

# INDEX.

---

## ARTICLES.

Acquests and Gains, The Community of. <i>William Wirt Howe</i> .....	216
Baldus de Ubaldis. <i>J. Dove Wilson</i> .....	8
Bank Directors, The Duty and Liability of. <i>Albert S. Bolles</i> .....	287
Blockade, The Law of. <i>Charles Noble Gregory</i> .....	339
Character Evidence in Criminal and Civil Proceedings. <i>David Torrance</i> . 352	
Community of Acquests and Gains, The. <i>William Wirt Howe</i> .....	216
Connecticut, The Supreme Court of. <i>David Torrance</i> .....	234
Constitutional Aspects of the Tillman-McLaurin Controversy. <i>Frederick L. Siddons</i> .....	21
Corporations, Taxation of. <i>Lawson Purdy</i> .....	154
Criminal Procedure, The Objects as they Appear to a French Prosecuting Officer. <i>Simeon E. Baldwin</i> .....	226
Decadence of Law as a Profession and Its Growth as a Business. <i>Robert T. Platt</i> .....	441
Duty and Liability of Bank Directors, The. <i>Albert S. Bolles</i> .....	287
Honorary Degrees. <i>Henry H. Ingersoll</i> .....	495
Incorporation, The First Book in English on the Law of, I, II. <i>Amasa M. Eaton</i> .....	259, 364
International Family Law, The New Code of. <i>Simeon E. Baldwin</i> .....	487
International Law, A Code of—Is It Possible. <i>Theodore S. Woolsey</i> ....	56
James Kent and Joseph Story. <i>John B. Cassoday</i> .....	146
Japanese Law, The Paternal Power in. <i>Charles H. Huberich</i> .....	93
Law of Blockade, The. <i>Charles Noble Gregory</i> .....	339
Law of Prize, Recent Development and Tendency of. <i>Henry M. Hoyt</i> ..	306
Lawyers, A Word of Advice to Young. <i>George R. Milburn</i> .....	484
Legal Duties and Rights. <i>Henry T. Terry</i> .....	185
Legal Education in Germany. <i>Edward V. Reynolds</i> .....	31
Mission of Gov. Taft to the Vatican, The. <i>Simeon E. Baldwin</i> .....	1
Mohammedan Law, The Paternal Power in. <i>Charles H. Huberich</i> .....	93
Negro Question, The. <i>John R. Dos Passos</i> .....	467
Offer, Must the Rejection of, be Communicated to the Offeror. <i>Clarence D. Ashley</i> .....	419
Pardoning Power, The Exercise of, in the Philippines. <i>Charles E. Magoon</i> .....	405
Patents. <i>John S. Seymour</i> .....	82
Paternal Power in Japanese Law, The. <i>Charles H. Huberich</i> .....	26

Paternal Power in Mohammedan Law, The. <i>Charles H. Huberich</i> . . . .	93
Philippines, The Exercise of the Pardoning Power in <i>Charles E. Magoon</i>	405
Porto Rico, The Supreme Court of. <i>William H. Hunt</i> . . . . .	213
Real Property, A Plea for a Modern Definition and Classification of. <i>George P. Costigan, Jr.</i> . . . . .	425
Recent Development and Tendency of the Law of Prize. <i>Henry M.</i> <i>Hoyt</i> . . . . .	306
School of Law, The Work of. <i>W. Blake Odgers</i> . . . . .	130
Taxation of Corporations. <i>Lawson Purdy</i> . . . . .	154
Tillman-McLaurin Controversy, Constitutional Aspects of. <i>Frederick</i> <i>L. Siddons</i> . . . . .	21
Trust Fund Theory and Some Substitutes for It, The. <i>Edwin S. Hunt</i>	63
Trust Evil, A Remedy for. <i>Walter S. Logan</i> . . . . .	117
Vatican, The Mission of Gov. Taft to. <i>Simeon E. Baldwin</i> . . . . .	1
Word of Advice to Young Lawyers, A. <i>George R. Milburn</i> . . . . .	484

### COMMENT AND RECENT CASES.

(The topics which have been the subject of editorial comment are italicized.)

