



1946

Indices to Volume 34

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 (1946) "Indices to Volume 34," *Kentucky Law Journal*: Vol. 34 : Iss. 4 , Article 13.

Available at: <https://uknowledge.uky.edu/klj/vol34/iss4/13>

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.

INDEX

To Volume XXXIV

KENTUCKY LAW JOURNAL

AUTHOR INDEX TO LEADING ARTICLES AND NOTES

	Page
BINZER, MRS. ROYAL B. Civil Aviation—Liability Problems of Air Carriers	34
EVANS, ALVIN E. The Kentucky Salary Case	194
FUNK, ALVARADO E., JR. Will the Creation of a Trust Defeat a Spouse's Statutory Allowances?	296
MURRAY, FRANK Instructions in Regard to the Speed of Motor Trucks, a Study in Statutory Interpretation	85
NEWMAN, HENRY W. Proof of Alcoholic Intoxication	250
NOYES, ANNE F. The Descent and Distribution of Real and Personal Property in Kentucky	268
RAND, HERBERT What Is a Gift?	99
SEITZ, REYNOLDS C. Legal Education as Vocational Training for Life	227
SCHLUSSELBERG, IRA The Free Speech Safeguard for Labor Picketing	3
Public Contract—Third Party Beneficiary Clause in New York State	243
SULLIVAN, RODMAN Some Quantitative Aspects of Legislation in Kentucky	118
WILLIS, HUGH E. Key to Understanding the Law of Contracts	165

SUBJECT INDEX TO LEADING ARTICLES AND NOTES

	Page
AIR LAW	
Civil Aviation—Liability Problems of Air Carriers. Mrs. Royal B. Binzer	34
CONSTITUTIONAL LAW	
The Free Speech Safeguard for Labor Picketing. Ira Schlusberg	3
The Kentucky Salary Case. Alvin E. Evans.....	194
CONTRACTS	
Key to Understanding the Law of Contracts. Hugh E. Willis	165
Public Contract.—Third Party Beneficiary Clause in New York State. Ira Schlusberg.....	243
DESCENT AND DISTRIBUTION	
The Descent and Distribution of Real and Personal Property in Kentucky. Anne F. Noyes	268
EVIDENCE	
Proof of Alcoholic Intoxication. Henry W. Newman	250
GIFTS	
What Is a Gift? Herbert Rand	99
LEGAL EDUCATION	
Legal Education as Vocational Training for Life. Reynolds C. Seitz	227
LEGISLATION	
Some Quantitative Aspects of Legislation in Kentucky. Rodman Sullivan	118
STATUTORY INTERPRETATION	
Instructions in Regard to the Speed of Motor Trucks, a Study in Statutory Interpretation. Frank Murray	85
TRUSTS	
Will the Creation of a Trust Defeat a Spouse's Statutory Allowances? Alvarado E. Funk, Jr.	296

INDEX—DIGEST TO LEADING ARTICLES, NOTES AND CASE COMMENTS

The symbol (A) indicates a leading article and the symbol (N) indicates a note. Student Notes and Case Comments are listed without indication.

	Page
AIR LAW	
Civil Aviation—Liability Problems of Air Carriers (A)	34
Historical background of legislation on aviation liability ..	34
Bases of decisions on liability of aircraft	38
Liability of other forms of transportation	39
Proposed Uniform Aviation Liability Act and Proposed Air Carriers' Act	52
BANKS AND BANKING (see Bills and Notes)	
BILLS AND NOTES	
Rights and Duties of a Bank in the Application of a Deposit to the Payment of a Depositor's Obligation	302
CONFLICT OF LAWS	
Apparent Trends in Jurisdiction	139
CONSTITUTIONAL LAW	
The Free Speech Safeguard for Labor Picketing (A)	3
Picketing—free speech identification	4
Restraint on power of states to issue picketing injunctions	9
Right of state courts to restrain, if previous acts of violence	10
Employer-employee relationship not a prerequisite to the right to picket	13
Picketing is not a complete exercise of free speech but merely akin to	21
Picketing allowed unless evidence of unlawfulness of means or end	25
"Labor Dispute" defined	27
The Kentucky Salary Case (A)	164
General Principles	
Public Officers v. Public Employees	194
Comparative salaries of officials and employees	195
The University staff and the independent contractor	197
Constitutional Construction	
Construction of section 246, Kentucky Constitution	199
The Constitution as Amended	199
Earlier Kentucky Decisions on Constitutional In- terpretation	200
The U. S. Supreme Court's Attitude Towards Consti- tutional Interpretation	202
The Immediate Effect upon the University	203
Limitation of State Employees' Salaries by Section 246 of the Kentucky Constitution	60

