



1957

## Indices to Volume 45

Kentucky Law Journal

Follow this and additional works at: <https://uknowledge.uky.edu/klj>

**Right click to open a feedback form in a new tab to let us know how this document benefits you.**

### Recommended Citation

Kentucky Law Journal (1957) "Indices to Volume 45," *Kentucky Law Journal*: Vol. 45 : Iss. 4 , Article 14.

Available at: <https://uknowledge.uky.edu/klj/vol45/iss4/14>

This Table of Contents is brought to you for free and open access by the Law Journals at UKnowledge. It has been accepted for inclusion in Kentucky Law Journal by an authorized editor of UKnowledge. For more information, please contact [UKnowledge@lsv.uky.edu](mailto:UKnowledge@lsv.uky.edu).

# INDEX

To Volume XLV

## KENTUCKY LAW JOURNAL

### AUTHOR INDEX TO LEADING ARTICLES

	Page
BLANTON, RICHARD L. Responsibility: A Psychologist's Point of View .....	284
BRAFFORD, WILLIAM C. and REEVES, J. E. Method of Choosing Delegates and Officials of Political Parties .....	459
CABLE, CHARLES N. and EARLY, WILLIAM M. Torts and the Atom: The Problem of Insurance .....	1
DEBOER, JESSE Philosophical Notes on Responsibility .....	276
EARLY, WILLIAM M. and CABLE, CHARLES N. Torts and the Atom: The Problem of Insurance .....	1
GUTTENTAG, DR. OTTO E. Prison vs. Closed Ward, Their Philosophical Relationship .....	251
HOWARD, DELMER D. Kentucky Legislation 1956: "Friend of the Court" .....	128
JOHNSON, JOHN L. The Development of Labor Management Legislation in Kentucky .....	40
KAMMERER, GLADYS M. Kentucky Legislative Procedures Re-Evaluated .....	448
KAPLAN, SYDNEY J. Criminal Responsibility .....	236
KLOTTER, JOHN C. Kentucky Legislation 1956: Probation and Parole .....	133
LUCKETT, J. E. Kentucky Legislation 1956: Taxation .....	136
LUSK, LOUIS B. The Present Status of the "Clear and Present Danger" Test—A Brief History and Some Observations .....	576
MATTHEWS, W. L., JR. Kentucky Legislation 1956: Dower, Principal and Income, Perpetuities, and Intestate Succession .....	111
MORELAND, ROY Mental Responsibility and the Criminal Law .....	215
REEVES, J. E. and BRAFFORD, WILLIAM C. Method of Choosing Delegates and Officials of Political Parties .....	459
ROBERTS, W. LEWIS Taxation of Partners and Partnerships Under 1954 Code .....	563
SHANNON, JASPER The Political Process in Kentucky .....	395
SKLANSKY, DR. M. A. Responsibility: A Psychiatrist's Point of View .....	270
STRAUS, DR. ERWIN W. On the Form and Structure of Man's Inner Freedom .....	255
VANLANDINGHAM, KENNETH Pecuniary Interest of Justices of the Peace in Misdemeanor Trials with Special Reference to Kentucky; The Aftermath of Tumey v. Ohio ....	607

