separate corporate existence (d) vol. 33, p. 123

Dissolution of solvent corporation at suit of minority stockholder (d) vol. 33, p. 125

Pension plans involving spoliation of corporate assets (d) vol. 33, p. 128

Analysis of the Wisconsin statutory provision declaring stock issued for less than par value void (c) vol. 33, p. 176

Enforcibility of charitable subscriptions in Wisconsin (c) vol. 34, p. 48

Corporations—Non-delegable powers of board of directors (d) vol. 34, p. 48

Corporations—Doctrine of corporate opportunity (c) vol. 35, p. 44

COURTS

Modern court services for youth and juveniles (a) vol. 33, p. 59

Judicial bonds (a) vol. 34, p. 183

Judicial selection (c) vol. 34, p. 276

Sectional representation on the Supreme Court (a) vol. 35, p. 13

Individualism, Indecision, and Indifference—The Supreme Court and Popular Will, 1870-1949 (a) vol. 35, p. 219

CRIMINAL LAW

Wisconsin's proposed Youth Service Act (c) vol. 31, p. 90

Search and seizure as incident to arrest (c) vol. 31, p. 192

Power of the United States to punish for treason committed outside the United States (d) vol. 31, p. 249

What criminal law is built upon (a) vol. 34, p. 256

Criminal law—Fraudulent claim of citizenship as a criminal offense (d) vol. 35, p. 67

DOMESTIC RELATIONS

Antenuptial agreement, Effect of subsequent misconduct (d) vol. 31, p. 252

Recent developments in out of state divorces since the Williams cases (c) vol. 32, p. 146

General statute of limitation as bar to divorce action (d) vol. 32, p. 172

Further analysis of the legal consequences in Wisconsin of remarriage after divorce (c) vol. 32, p. 205

Commencement of a divorce action as interrupting the statutory period of desertion (d) vol. 33, p. 63

The presumption of the validity of the second marriage (d) vol. 33, p. 65

EASEMENTS

Easements—Prescription—Presumption of adversity (d) vol. 34, p. 41

Implied easements in Wisconsin (c) vol. 34, p. 123

ECCLESIASTICAL TRIBUNALS

The ecclesiastical tribunal in marriage cases (a) vol. 35, p. 237
EDITORIAL
As you begin your professional life (a) vol. 32, p. 1

EVIDENCE
Admissibility of evidence and the competency of witnesses in federal courts (c) vol. 31, p. 167
Police records not admissible to prove prior criminal conviction under Federal Shopbook Rule (d) vol. 31, p. 306
Admissibility in evidence to impeach Witness of a conviction based on plea of nolo contendere (d) vol. 31, p. 309
John Doe and Grand Jury proceedings (d) vol. 33, p. 121
Scope of cross-examination of juror witness to events in jury room (d) vol. 33, p. 197
Evidence—Confessions in the Supreme Court of the United States (c) vol. 34, p. 23
Evidence—Admissibility of dying declaration (d) vol. 34, p. 128
Evidence—Admissibility of parol evidence to show a written contract to be a sham (d) vol. 34, p. 295
Evidence—Admissibility of evidence of other offenses (c) vol. 35, p. 55

GIFTS
Gifts—Necessary for competent independent advice to sustain gift to donee in fiduciary capacity (d) vol. 34, p. 216

HOMESTEAD
Interest of widow in proceeds of homestead where sold in course of administration (c) vol. 32, p. 154

INFANTS
Infants—Liability in tort for injuries to infants on ventre sa mere (c) vol. 35, p. 296

INSURANCE
Accident insurer's liability for more than face amount of policy (c) vol. 31, p. 163
Life insurance proceeds—Their protection from taxes and creditors (a) vol. 32, p. 44
Automobile insurance—Notice of accident (d) vol. 33, p. 247
Present status of regulation of insurance as commerce (a) vol. 35, p. 339

