



Spring 3-1-1941

Index-Digest

Follow this and additional works at: <https://scholarlycommons.law.wlu.edu/wlulr>

Recommended Citation

Index-Digest, 2 Wash. & Lee L. Rev. v (1941).

Available at: <https://scholarlycommons.law.wlu.edu/wlulr/vol2/iss2/20>

This Index is brought to you for free and open access by the Washington and Lee Law Review at Washington and Lee University School of Law Scholarly Commons. It has been accepted for inclusion in Washington and Lee Law Review by an authorized editor of Washington and Lee University School of Law Scholarly Commons. For more information, please contact christensena@wlu.edu.

INDEX—DIGEST

Numerals in italics refer to LEADING ARTICLES. Numerals in plain type refer to NOTES AND RECENT CASES. Reference is made to page at which discussion begins.

PAGE	PAGE
ADMINISTRATIVE LAW	
Administrative remedies under Soldiers' and Sailors' Civil Relief Act of 1940.....	18
AGENCY	
Agent's duty to account for property in his hands by virtue of the agency.....	268
Conversion by third party of property given to agent by principal for illegal purpose.....	267
BANKRUPTCY	
Basis of creditor's claim against insolvent bank where creditor holds security.....	306
CONSTITUTIONAL LAW	
Child labor, prohibition of, by federal government.....	279
Constitutionality of:	
Extension of substituted service of process to non-resident business men.....	75
Legislative pressure to induce acceptance of elective workmen's compensation acts.....	250
Abolition of employer's common law defenses.....	251
Imposition of negligence presumptions.....	252
Liberalization of rules of admissibility of evidence.....	259
Soldiers' and Sailors' Civil Relief Act of 1940.....	34
Statute authorizing retrospective modification of prior award of permanent alimony.....	292
Statute making majority vote of collective bargaining unit a pre-requisite to peaceful picketing.....	299
Use of taxation to effectuate governmental policies.....	197
Workmen's compensation statute imposing liability without fault on non-contributing employers.....	170
Interstate commerce power of federal government in regulation of industry.....	279
Judicial Review, doctrine of.....	177
Legislative declaration of purpose or policy of statute.....	180
Legislative finding of fact stated in statute.....	184
Picketing as exercise of right to freedom of speech.....	300
CONTRACTS	
Employers' attempts to contract against future competition by employees.....	106
Installment contracts, as affected by Soldiers' and Sailors' Civil Relief Act of 1940.....	11
Promissory estoppel as basis of enforcing gratuitous promises.....	287
DAMAGES	
Liquidated damages provisions in employment contracts.....	107
DOMESTIC RELATIONS	
Injunction against prosecution of divorce action in foreign jurisdiction.....	111
To prevent evasion of domestic laws.....	115
To prevent irreparable injury to spouse.....	113
Retrospective modification of prior award of permanent alimony....	292
Wife's right against liquor and drug vendors to recover for loss of husband's consortium.....	153
EQUITY	
See <i>Injunction</i>	
Enforcement of oral promises to give real estate security.....	210

	PAGE	LABOR LAW	PAGE
Part performance in oral security promise cases.....	212	Majority vote of collective bargain- ing unit as pre-requisite to peace- ful picketing	299
Specific performance of oral promise to give real estate se- curity.....	212	LANDLORD AND TENANT	
Equitable servitudes on chattels..	91	Conversion liability of landlord disposing of chattels left on premises	321
In America.....	95	Landlord's duty to tenant to re- pair leased premises.....	149
In England.....	92	Rent, as affected by Soldiers' and Sailors' Civil Relief Act of 1940	10
ESTOPPEL		LIBEL AND SLANDER	
Estoppel by record—the mutuality requirement.....	233	Qualified privilege of telegraph company to transmit defamatory message.....	141
Promissory estoppel, limits of.....	287	MORTGAGES	
EVIDENCE		Enforcement of oral promises to give mortgage on realty.....	270
Admissibility rules liberalized in workmen's compensation cases..	259	Real and personal property mort- gages, as affected by Soldiers' and Sailors' Civil Relief Act of 1940	13
Objection after verdict to admis- sibility of evidence.....	122	NEGOTIABLE INSTRUMENTS	
Presumptions of negligence in workmen's compensation cases..	252	Ambiguous payees of negotiable paper.....	44
FUTURE INTERESTS		American Bankers' Associations' proposed amendment to N. I. L. § 9 (3)	63
Life estate with absolute power of disposal declared to be a fee simple	118	Geneva Codes on Bills of Exchange and Checks	46
Rule as applied to ambiguous or general devise with absolute power of disposal.....	119	N. I. L. § 9 (3): recommended re- draft.....	71
Virginia statutes affecting rule..	120	NUISANCE	
Remainder after life estate with absolute power of disposal.....	117	Liability of vendor of property for injuries caused by nuisance....	149
INJUNCTION		Meaning under N. Y. Multiple Dwelling Law	150
Against employee's entering a com- peting business.....	108	Prescriptive right to maintain nuisance	159
Against prosecution of a divorce action in foreign jurisdiction..	111	PLEADING AND PRACTICE	
To prevent evasion of domestic laws	115	See <i>Procedure</i>	
To prevent irreparable injury to spouse.....	113	Estoppel by record in derivative liability cases.....	237
INSURANCE		Mutuality requirement in res judi- cata and estoppel by record....	233
Life insurance, as affected by Sold- iers' and Sailors' Civil Relief Act of 1940.....	14	Objection after verdict to admis- sibility of evidence.....	122
JUDGMENT		Presumptions of negligence in workmen's compensation cases..	252
Effect of judgment when defendant was enticed into jurisdiction by fraud	128		
What law applicable.....	132		
Whether judgment is void.....	130		