# SUBJECT INDEX TO LEADING ARTICLES

	Page
<b>ATOMIC ENERGY</b>	
Torts and the Atom: The Problem of Insurance. Charles N. Cable and William N. Early .....	1
<b>CONSTITUTIONAL LAW</b>	
Pecuniary Interest of Justices of the Peace in Misdemeanor Trials with Special Reference to Kentucky; The Aftermath of <i>Tumey v. Ohio</i> . Kenneth Vanlandingham .....	607
Present Status of the "Clear and Present Danger" Test: A Brief History and Some Observations. Louis B. Lusk .....	576
<b>CRIMINAL LAW</b>	
See <i>Constitutional Law, Mental Responsibility</i>	
<b>CRIMINAL PROCEDURE</b>	
See <i>Probation and Parole</i>	
<b>DOMESTIC RELATIONS</b>	
Kentucky Legislation 1956: "Friend of the Court." Delmer D. Howard ..	128
<b>DOWER</b>	
See <i>Property</i>	
<b>GOVERNMENT AND POLITICS</b>	
Kentucky Legislative Procedures Re-Evaluated. Gladys M. Kammerer ....	448
Method of Choosing Delegates and Officials of Political Parties. J. E. Reeves and William C. Brafford .....	459
Political Process in Kentucky, The. Jasper Shannon .....	395
<b>INTESTATE SUCCESSION</b>	
See <i>Property</i>	
<b>JUSTICES OF THE PEACE</b>	
See <i>Constitutional Law</i>	
<b>LABOR LAW</b>	
Development of Labor Management Legislation in Kentucky, The. John L. Johnson .....	40
<b>LEGISLATION</b>	
See <i>Atomic Energy, Domestic Relations, Labor Law, Probation and Parole, Property, Taxation</i>	
<b>MENTAL RESPONSIBILITY</b>	
Criminal Responsibility. Sydney J. Kaplan .....	236
Mental Responsibility and the Criminal Law. Roy Moreland .....	215
On the Form and Structure of Man's Inner Freedom. Dr. Erwin W. Straus .....	255
Philosophical Notes on Responsibility. Jesse DeBoer .....	276
Prison v. Closed Ward, Their Philosophical Relationship. Dr. Otto E. Guttentag .....	251
Responsibility: A Psychiatrist's Point of View. Dr. M. A. Sklansky .....	270
Responsibility: A Psychologist's Point of View. Richard L. Blanton .....	284
<b>PARTNERSHIPS</b>	
See <i>Taxation</i>	
<b>PERPETUITIES</b>	
See <i>Property</i>	
<b>POLITICS</b>	
See <i>Government and Politics</i>	
<b>PRINCIPAL AND INCOME</b>	
See <i>Property</i>	
<b>PROBATION AND PAROLE</b>	
Kentucky Legislation 1956: Probation and Parole. John C. Klotter .....	133
<b>PROPERTY</b>	
Kentucky Legislation 1956: Dower, Principal and Income, Perpetuities, and Intestate Succession. W. L. Matthews, Jr. ....	111
<b>PUNISHMENT</b>	
See <i>Mental Responsibility</i>	
<b>TAXATION</b>	
Kentucky Legislation 1956: Taxation. J. E. Lockett .....	136
Taxation of Partners and Partnerships Under 1954 Code. W. Lewis Roberts .....	563
<b>TORTS</b>	
See <i>Atomic Energy</i>	

## GENERAL INDEX

The symbol (A) indicates a leading article.  
Student notes and comments are listed without indication.

APPEAL	See <i>Criminal Procedure</i>	
ASSIGNMENTS	See <i>Taxation</i>	
ATOMIC ENERGY	Torts and the Atom: The Problem of Insurance (A) .....	1
ATTACHMENT	See <i>Creditors' Rights</i>	
CLASS GIFTS	See <i>Property</i>	
CONSTITUTIONAL LAW	See also <i>Counsel, Right to; Criminal Law; Criminal Procedure</i>	
	Brown Decisions and the Advisory Opinion, The .....	682
	Pecuniary Interest of Justices of the Peace in Misdemeanor Trials with Special Reference to Kentucky; The Aftermath of <i>Tumey v. Ohio</i> (A) ..	607
	Present Status of the "Clear and Present Danger" Test: A Brief History and Some Observations, (A) .....	576
	Racial Discrimination—Denial of Due Process .....	537
CONTRACTS	See also <i>Corporations, Sales</i>	
	Contracts—"Express" or "Implied"—What Need be Shown in a Family Relationship .....	340
	Right of Materialmen to Recover as Third Party Beneficiaries on Subcontractor's Surety Bond .....	696
CORPORATIONS	Conflicts Between a By-Law, Charter, or Statutes and a Long Employment Contract .....	544
COUNSEL, RIGHT TO	Right to Counsel in Juvenile Court Proceeding .....	532
CREDITORS' RIGHTS	See also <i>Contracts, Property</i>	
	Attachment Lien Created Only from Time of Actual Levy .....	344
	Enforcing a Judgment—When is a Lien Created on Property of Judgment Debtor? .....	304
	Garnishment in Kentucky—Some Defects .....	322
CRIMINAL LAW	See also <i>Constitutional Law, Mental Responsibility</i>	
	<i>Ullmann v. United States</i> —Grant of Immunity in Lieu of Privilege Against Self-Incrimination .....	350
CRIMINAL PROCEDURE	See also <i>Counsel, Right to; Evidence; Grand Juries; Probation and Parole</i>	
	Authority of a Trial Commissioner to Try Criminal Cases in Quarterly Court .....	700
	Right of State to Appeal .....	623
DELIVERY	Personal Property—Delivery of Gifts in Kentucky .....	160
DOMESTIC RELATIONS	Kentucky Legislation 1956: "Friend of the Court" (A) .....	128
DOWER	See <i>Property</i>	
ESTOPPEL	See <i>Partnerships</i>	
EVIDENCE	Effect of Comment on Refusal of Co-Indictee to Testify .....	529
	Impeachment of Witnesses on Collateral Matters .....	332
	Vanishing Presumption, The .....	313
EXECUTION	See <i>Creditors' Rights</i>	
FRAUD	See <i>Misrepresentation</i>	