INTERNATIONAL LAW
How can international legislation best be improved (a) vol. 31, p. 259
The Calvo Clause in Latin American constitutions and international law (a) vol. 33, p. 205
International law—Recognition and non-recognition of foreign governments (c) vol. 34, p. 282

JOINT ADVENTURES
Remedies where a corporation is formed to acquire property of the venture (c) vol. 31, p. 224

JUDGMENTS
Judgments—Fraud as basis for collateral attack (d) vol. 34, p. 138

JURISPRUDENCE
The lawyer and preservation of society (a) vol. 31, p. 121
The lawyer in his profession (a) vol. 31, p. 219
Divorce (c) vol. 32, p. 295
Sterilization (c) vol. 33, p. 78
Euthanasia (c) vol. 33, p. 133
Naturalization—Moral standard (c) vol. 33, p. 202
Obscene literature (c) vol. 34, p. 301
Grounds for annulment (c) vol. 35, p. 81
The Catholic jurist and divorce (c) vol. 35, p. 213
Moral and ethical considerations in the defense of those accused of crime (c) vol. 35, p. 311
Christian Advocacy (c) vol. 35, p. 413

LABOR LAW
Do we need labor courts? (a) vol. 31, p. 1
Restrictive measure (d) vol. 31, p. 189
Directors' personal liability for corporation's labor policy (d) vol. 31, p. 294
A survey of the Taft-Hartley Act on employer unfair labor practices (a) vol. 32, p. 188
Constitutionality of state statutes compelling arbitration of labor disputes (c) vol. 33, p. 48
Labor Law—Financial contribution by employer to union as unfair labor practice (d) vol. 34, p. 45
Labor Law—Evidence necessary to sustain allegation of discriminatory discharge (d) vol. 34, p. 129
A paradox of our national labor law (a) vol. 34, p. 233
Labor Law—Conflict between state and federal jurisdiction (d) vol. 34, p. 291
Labor Law—The right to membership in a union holding a closed shop contract (d) vol. 35, p. 306

LANDLORD AND TENANT
Abandonment of lease—Re-entry and occupancy by landlord (d) vol. 32, p. 222
Landlord and tenant—Availability to landlord of statutory summary proceeding for breach of condition in lease (d) vol. 34, p. 135

LEGAL AID
Lawyer reference plan (a) vol. 33, p. 145
Legal service for all (a) vol. 33, p. 220

LEGALIZATION
Survey of 1951 Wisconsin legislation (a) vol. 35, p. 121

MEMORIAMS
In memory of the Very Reverend Peter A. Brooks, S.J. vol. 32, p. 85
In memoriam, Justice Chester A. Fowler vol. 32, p. 87
In memoriam, Justice Elmer E. Barlow vol. 32, p. 177
In memoriam, Justice Evan A. Evans vol. 33, p. 178
In memoriam, Justice John D. Wickham vol. 33, p. 85
In memoriam, Justice Frank Murphy vol. 33, p. 87
In memoriam, Prof. Willis E. Lang vol. 35, p. 1
In memoriam, Judge Daniel W. Sullivan vol. 35, p. 315

MORTGAGES
Automobile security—Conflict between recorded security interest and bonafide purchases beyond the jurisdiction of record (c) vol. 33, p. 54
Criminal liability of minor for sale of chattel mortgaged property (c) vol. 35, p. 30

MUNICIPAL CORPORATIONS
Regulation of billboards and advertising structures for esthetic purposes (c) vol. 35, p. 365
Special assessments of municipal corporations (a) vol. 35, p. 315

PARENT AND CHILD
The law of adoption—A legal anomaly (a) vol. 32, p. 237
Wisconsin adoption law and procedure (a) vol. 33, p. 37
Parent and child—Restitution—Obligation of child to reimburse state for institutionalizing indigent parent (d) vol. 34, p. 34
Adoption—Withdrawal of parent’s consent to adoption (d) vol. 35, p. 77

