

OHIO STATE LAW JOURNAL

**Volume 13
1952**

**COLLEGE OF LAW
THE OHIO STATE UNIVERSITY**

Columbus, Ohio
1952

CONTENTS

Volume 13

Table of Leading Articles — Authors	iii
Table of Leading Articles — Titles	v
Subject Index	vi
Table of Cases Noted	vii

Copyright 1952

By THE OHIO STATE UNIVERSITY

TABLE OF LEADING ARTICLES—AUTHORS

Adams, Harold — <i>Judicial Review of Decisions of the Ohio Industrial Commission.</i>	461
Alexander, Paul W. — <i>Public Service by Lawyers in the Field of Divorce.</i>	13
Beutel, Frederick K. — <i>Relationship of Natural Law to Experimental Jurisprudence.</i>	167
Brychta, Ivan — <i>The Ohio Film Censorship Law.</i>	350
Chroust, Anton-Hermann C. — <i>Natural Law and Legal Positivism.</i>	178
Coughlin, Baring — <i>Federal Tax Implications of Divorce Decrees and Settlements.</i>	22
Dwyer, John — <i>Municipal Incorporation and Territorial Changes in Ohio.</i>	503
Fordham, Jefferson B. — <i>Municipal Incorporation and Territorial Changes in Ohio.</i>	503
Nida, Jack E. — <i>The Ohio Division of Securities and the Ohio Securities Act.</i>	426
O'Brien, Charles F. — <i>The History of Legislative Publications in Ohio.</i>	307
Parker, Reginald — <i>Natural Law and Kelsenism.</i>	160
Ploscowe, Morris — <i>The Failure of Divorce Reform.</i>	3
Pollack, Ervin H. — <i>A Projection for the Revaluation of Unfair Competition.</i>	187
Pollack, Ervin H. — <i>The History of Legislative Publications in Ohio.</i>	307

Rose, William H. — <i>The Law of Nature: An Introduction to American Legal Philosophy.</i>	121
Smith, Lincoln — <i>Recent Trends in the Appointment of Commissioners.</i>	479
Taft, Robert Jr. — <i>Some Problems Under the Adoption Laws of Ohio.</i>	48
Topper, Isadore — <i>The Effect of the Ohio Administrative Procedure Act on Procedure Before the Board of Liquor control.</i>	451

TABLE OF LEADING ARTICLES—TITLES

A Projection for the Revaluation of Unfair Competition. <i>Ervin H. Pollack</i>	187
Federal Tax Implications of Divorce Decrees and Settlements. <i>Baring Coughlin</i>	22
Judicial Review of Decisions of the Ohio Industrial Commission. <i>Harold Adams.</i>	461
Municipal Incorporation and Territorial Changes in Ohio. <i>John Dwyer and Jefferson B. Fordham</i>	503
Natural Law and Kelsenism. <i>Reginald Parker</i>	160
Natural Law and Legal Positivism. <i>Anton-Hermann C. Chroust</i>	178
Public Service by Lawyers in the Field of Divorce. <i>Paul W. Alexander</i>	13
Recent Trends in the Appointment of Commissioners. <i>Lincoln Smith</i>	479
Relationship of Natural Law to Experimental Jurisprudence. <i>Frederick K. Beutel</i>	167
Some Problems Under the Adoption Laws of Ohio. <i>Robert Taft, Jr.</i>	48
The Effect of the Ohio Administrative Procedure Act on Procedure Before the Board of Liquor Control. <i>Isadore Topper</i>	451
The Failure of Divorce Reform. <i>Morris Ploscowe</i>	3
The History of Legislative Publications in Ohio. <i>Ervin H. Pollack and Charles O'Brien</i>	307
The Law of Nature: An Introduction to American Legal Philosophy. <i>William H. Rose</i>	121
The Ohio Division of Securities and the Ohio Securities Act. <i>Jack E. Nida</i>	426
The Ohio Film Censorship Law. <i>Ivan Brychta</i>	350