PRINCIPAL AND AGENT	PAGE		PAGE
<i>See Agency</i>		Pennsylvania workmen's compensation legislation.....	155
PROCEDURE		Selective Training and Service Act of 1940.....	2
<i>See Judgment, Pleading and Practice</i>		Soldiers' and Sailors' Civil Relief Act of 1940.....	1
Substituted service of process on:		Soldiers' and Sailors' Civil Relief Act of 1918.....	1
Non-resident business men.....	75	Statutes of Limitations in prescriptive nuisance cases.....	163
Non-resident motorists.....	79	Virginia Acts of 1908 and 1919 on grants of life estate with absolute power of disposal.....	120
PROPERTY		Virginia statute authorizing retrospective modification of prior award of permanent alimony...	292
<i>See Future Interests</i>		West Virginia Workmen's Compensation Act.....	170
Equitable servitudes on chattels..	91	Wisconsin labor legislation regulating picketing.....	299
In America.....	95	SURETYSHIP	
In England.....	92	Subrogation of surety paying creditor's claims against insolvent bank.....	305
Liability of vendor of realty for injuries caused by defective condition of premises.....	148	TAXATION	
Literary property at common law	86	Governmental regulation through taxation.....	191
Property right in performance of musical composition.....	86	Income tax deductions as means of effectuating governmental policies.....	191
Abandonment of, by publication	88	Constitutionality of	197
PUBLIC LANDS		State tax on declaration of dividends by foreign corporation...	310
Rights in, as affected by Soldiers' and Sailors' Civil Relief Act of 1940	16	Subject and measure of state taxes..	310
RADIO		Taxes, as affected by Soldiers' and Sailors' Civil Relief Act of 1940	15
Right of recording orchestras against radio stations using records for broadcast purposes...	85	TELEPHONE AND TELEGRAPH	
RIGHT OF PRIVACY		Qualified privilege of telegraph company to transmit defamatory message.....	141
Protection against publication of newsworthy information.....	133	TORTS	
STATUTE OF FRAUDS		<i>See Domestic Relations, Landlord and Tenant, Libel and Slander, Nuisance, Property, Right of Privacy, Telephone and Telegraph, Workmen's Compensation</i>	
Applied to oral promises to give security in real estate.....	210	Conversion, attributes of.....	323
Part performance in oral security promise cases.....	212	Family Purpose doctrine:	
STATUTES		Legal basis for.....	316
Arizona Employers' Liability Law..	174		
Elective workmen's compensation acts.....	250		
Legislative declaration of purpose or policy of statute.....	180		
Legislative finding of fact in statute.....	184		
Married Women's Acts.....	155		
National Guard Bill.....	2		
New York Multiple Dwelling Law..	148		

	PAGE	WILLS	PAGE
Stated.....	317	Contest of wills, parties having sufficient interest.....	166
Liability in conversion of landlord disposing of chattels left on premises by former tenant.....	321	Creditor of heir of testator:	
Liability of doctor for prenatal injuries to child.....	320	Right to compel heir to contest will.....	169
Liability of liquor or drug vendor to wife for loss of husband's consortium.....	153	Right to contest will.....	166
Liability of landlord to tenant for injuries caused by defective condition of premises.....	149	Legatee's right to disclaim legacy to prejudice of his creditor.....	170
Liability of vendor of realty for injuries caused by defective condition of premises.....	148	WORKMEN'S COMPENSATION	
Proximate cause in loss of consortium cases.....	155	See <i>Statutes</i>	
Respondent superior, origin of doctrine.....	320	Abrogation of employer's common law defenses.....	171, 251
Right of child to recover in tort for prenatal injuries.....	320	Constitutionality of:	
Status in law of child en ventre sa mere.....	326	Imposition of liability without fault on non-electing employers.....	170
UNFAIR COMPETITION		Legislative pressure to induce acceptance of elective acts.....	250
Meaning of "competition".....	101	Abolition of employer's common law defenses.....	251
Radio broadcasts of recordings....	99	Imposition of negligence presumptions.....	252
Scope of doctrine.....	99	Liberalizations of rules of admissibility of evidence.....	259
		Construction of West Virginia Act as imposing liability without fault on employers.....	172