GENERAL INDEX—Continued

	Page
FUTURE INTERESTS	
See <i>Property</i>	
GARNISHMENT	
See <i>Creditors' Rights</i>	
GIFTS	
See <i>Delivery, Property</i>	
GOVERNMENT AND POLITICS	
Kentucky Legislative Procedures Re-Evaluated (A) .....	448
Method of Choosing Delegates and Officials of Political Parties (A) .....	459
Political Process in Kentucky, The (A) .....	395
GRAND JURIES	
Should the Grand Jury System Be Abolished? .....	151
INJUNCTIONS	
See <i>Labor Law</i>	
INTERNATIONAL LAW	
Passports—A Modern Gordian Knot .....	480
INTESTATE SUCCESSION	
See <i>Property</i>	
JUSTICES OF THE PEACE	
See <i>Constitutional Law</i>	
LABOR LAW	
Development of Labor Management Legislation in Kentucky, The (A) ....	40
Use of the Injunction in Labor Disputes in Kentucky .....	658
LEGISLATION	
See <i>Atomic Energy, Domestic Relations, Labor Law, Partnerships, Probation and Parole, Property, Taxation, Waters</i>	
MASTER AND SERVANT	
Liability of Master for Sanctioned Horseplay of Servant .....	359
MENTAL RESPONSIBILITY	
Criminal Responsibility (A) .....	236
Mental Responsibility and the Criminal Law (A) .....	215
On the Form and Structure of Man's Inner Freedom (A) .....	255
Philosophical Notes on Responsibility (A) .....	276
Prison vs. Closed Ward, Their Philosophical Relationship (A) .....	251
Responsibility: A Psychiatrist's Point of View (A) .....	270
Responsibility: A Psychologist's Point of View (A) .....	284
MISREPRESENTATION	
Misrepresentation by Non-Disclosure .....	377
NOTICE	
See <i>Restrictive Covenants</i>	
PARTNERSHIPS	
See also <i>Taxation</i>	
Character of Partnership Realty Upon the Death of a Partner .....	650
Effect of the Uniform Partnership Act on Death Taxation	
of a Non-Resident Partner's Interest .....	190
Rights and Liabilities as to Third Persons—Estoppel as	
Basis of Liability .....	553
Tests and Indicia of the Relation—Co-Owners as Partners .....	549
PASSPORTS	
See <i>International Law</i>	
PERPETUITIES	
See <i>Property</i>	
PLEADING	
Interpretation of Rule 8.01, Kentucky Rules of Civil Procedure—	
Cause of Action Revived .....	367
POLITICS	
See <i>Government and Politics</i>	
PRINCIPAL AND INCOME	
See <i>Property</i>	
PRIVILEGE AGAINST SELF-INCRIMINATION	
See <i>Criminal Law</i>	

## GENERAL INDEX—Continued

	Page
<b>PROBATION AND PAROLE</b>	
Kentucky Legislation 1956: Probation and Parole (A) .....	133
<b>PROPERTY</b>	
See also <i>Delivery, Partnerships, Restrictive Covenants, Wills</i>	
Kentucky Legislation 1956: Dower, Principal and Income, Perpetuities, and Intestate Succession (A) .....	111
Mortgage Recording Statutes—The Case of the Ignored Statute .....	363
Rule Against Perpetuities—Contingent Remainder—Class Gifts .....	704
<b>PUNISHMENT</b>	
See <i>Mental Responsibility</i>	
<b>RACIAL DISCRIMINATION</b>	
See <i>Constitutional Law</i>	
<b>RESTRICTIVE COVENANTS</b>	
Covenants—Termination Resulting From a Change of Conditions .....	292
Real Property—Notice of Restrictive Covenants in Kentucky .....	172
Running of Restrictive Covenants in Kentucky, The .....	637
<b>RIGHT TO COUNSEL</b>	
See <i>Counsel, Right to</i>	
<b>SALES</b>	
Failure of Consideration as Basis of Rescission .....	373
<b>SELF-INCRIMINATION, PRIVILEGE AGAINST</b>	
See <i>Criminal Law</i>	
<b>STATUTE OF FRAUDS</b>	
One Year Provision of the Kentucky Statute of Frauds, The .....	142
<b>TAXATION</b>	
See also <i>Partnerships</i>	
Estate Taxation—Marital Deduction—Power of Appointment Terminable Upon Wife's Incapacity .....	355
Kentucky Legislation 1956: Taxation (A) .....	136
Tax Consequences of Intra-Family Assignments .....	202
Taxation of Partners and Partnerships Under 1954 Code (A) .....	563
<b>TORTS</b>	
See also <i>Atomic Energy, Master and Servant, Misrepresentation</i>	
Strict Liability and the Federal Tort Claims Act .....	518
<b>WATERS</b>	
Small Watershed Development—Application of 1954 Federal Legislation to Kentucky .....	182
<b>WILLS</b>	
Life Estate with Implied Power to Encroach .....	711
<b>ZONING</b>	
Granting of Variances from the Zoning Ordinance by the Lexington-Fayette County Board of Adjustment, The .....	496
Jurisdiction of Zoning Boards .....	507
When Has One an Existing Use? .....	205

