

12-1-1928

Table of Contents

North Carolina Law Review

Follow this and additional works at: <http://scholarship.law.unc.edu/nclr>Part of the [Law Commons](#)

Recommended Citation

North Carolina Law Review, *Table of Contents*, 7 N.C. L. REV. 1 (1928).Available at: <http://scholarship.law.unc.edu/nclr/vol7/iss1/6>

This Article is brought to you for free and open access by Carolina Law Scholarship Repository. It has been accepted for inclusion in North Carolina Law Review by an authorized administrator of Carolina Law Scholarship Repository. For more information, please contact law_repository@unc.edu.

The North Carolina Law Review

VOLUME VII

DECEMBER, 1928

NUMBER 1

CONTENTS

ARTICLES

	PAGE
Recent Developments in Newspaper Libel . . . <i>Robert H. Wettach</i>	3
Insurance Trusts—The Insurer as Trustee . . . <i>M. T. Van Hecke</i>	21
THE LAW SCHOOL	36
THE LAW SCHOOL LIBRARY	37

NOTES

The Presumption of an Unlawful Purpose from Proof of Possession of Liquor—Is Possession for Home Consumption an Affirmative Defense?	41
Decisions of State Courts as Rules of Decision for Federal Courts on Common Law Questions	48
Marshaling Assets in Favor of Judgment Creditor	51
Banker's Liens on Deposits Subsequent to Indebtedness	55

RECENT CASE COMMENTS

Administrative Law—Special Tribunals— <i>Res Judicata</i>	59	Insurance—Conditional Sales—"Sole and Unconditional Ownership" Clause	79
Appeal and Error—Law of the Case	60	Public Utilities—Constitutional Law—Fixing Rates for Employment Agencies	81
Banks and Banking—Constitutional Law—Statutory Presumptions	62	Public Utilities—Interstate Commerce—State Tax on Interstate Buses as Unconstitutional Burden	83
Constitutional Law—Special Legislation under North Carolina and Georgia Constitutions	65	Procedure—Execution against the Person	86
Criminal Law—Arrest and Seizure without Warrant—Intoxicating Liquors	67	Real Property—Deeds—Building Restrictions—Is an Apartment House a Dwelling House?	88
Criminal Law—Necessity of Charging Jury on Degrees of Murder	69	Torts—Deceit—Reliance on Representation—Negligence as Test	90
Evidence—Admissions and Declarations against Interest—Are they Limited by Rules Requiring Personal Knowledge and by the Opinion Rule?	71	Torts—Proximate Cause— <i>Res Ipsa Loquitur</i> —Joint Tort Feasors	92
Evidence—Distinction between Vicarious Admissions of Agent and <i>Res Gestae</i> —Agent's Narrative of Past Transactions Admissible	74	Trusts—Lease by Trustee beyond Duration of Trust	94
Injunctions—Nuisance—Filling Stations in Residential Sections	77	Vendor and Purchaser—Registration—Mortgages—Priorities as between Junior Mortgage and Prior Unregistered Purchase Money Mortgage	95

OPEN COURT

The Constitutionality of the North Carolina Estate Tax	<i>C. B. Sparger</i>	99
Registration of Federal Judgments	<i>Kemp D. Battle</i>	103

BOOK REVIEWS

Federal Appellate Jurisdiction and Procedure } Appellate Practice and Procedure in the } Supreme Court of the United States }	<i>Sydney S. Alderman</i>	105
North Carolina Code of 1927, Annotated	<i>A. C. McIntosh</i>	107
The Elements of Crime	<i>Albert Coates</i>	110
Real Estate Questions and Answers	<i>Fred B. McCall</i>	111

BOOKS RECEIVED

		112
--	--	-----

University of North Carolina SCHOOL OF LAW

FACULTY

HARRY WOODBURN CHASE, Ph.D., LL.D., *President of the University.*

CHARLES TILFORD MCCORMICK, A.B., LL.B., *Dean of the School of Law.*

B.A. University of Texas, 1909; LL.B. Harvard, 1912; general law practice, 1912-1917 and 1919-1922; Professor of Law, University of Texas, 1922-1926; Professor of Law, University of North Carolina, 1926-1927; Dean, 1927.

ATWELL CAMPBELL MCINTOSH, A.M., LL.D., *Professor of Law.*

A.B. 1881, A.M. 1887, LL.D. 1923 Davidson College; general law practice, 1882-1904; Professor of Law, Trinity College, 1904-1910; Professor of Law, University of North Carolina, 1910—Absent on leave, 1927-1928.

PATRICK HENRY WINSTON, *Professor of Law.*

Graduate U. S. Military Academy, West Point, 1905; general law practice, 1906-1909; Professor of Law, University of North Carolina, 1909—

ROBERT HASLEY WETTACH, M.A., LL.B., S.J.D., *Professor of Law.*

A.B. 1913, M.A. 1914, LL.B. 1917, University of Pittsburgh; S.J.D. 1921, Harvard; general law practice, 1919-1920; Assistant Professor of Law, University of North Carolina, 1921-1923; Associate Professor, 1923-1926; Professor of Law, 1926—

ALBERT COATES, A.B., LL.B., *Professor of Law.*

A.B. 1918, University of North Carolina; LL.B. 1923, Harvard; Associate Professor of Law, University of North Carolina, 1923-1926; Professor of Law, 1927—

MILLARD SHERIDAN BRECKENRIDGE, Ph.B., LL.B., *Professor of Law.*

Ph.B. 1917, University of Chicago; LL.B. 1917, Yale; general law practice, 1919-1922; Assistant Professor of Law, State University of Iowa, 1922-1924; Associate Professor of Law, Western Reserve University, 1924-1927; Professor of Law, University of North Carolina, 1927—

MAURICE TAYLOR VAN HECKE, Ph.B., J.D., *Professor of Law.*

Ph.B. 1916, J.D. 1917, University of Chicago; general law practice, 1913-1914; Legislative Reference Bureau, Springfield, Ill., 1917-1920; Assistant Professor of Law, West Virginia University, 1920-1921; Associate Professor of Law, University of North Carolina, 1921-1923; Associate and Professor of Law, University of Kansas, 1923-1927; Visiting Professor of Law, Yale University, 1927-1928; Professor of Law, University of North Carolina, 1928—

FREDERICK BAYS MCCALL, A.B., LL.B., *Associate Professor of Law.*

A.B. 1915, University of North Carolina; LL.B. 1928, Yale University; general law practice, 1922-1926; Assistant Professor of Law, University of North Carolina, 1926-1927; Associate Professor of Law, 1928—