ABUTTING OWNER'S RIGHTS—Legislative authority to erect structures. . . .	176
ADMINISTRATORS—Ancillary—decedents—probate court . . . . .	507
ALIENS—non-resident—Death by wrongful act—right of action . . . . .	507
ARREST—Attempt to escape—officer's right to kill . . . . .	327
ASSIGNMENTS—Foreign creditors' rights . . . . .	246
Personal injuries—claims . . . . .	252
ASSUMPTION OF RISK—Injury to employee—ordinances . . . . .	175
ATTORNEYS—Disbarment—deceit—previous conviction . . . . .	105
Misconduct—improper argument—ground for reversal . . . . .	48
BANKRUPTCY—Chattel mortgage—permitting mortgagor to sell . . . . .	172
Constitutional law—use in criminal case of books taken by receiver	327
Corporation conducting a laundry . . . . .	328
Discharge—grounds for denial . . . . .	328
Dismissal of infant's petition to be adjudged bankrupt . . . . .	172
Involuntary petition—provable claims . . . . .	246
Judgment enforcing lien—jurisdiction of bankruptcy court . . . . .	247
Jurisdiction of bankruptcy court—adverse claims to property . . . .	172
Lease—lessee's adjudication does not terminate . . . . .	454
Lease—liability on . . . . .	247
Lien—sale within four months period . . . . .	507
No jurisdiction to adjudge lunatic a bankrupt . . . . .	327
Partnership—creditor's sharing in individual estate . . . . .	328
Preference—knowledge of creditors . . . . .	454
Property exempt under Sec. 6 of bankruptcy act . . . . .	455
Who is a "trader" under the bankruptcy act . . . . .	168
BANKS—Authority of cashier—liability of bank . . . . .	508

BASTARDY—Introduction of child in evidence .....	173
BOUNDARIES—Legislative determination—conclusiveness on courts .....	173
CARRIERS—Ejection of passenger—use of ticket on day issued .....	174
Ejection of passenger—duty to pay fare to prevent ejection .....	455
Injury to passenger—leaving moving train .....	456
Injury to passenger—negligence .....	177
Injury to passenger—postal clerk—negligence of another corp'n ...	105
Injury to passenger—measure of duty—charge to jury .....	105
Injury to passenger on freight train—liability .....	106
Injury to passenger—negligence—question for jury .....	42
Street railway transfers—mistake of agent .....	247
Taking passenger beyond destination—damages .....	42
CHECK—Liability of drawer—presentation .....	248
Payment after death of donor—liability of bank .....	391
CIVIL RIGHTS—Place of “public accommodation” .....	509
COMPOSITION—Secret preferences—preferred creditor’s rights .....	43
CONSIDERATION—Payment of debt of third party—promise to repay .....	248
CONSTITUTIONAL LAW—Due process of law—bills of lading .....	43
Due process—restriction on height of building .....	456
“Equal protection of the law”—peddler’s license .....	391
Hours of labor—validity .....	44
<i>Hours of labor</i> .....	499
Liberty of contract .....	44
Limiting hours of employment of women .....	248
<i>Ordinance requiring union label—public printing</i> .....	502
Police power—regulation of sheep herding .....	249
Regulating rate of wages—class legislation .....	509
Right of contract—sale of stocks on margin .....	329
<i>Texas anti-trust laws</i> .....	99
CONTRACTS—Coverture—lex loci contractus—lex fori .....	329
Future delivery—void if quantity indeterminable .....	44
Legality—restraint of competition .....	510
<i>Limited liability of carriers for negligent injury to free passengers</i>	163
Prevention of performance by third party—damages—profits .....	106
Public policy—procuring legislative investigation .....	460
Public policy—validity .....	329
Street railways—consent of abutting owners .....	396
CONTRIBUTORY NEGLIGENCE—Automobiles—burden of proof .....	106
Cyclist riding in a race—question for jury .....	109
Plaintiff—action by administrator .....	391
Street railroads—duty to look .....	253
COPYRIGHT— <i>Chromo-lithograph circus posters as subjects of copyright</i> ..	384
<i>Neglect in printing copyright notice</i> .....	103
CORPORATIONS— <i>Foreign—right of action after failure to comply with</i>	
<i>state registry law</i> .....	240
Foreign—what constitutes—removal of causes .....	107
Municipal—garnishment—necessary public work .....	331
Municipal—liability for property destroyed by mob .....	396
Municipal—municipal ownership of public utilities—dealing in fuel	396