SUBJECT INDEX

<p>ADMINISTRATIVE LAW Effect of the Ohio Administrative Procedure Act on Procedure Before the Board of Liquor Control 451 Judicial Review of Decisions of the Ohio Industrial Commission 461 Ohio Division of Securities and the Ohio Securities Act 426 Recent Trends in the Appointment of Commissioners 479</p>	<p>CONFLICT OF LAWS Conflict of Laws -- Full Faith and Credit--Enforcement of Foreign Statutes 106</p>
<p>AUTOMOBILES Significance of an Ohio Certificate of Title 296</p> <p style="padding-left: 2em;">Torts--Guest Statute--Bailor's Liability to Guest of Bailee 542</p>	<p>DISCOVERY Discovery of Information in Possession of Government Agencies and Bureaus Over Claim of Privilege by Government 270</p>
<p>CONSTITUTIONAL LAW Constitutional Law -- Commerce Clause--Power of a State to Tax the Privilege of Engaging in Interstate Commerce 280 Constitutional Law--Due Process -- In Personam Jurisdiction Over Foreign Corporation 282 Criminal Law--Double Jeopardy --Conviction on Two Offenses Based on the Same Transaction 284 Current Limitations on Governmental Invasions of First Amendment Freedoms 237</p>	<p>DOMESTIC RELATIONS "Enoch Arden" and Related Problems 97 Failure of Divorce Reforms 3 Federal Tax Implications of Divorce Decrees and Settlements 22 Protection of Interest in the Marital Relationship 84 Public Service by Lawyers in the Field of Divorce Reform 13 Recognition of Foreign Divorces Some Problems Under the Adoption Laws of Ohio 48 Tort Actions Between Husband and Wife 90</p>
<p>CONTRACTS Commercial Arbitration--Enforcement of Arbitration Agreements--North Carolina and Ohio Statutes Compared 104 Contracts--Rescission of Bids for Unilateral Mistake 414 Federal Employer's Liability Act -- Validity of Release --Federal Law Applies 416 Injunctions -- Negative Covenants Not to Compete 289</p>	<p>EQUITY Federal Employer's Liability Act -- Validity of Release -- Federal Law Applies 416</p>
<p>CORPORATIONS In Personam Jurisdiction Over Foreign Corporations 282</p>	<p>EVIDENCE Admissibility of Illegally Obtained Confessions 108 Claim of Privilege by Government Against Discovery 270</p>
<p>CRIMINAL LAW Criminal Law -- Admissibility of Confession -- Delay in Arraignment 535 Criminal Law -- Double Jeopardy -- Conviction on Two Offenses Based on the Same Transaction 284 Evidence -- Admissibility of Confessions Obtained During Illegal Detention 108</p>	<p>FILM CENSORSHIP The Ohio Film Censorship Law 350</p>
<p>CRIMINAL LAW Criminal Law -- Admissibility of Confession -- Delay in Arraignment 535 Criminal Law -- Double Jeopardy -- Conviction on Two Offenses Based on the Same Transaction 284 Evidence -- Admissibility of Confessions Obtained During Illegal Detention 108</p>	<p>INJUNCTIONS Injunctions Alimony Actions -- Personal Rights 287 Injunctions -- Negative Covenants Not to Compete 289</p>
<p>CRIMINAL LAW Criminal Law -- Admissibility of Confession -- Delay in Arraignment 535 Criminal Law -- Double Jeopardy -- Conviction on Two Offenses Based on the Same Transaction 284 Evidence -- Admissibility of Confessions Obtained During Illegal Detention 108</p>	<p>LABOR LAW Workmen's Compensation--Arising Out Of--Right of Aggressor in a Work Dispute 543 Workmen's Compensation--Third Party Liability 116</p>
<p>CRIMINAL LAW Criminal Law -- Admissibility of Confession -- Delay in Arraignment 535 Criminal Law -- Double Jeopardy -- Conviction on Two Offenses Based on the Same Transaction 284 Evidence -- Admissibility of Confessions Obtained During Illegal Detention 108</p>	<p>LEGAL RESEARCH History of Legislative Publications in Ohio 307</p>
<p>CRIMINAL LAW Criminal Law -- Admissibility of Confession -- Delay in Arraignment 535 Criminal Law -- Double Jeopardy -- Conviction on Two Offenses Based on the Same Transaction 284 Evidence -- Admissibility of Confessions Obtained During Illegal Detention 108</p>	<p>MUNICIPAL CORPORATIONS Local Government Law -- Municipal Power to Define Crimes 111</p>

Municipal Incorporation and Territorial Changes in Ohio	503	TORTS	
NEGOTIABLE INSTRUMENTS		Negligence—Charities—Liability for Torts	291
Negotiable Instruments—Holder in Due Course—Complete and Regular on its Face	294	Torts—Actions Between Husband and Wife	90
NATURAL LAW		Torts—Guest Statute—Bailor's Liability	542
Law of Nature: An Introduction to American Legal Philosophy	121	Torts—Right of Privacy—Unauthorized Publication of Photograph	299
Natural Law and Kelsenism	160	When Cause of Action Accrues Under Statute of Limitations—Malpractice	421
Natural Law and Legal Positivism	178	UNFAIR COMPETITION	
Relationship of Natural Law to Experimental Jurisprudence	167	Projection for the Revaluation of Unfair Competition	187
PLEADING		Unfair Competition—Secondary Meaning of Trade Names—Injunctive Relief	303
Pleading—Collateral Estoppel	413	WILLS	
Pleading—Joinder of Concurrent Tortfeasors	538	Wills—Implied Revocation	423
PRIVILEGE		WORKMEN'S COMPENSATION	
Claim of Privilege by Government Against Discovery	270	Workmen's Compensation—Arising Out Of—Right of Agresor in a Work Dispute	543
TAXES		Workmen's Compensation—Third Party Liability	116
Constitutional Law—Commerce Clause—Power of State to Tax Sales and Use Taxes—Exemptions	280		
Taxation—Section 5351 General Code—Property Exemption	540		

TABLE OF CASES NOTED

Bisconi v. Carlson	542	M. F. Kemper Co. v. City of Los Angeles	414
City of Dayton v. Haines, Auditor	540	Pashko v. Pashko	287
City of Dayton v. Miller	111	Petrazelli v. Propper	116
Codner v. Caldwell	423	Ray v. Tucson Medical Center	291
DeLong v. Campbell	421	Skinner v. Gaither Corp.	104
Dice v. Akron, Canton & Youngstown R.R.	416	Smyth v. Twin State Improvement Corp.	282
Dumerat et al. v. Mazzaccoli	289	Spector Motor Service, Inc. v. O'Connor	280
First Discount Corp. v. Hatcher	294	State v. Greeno	284
Gallegos v. State of Nebraska	108	State Compensation Insurance Fund, et al. v. Industrial Accounting Commissioner of California	543
Hughes, Adm. v. Fetter et al.	106	The Kelley Kar Co. v. Finkler	296
Leverton v. Curtis Publishing Co.	299	United States v. Leviton	535
MacSweeney Enterprises, Inc. v. Tarantino	303	Vaughn v. Melzer	413
Meyer v. Cincinnati Street Ry. Co.	538	W. E. Anderson & Sons v. Glander, Tax. Comm'r	114



Professor William Horace Rose

1892 – 1951