## AUTHOR INDEX TO BOOK REVIEWS

Bardes, Philip, Mahon, James J., Jr., McCullough, John and Richardson, Mark E. (Editors): <i>Montgomery's Federal Taxes</i> (F. W. Whiteside, Jr.)	211
Finney, H. A. and Oldberg, Richard S.: <i>Lawyer's Guide to     Accounting</i> (W. Lewis Roberts) .....	557
Paul, James C. N.: <i>The School Segregation Decision</i> (C. Arnold Anderson) .....	383
(Richard D. Gilliam, Jr.) .....	386
Taubman, Joseph: <i>The Joint Venture and Tax Classification</i> (W. Lewis Roberts) .....	719

# COLLEGE OF LAW

## University of Kentucky

Approved by the Association of American  
Law Schools and the American  
Bar Association

**Admission:** All applicants for admission must be at least eighteen years of age, must be able to meet the requirements for admission to the University, must have at least three years of accredited college work, and must have a standing of at least 2.3 on all college work. The College of Law offers a three-year course leading to the degree of Bachelor of Laws (LL.B.).

### FACULTY

Frank Graves Dickey, President of the University, A.B., M.A., Ed.D., LL.D.

William Lewis Matthews, Jr., Dean and Professor of Law, A.B., LL.B., LL.M., S.J.D., Michigan

Roy Moreland, Professor of Law, A.B., LL.B., J.D., S.J.D., Harvard

Dorothy Salmon, Associate Professor of Law and Law Librarian, B.S., LL.B., Kentucky

Paul Oberst, Professor of Law, A.B., LL.B., LL.M., Michigan

Willburt D. Ham, Professor of Law, B.S., LL.B., LL.M., Harvard

Frederick W. Whiteside, Jr., Professor of Law, B.A., LL.B., Cornell

Jesse J. Dukeminier, Jr., Professor of Law, A.B., LL.B., Yale

Richard D. Gilliam, Jr., Professor of Law, B.A., LL.B., Virginia

Thomas P. Lewis, Assistant Professor of Law, LL.B., Kentucky

James E. Richardson, Visiting Professor of Law, A.B., LL.B., Kentucky

W. Lewis Roberts, Research Professor of Law, A.B., M.A., J.D., S.J.D., Harvard

Frank H. Randall, Research Professor of Law, A.B., LL.B., S.J.D., Harvard

Rufus Lisle, part-time Professor of Law, LL.B., Kentucky

**Order of the Coif:** A chapter of the Order of the Coif was installed in 1931.

**Law Library:** The law library contains some 55,000 volumes, including complete sets of all English and Irish reports, the Dominion Law Reports and the Canadian Provincial Reports; the Australian, New Zealand, South African, Philippine, Hawaiian, Puerto Rican, Alaskan and Canal Zone reports; reports of all Federal Courts and major administrative agencies; the National Reporter System and complete sets of all of the state reports prior to the National Reporter System; the various sets of annotated reports; a large collection of textbooks, treatises, and works of legal reference; the English, American, Supreme Court, Federal and Kentucky digests; Shepard's Citators; complete sets of statutes of all the states; the U.S. Law Week and approximately 165 leading legal periodicals; the Federal statutes, and loose-leaf services on Taxation, Bankruptcy, Labor, Corporations, and Wills, Estates and Trusts.

**Expenses:** Fees are eighty-five dollars per semester for residents of Kentucky and one hundred ninety dollars per semester for out-of-state students; board and lodging are reasonable.

For Catalog or Other Information Address the Dean

*Please mention THE JOURNAL when dealing with our advertisers*