PLEADING AND PRACTICE
The representative suit in Wisconsin (c) vol. 31, p. 80
Reservation of right to go to jury (c) vol. 31, p. 172
Practice—Change of venue because of local prejudice; Abuse of discretion (d) vol. 34, p. 141
Procedure—United States impleaded under the Federal Tort Claims Act (d) vol. 35, p. 74
Third Party Impleader in Wisconsin (a) vol. 35, p. 108
Practice—Estoppel to deny jurisdiction of federal court after removal without right (d) vol. 35, p. 308

PRINCIPAL AND AGENT
Factor’s liability for conversion committed on behalf of principal (d) vol. 31, p. 103
Auctioneer’s duty to disclose material facts of agency to seller (d) vol. 33, p. 58
Agent as the procuring cause of the sale (d) vol. 33, p. 119
Agency—Scope of employment—Effect of employee’s deviation from prescribed route on liability of employer (d) vol. 35, p. 383

PROPERTY LAW
The problem of private property according to St. Thomas Aquinas (a) vol. 34, p. 151
Rights of private land owner as against artificial rainmakers (c) vol. 34, p. 262

REAL PROPERTY
Prescriptive easements as the subject of a “taking” under the Fifth Amendment (c) vol. 31, p. 175
Remedy of cotenant against cotenant (d) vol. 33, p. 257
Real Property—Equitable servitude—Application in situations not involving building schemes (d) vol. 35, p. 205

RESTITUTION
Right of purchaser in default under sale of goods contract to recover down payment (d) vol. 31, p. 295
Right of recovery for benefit conferred on land held under fraudulent claim of title (c) vol. 32, p. 164
Restitution—Recovery of part payment by a defaulting plaintiff (d) vol. 34, p. 218
Restitution—Duty of insured to read policy to warrant reformation (d) vol. 35, p. 64
SALES
Consummation of sales in self-service stores (d) vol. 33, p. 71
Sales—Implied warranties in the sale of second-hand goods (d) vol. 34, p. 222
Sales—Time condition in contracts for removal of growing crop (d) vol. 35, p. 393

STATE LEGISLATURES
State legislative reorganization (a) vol. 31, p. 272

STATUTE OF FRAUDS
The promise to answer for debt, default or misdoing of another (d) vol. 31, p. 105

TAXATION
Amendments to the Clifford Regulations (c) vol. 31, p. 152
Scope of exemption in railroad charter (d) vol. 31, p. 186
Family sales (d) vol. 31, p. 255
Evidentiary requirements of a valid family partnership (c) vol. 31, p. 281
Tax problems in debt cancellation (c) vol. 31, p. 288
Taxation of accident and health insurance companies (a) vol. 32, p. 88
Fraud in federal income tax (a) vol. 32, p. 120
Demand note as deductible salary payment (c) vol. 32, p. 158
Joint returns and the Revenue Act of 1948 (c) vol. 32, p. 213
Ownership for federal income tax purposes and for federal gift tax purposes distinguished (d) vol. 32, p. 220
Federal tax treatment of the family (a) vol. 32, p. 244
“New Look” for tax deed actions (a) vol. 32, p. 264
Taxable enjoyments under the Church and Spiegel decisions (c) vol. 32, p. 276
Cancellation of a gift for mistake of law (d) vol. 32, p. 285
Federal tax treatment of the family (a) vol. 33, p. 1
Collateral estoppel where decisional law is a changed or clarified between trials involving different tax years (d) vol. 33, p. 68
Family Partnerships (d) vol. 33, p. 130
Organization of a corporation as a tax-free exchange under Revenue Code 112(b) (5) (c) vol. 33, p. 186
Taxation—Requirement that an ordinary and necessary business expenditure must be reasonable (d) vol. 34, p. 36
Taxation—Patent infringement damages as taxable income (d) vol. 34, p. 143
Taxation—Employee stock options under the Revenue Act of 1950 (c) vol. 34, p. 211
Taxation—Disposition of gain realized from sale of land with growing crop (c) vol. 35, p. 50
Taxation—Basis and gain or loss (c) vol. 35, p. 61
Taxation—The statute of Limitations in taxation (d) vol. 35, p. 71
Taxation—Contest awards, compensation or gift (d) vol. 35, p. 208
Legal aspects of a constitutional amendment limiting income tax rates (a) vol. 35, p. 229