Municipal—quo warranto—laches .....	512
Private—contract—consideration—equitable relief .....	107
Private—illegal issue of stock—injunction .....	512
Private—insolvency—preferring directors .....	179
Private—management—resignation of directors .....	513
CRIMINAL LAW—Information—amendment .....	510
Instructions—views of judge .....	330
CUSTOMS DUTIES—Importations from Algeria .....	249
DAMAGES—Nervous prostration resulting from fright—right of recovery	45
DIVORCE—Alimony—avoidance by subsequent marriage .....	510
<i>Jurisdiction in divorce proceedings</i> .....	385
<i>Vested rights as conferred by a final decree for alimony</i> .....	387
DOWER—Allotment—exoneration of husband's alienee .....	392
EMINENT DOMAIN—Delegation of Powers—public use .....	392
EVIDENCE—Admissions of devisees .....	393
Declarations—pedigree .....	107
Expert testimony—instructions .....	46
Malicious prosecution—misleading instruction .....	175
<i>Obtained by compulsory physical examination of prisoner</i> .....	321
Successive verdicts contrary to .....	175
EXEMPTIONS—Real estate purchased with pension money .....	46
EXPERT TESTIMONY— <i>Handwriting</i> .....	170
EXPLOSIVES—Dumping refuse on vacant lot—injury to children .....	47
EXPRESS PACKAGES— <i>Liquors C. O. D. and the original package doctrine</i>	165
EXTRADITION—Fugitive from justice—presence in demanding state .....	175
FIXTURES— <i>Ornaments</i> .....	243
GIFTS CAUSA MORTIS—Public policy .....	249
HUSBAND AND WIFE— <i>Husband's liability for wife's torts as affected by</i>	
<i>Married Women's Property acts</i> .....	242
HIGHWAYS—Pedestrians—walking at night—negligence .....	47
ILLEGITIMACY—Transfer of custody of child by mother—validity .....	250
INFANTS—Deed—real property—affirmance .....	179
INJUNCTION—Agreement not to oppose .....	250
Equity—jurisdiction—trespass .....	392
Equity—multiplicity of suits .....	330
Picketing .....	250
Publication of libel .....	108
<i>Right to enjoin strikes on the ground of interference with inter-</i>	
<i>state commerce</i> .....	448
Right to relief—unlawful interference with performance of con-	
tract .....	456
INSURANCE—Accident—construction of policy .....	393
Accident—intentional homicide .....	105
Additional insurance—estoppel .....	108
Agreement to arbitrate loss—validity .....	331
<i>Beneficiary's interest in a life insurance policy</i> .....	100
Benefit—amendment of rules—notice to members—reasonableness	457
Blanket and specific policies—prorating loss .....	393
Indemnity—attorney and client—negligence in appeal .....	47