CONTRACTS	Page
Key to Understanding the Law of Contracts (A).....	165
Freedom of Contract, scope of	167
Kinds of contracts	172
Contracts—a law of promises and not of agreement	176
Offer and Acceptance (law of powers)	178
Consideration	179
Conditions, express and constructive	181
Conditions, promissory and non-promissory	183
Conditions, precedent, concurrent and subsequent	185
Impossibility	186
Assignment (law of powers)	187
Third party beneficiaries	189
Statute of Frauds	189
Public Contract—Third Party Beneficiary Clause in New York State (A)	243
Promisee under a moral and legal duty to support third party	244
Promisee under another type of obligation to third party ..	244
Creditor beneficiaries	
Construction Contracts—rule in Fletcher v. Rylands modified	244
CRIMINAL LAW	
Criminal Law—the Doctrine of Transferred Intent in Homicide	224
Deadly Weapon Doctrine..	320
Development of the Doctrine of Implied Malice in the Law of Murder	160
Early Development of the Term Malice Aforethought and Origins of Express Malice	145
Presumption of Malice from Proof of Homicide	306
CRIMINAL PROCEDURE	
Effect of a Defective Warrant on a Homicide Committed in the Course of its Execution	73
DESCENT AND DISTRIBUTION	
The Descent and Distribution of Real and Personal Property in Kentucky (A)	268
Real Property, descent of in Kentucky:	
Distribution per stirpes	273
Representation	274
Distribution between whole and half blood	276
Ancestral estates	278
Personal Property, inheritance of in Kentucky:	
Who are infant children?	281
Suggested matters for revision:	
Shares of surviving spouses	284
What relations should be permitted to take	286

	Page
Escheat	287
Community property	288
Distribution based upon which spouse survives	289
DOMESTIC RELATIONS	
Award of Alimony Subsequent to a Decree of Divorce	149
EJECTMENT	
Equitable Title in Kentucky	153
EVIDENCE	
Demonstrations Before the Jury	309
Privileged Confidential Communications—Who May Assert and Who May Waive the Privilege	213
Proof of Alcoholic Intoxication (A)	250
Definition of alcoholic intoxication	250
Types of proof	252
Absorption of alcohol	255
Metabolism of alcohol	257
Excretion of alcohol	258
Correlation between alcohol concentration and degree of intoxication	259
Methods of evaluating blood alcohol concentration	262
Sales of Similar Land As Evidence of Value in Condem- nation Proceedings	209
The Taking of Documents and Articles to the Jury Room	206
GIFTS	
What Is a Gift? (A)	99
Judicial legislation in tax field	99
Legal background	102
<i>Wemyss & Merrill</i> Cases	103
Donative Intent	106
Consideration, meaning of	109
A workable external test	114
Gifts <i>Causa Mortis</i> —the Use of a Written Instrument in Lieu of Delivery of the Thing in Gifts <i>Causa Mortis</i>	69
INSTRUCTIONS (see Statutory Interpretation)	
INSURANCE	
Effect of Divorce in Kentucky	221
INTOXICATION (see Evidence)	
LEGAL EDUCATION	
Legal Education as Vocational Training for Life (A)	227
Methods of teaching:	
Casebook—primary aid for beginning law students	230
Supplemented by lectures and outside reading in second and third years	234

	Page
Conferences between faculty and students	236
Integrated program—social sciences—law	238
As background for other vocations as well as law	239
LEGISLATION	
Some Quantitative Aspects of Legislation in Kentucky (A) ..	118
Volume of legislation	120
Character of legislation	121
State militia	121
Internal improvements	122
Charters	126
MASTER AND SERVANT	
Master's Liability for the Wilful Assault of His Servant	156
MUNICIPAL CORPORATIONS	
The Tort Liability of a City for a Municipal Airport	217
PARTNERSHIPS	
Partnerships—Title to Real Property	311
STATUTORY INTERPRETATION	
Instructions in Regard to the Speed of Motor Trucks, a Study in Statutory Interpretation (A)	85
Conflicting Kentucky Statutes	85
Rules of construction applied	88
Particular statute construed as an exception to a general statute	88
Last in point of time controls	88
Intent determined by acts of legislature	90
Last Clear Chance	94
Evidence of excessive speed, more than scintilla required	95
TAXATION	
Taxation—Constitutionality of Ad Valorem Taxes on An- nuities Arising Out of Insurance Policies in Kentucky	316
TRUSTS	
Will the Creation of a Trust Defeat a Spouse's Statutory Allowances? (N)	296
Gifts <i>inter vivos</i> so as to avoid dower	296
Conveyances to a trustee	297
Declaration of trust by the settlor	299

TABLE OF CASES COMMENTED ON

	Page
Button v. Hikes	36
Newton v. Wetherby's Adm'x	78
Talbott, Comr. of Finance v. Public Service Commission	60

AUTHOR INDEX TO BOOK REVIEWS

	Page
Benson, Philip A. and North, Nelson L.: Real Estate Principles and Practices (W. Lewis Roberts)	324
Lester, Richard A.: Providing for Unemployment Workers in the Transition (W. Lewis Roberts)	82
Magill, Roswell: Taxable Income (W. Lewis Roberts)	325
Peaslee, Amos J.: United Nations Government (Alvin E. Evans)	163
Rhyne, Charles S.: Airports and the Courts	83