TORTS
Assumption of risk by patron at ice hockey match (c) vol. 31, p. 298
Causal connection between automobile collision and injury suffered during immediately subsequent events (d) vol. 31, p. 303
Federal Torts Claim Act—Rights of subrogees (c) vol. 32, p. 71
Duty of building owner under Wisconsin safe place statute to persons on adjacent sidewalks (d) vol. 32, p. 78
Liability under Federal Employers’ Liability Act (d) vol. 32, p. 80
Human intervening force as breaking the chain of causation (d) vol. 32, p. 225
Right of privacy (d) vol. 32, p. 227
Contributory negligence by patron at wrestling match (d) vol. 32, p. 287
Liability insurance and the rights of unemancipated minor child (d) vol. 32, p. 289
Liability of landlord for injuries sustained by tenants from defective furniture in furnished premises (d) vol. 32, p. 292
Duty of municipality to erect warning signs at curve in highway (d) vol. 33, p. 74
Remedy of personal representative for the wrongful death of an unborn child (d) vol. 33, p. 200
The nature of nuisance (c) vol. 33, p. 240
Torts—Liability of charitable institutions (d) vol. 34, p. 29
Torts—Communist not slander per se (d) vol. 34, p. 31
Torts—Remedies available for continuing trespass (d) vol. 34, p. 145
Torts—Duty of business proprietor to customer for safety of premises (d) vol. 34, p. 147
Elements of attractive nuisance (c) 
vol. 34, p. 196
Proximate cause—Confusion of jur- 
ors by misleading label (c) 
vol. 34, p. 204
Torts—Scope of employment under 
the Federal Torts Claim Act (d) 
vol. 34, p. 225
Torts—Liability of a business visitor 
for negligence (d) vol. 34, p. 289
Torts—Application of res ipsa loqui- 
tor to automobiles (c) 
vol. 35, p. 36
Torts—Undertaking establishments as 
a nuisance (d) 
vol. 35, p. 69
Negligence—Sharing of expenses as 
affecting the host-guest relation un- 
der automobile guest statutes (d) 
vol. 35, p. 390

TRADE REGULATIONS
Trade regulations—Resale price 
maintenance—Validity of Fair 
Trade Act non-signer clause under 
Federal anti-trust law (c) 
vol. 35, p. 183

TRUSTS
Personal liability of trustee for torts 
(c) vol. 31, p. 157

WATER AND WATER RIGHTS
The Chicago water diversion contro- 
versy, III (a) vol. 31, p. 28

Title to land under navigable waters 
(a) vol. 32, p. 7

WILLS
Effect of testamentary designation of 
counsel for executor (c) 
vol. 31, p. 231
The doctrine of election (d) 
vol. 32, p. 230
Insane delusions respecting members 
of the family and heirs at law (c) 
vol. 31, p. 238

UNITED STATES
The Hoover Commission Reports on 
federal reorganization (a) 
vol. 33, p. 89

WILLS
Revocation by cancellation—Use of 
lead pencil as indicating testator's 
intent (d) vol. 35, p. 402

WORKMEN'S COMPENSATION
Wrongful death—Release from lia- 
Bility through contract of decedent 
(d) vol. 33, p. 251
Workmen's compensation—Effect 
upon prior release of employer's 
election to subscribe to act (d) 
vol. 35, p. 210
Workmen's compensation Act—Ex- 
clusive remedy provision—Effect on 
husband's action for loss of con- 
sortion (d) vol. 35, p. 405