Insurable interest—sole ownership .....	176
Life insurance against crime or miscarriage of justice .....	330
Suicide—sanity—rational intent .....	176
Transfer of title—condition .....	394
INTERSTATE COMMERCE—Original packages—cigarettes .....	394
INTOXICATING LIQUORS—Civil damage—liability .....	394
Delivery by common carrier C. O. D.—necessity for license.....	395
JOINT TORT FEASORS—Release of one releases all .....	112
JUDGMENTS—Joint—Payment by one judgment debtor .....	511
JURISDICTION—Controversy between states—diversion of water .....	45
State boundaries—adjacent waters .....	108
State boundaries—rivers—concurrent jurisdiction .....	508
LEASES—Railroads—liability for torts .....	333
Reformation—Statute of Frauds—specific performance .....	49
LIBEL—Newspaper corporation—malice of reporter—punitive damages..	395
LICENSES— <i>Requirement of a license to practice osteopathy</i> .....	446
Revocation—estoppel—trespass .....	48
LIMITATIONS, STATUTE OF—Notes—acknowledgment of debt .....	332
Notes—demand after date .....	332
LOTTERIES— <i>Lottery tickets and interstate commerce</i> .....	450
MAILS— <i>The extent of the postmaster general's right to regulate the use</i> <i>of the mails</i> .....	241
MARRIAGE—Breach of marriage promise—request to perform—refusal....	174
MASTER AND SERVANT—Defective appliances—knowledge—promise to in- demnify .....	511
Employer's liability—maintainance of a safe working place .....	100
Employer's liability—"superior servant" rule .....	110
Fellow servant .....	251
Fellow servant rule—abrogation by Canadian statute .....	457
Injury to employee—master's liability .....	458
MINORS—Necessaries—counsel fees .....	251
MONOPOLIES—Combinations in restraint of interstate commerce .....	511
MUNICIPAL INCORPORATION— <i>Origin</i> .....	161
NEGLIGENCE—Dangerous premises—railroad turntable .....	177
Injuries to children—liability of land owner .....	251
Injuries to railroad employee—liability of connecting line .....	252
NEGOTIABLE INSTRUMENTS—Consideration of note partly illegal—validity	178
Debenture payable to bearer—usage—holder for value .....	252
Exchange .....	331
NEWS— <i>Right of property in news</i> .....	97
NUISANCES—Action by lessee—landlord and tenant .....	178
Beer garden—injunction .....	458
Construction of subway—use of streets .....	179
Maintenance—notice to defendant .....	332
Powder magazine—proximity to dwellings—explosion .....	109
Storing powder—liability for explosion .....	459
ORDINANCES—Police power—street railways .....	353
PARTNERSHIP—Name—use by surviving partner—good will .....	459
PATENTS—Relief against infringement—immoral use .....	512

PAVING— <i>Can the legislature impose upon a street railway company the obligation to pave between its rails</i> .....	318
PRINCIPAL AND AGENT—Undisclosed agent—time for election .....	332
PRINCIPAL AND SURETY—Payment of usurious debt by surety—estoppel of principal .....	178
PRIVACY— <i>An actionable right of privacy</i> .....	35
PUBLICATION—Literary property—collecting information—distribution ..	460
PUBLIC POLICY—Condition in deed—grain elevator .....	513
SALES—On sidewalk—theatre tickets—transferability .....	48
SCHOOLS— <i>Reading the Bible in common schools</i> .....	102
SIDEWALK—Defect—what constitutes .....	107
SPECIFIC PERFORMANCE—Vendor and purchaser—mistake .....	253
STARE DECISIS— <i>Special legislation in Ohio</i> .....	38
TAXATION—Attempt to escape .....	110
Collateral inheritances—situs of personal property .....	43
Educational institutions—opera house tax .....	49
Exemptions—educational institutions .....	461
Local assessment—liability of school district .....	514
Statutory exemptions—land owned by city .....	111
TELEGRAPHS—Disclosure of calls—tapping wire—negligence .....	461
Failure to deliver message—mental anguish .....	111
TRADE NAME—Misleading public—right to trade under own name .....	49
TRADE UNIONS— <i>Incorporation</i> .....	320
TRUSTS—Public charity—perpetuities—validity .....	397
<i>State anti-trust legislation</i> .....	166
<i>Uncertainty of beneficiaries in charitable trusts</i> .....	323
WARRANTY—Covenant to maintain division wall—breach .....	174
WATERS—Percolation—diversion .....	459
Rights of land owner in subterranean waters—reasonable use ....	253
<i>Surface obstruction to waters</i> .....	40
WILLS— <i>Division of surplus accumulations as between the life beneficiary and the remainder-man</i> .....	39
Probate—testamentary capacity—experts—instructions .....	112
<i>Use of oral wills in Connecticut</i> .....	381
USURY—Building loans—what law governs .....	50
VACCINATION— <i>Compulsory—adults</i> .....	504
VENUE—Railroads—actions .....	514
"VOLENTI NON FIT INJURIA"— <i>Duty imposed by statute</i> .....	239

---

## REVIEWS.

Abbot, Austin—Criminal Trial Brief .....	182
Benjamin, R. M.—General Principles of the American Law of the Sale of Goods .....	114
Black, Henry C.—The Law of Judgments .....	180
Boyce, L. L.—Health Officers Manual .....	337
Burdick, W. L.—Elements of Sales .....	113

Camp, Edgar W.—The Encyclopedia of Evidence, Vol. I. ....	518
Chapman, Henry C.—A Manual of Medical Jurisprudence, Insanity and Toxicology .....	517
Clement, G. A.—Probate Reports Annotated, Vol. VI. ....	113
Crothers, T. D.—Morphinism and Narcomanias from Other Drugs ....	52
Dallas, G. M. and Bickl�, H. W.—Analytical Tables of the Law of Evi- dence .....	519
Daniel, J. W. and Douglass, C. A.—The Law of Negotiable Instruments	400
Daniel, J. W. and Douglass, C. A.—Elements of the Law of Negotiable Instruments .....	400
Dill, James B.—Corporation Law of New Jersey, with Corporation Prece- dents .....	180
Dillon, John F.—Life, Character and Judicial Services of John Mar- shall .....	515
Dos Passos, John R.—Commercial Trusts .....	336
Dresser, F. F.—Employers' Liability Acts and the Assumption of Risks	53
Eaton, J. W. and Gilbert, F. B.—A Treatise on Commercial Paper .....	516
Greene, H. W.—The United States Bankruptcy Law .....	338
Hotchkiss, W. H.—Collier on Bankruptcy .....	465
Hodgins, Thomas—The Alaska-Canada Boundary Dispute .....	254
Howard, J. Q.—History of the Louisiana Purchase .....	113
Hughes, W. T.—A Concise Treatise of Contracts .....	462
Ingalls, Mrs. J. J. and Connelly, W. E.—The Writings of John James Ingalls .....	400
Jenkyns, Henry—British Rule and Jurisdiction Beyond the Seas .....	255
Judson, F. N.—A Treatise on the Power of Taxation .....	397
Knowlton, J. C.—Cases on Criminal Law .....	519
Magoon, C. E.—Reports on the Law of Civil Government .....	50
MacDonald, Arthur—A Laboratory for the Study of Criminal Pauper and Defective Classes .....	53
Morse, John T.—The Law of Banks and Banking .....	333
Newell, Grant—Elements of the Law of Real Property .....	181
Noyes, W. C.—The Law of Intercorporate Relations .....	255
Peterson, F. and Haines, W. S.—A Text-book of Legal Medicine and Toxicology .....	517
Smith, Horace E.—Studies in Juridical Law .....	114
Snow, Alpheus H.—The Administration of Dependencies .....	336
Snyder, W. I.—The Law of Mines and Mining Rights .....	335
Stearns, A. A.—The Law of Suretyship .....	399
Thompson, B. M.—Cases on Equity Pleading and Practice .....	518
Tiffany, H. T.—The Law of Real Property and Other Interests in Land	464
Voorhies, G. P.—The Law of the Measure of Damages for Personal Injuries .....	401

