



1934

## CONTENTS

Follow this and additional works at: <http://digitalcommons.law.yale.edu/ylj>

---

### Recommended Citation

*CONTENTS*, 44 *Yale L.J.* (1934).

Available at: <http://digitalcommons.law.yale.edu/ylj/vol44/iss1/2>

This Article is brought to you for free and open access by Yale Law School Legal Scholarship Repository. It has been accepted for inclusion in *Yale Law Journal* by an authorized editor of Yale Law School Legal Scholarship Repository. For more information, please contact [julian.aiken@yale.edu](mailto:julian.aiken@yale.edu).

# YALE LAW JOURNAL

VOLUME XLIV

NOVEMBER, 1934

NUMBER 1

## CONTENTS

### LEADING ARTICLES

	PAGE
THE CONSTITUTIONALITY OF THE SHIP MORTGAGE ACT OF 1920 . . . . .	1
<i>Stanley Morrison</i>	
A LAWYER'S APPROACH TO COMMERCIAL ARBITRATION	31
<i>Philip G. Phillips</i>	
COMPARATIVE AND INTERNATIONAL ASPECTS OF AMERICAN GOLD CLAUSE ABROGATION . . . . .	53
<i>Arthur Nussbaum</i>	

### COMMENTS

Impact of the Courts upon the NRA Program: Judicial Administration of the NIRA . . . . .	90	Limitation of Lower Federal Court Jurisdiction over Public Utility Rate Cases . . . . .	119
<i>Arthur Nussbaum</i>		<i>Philip G. Phillips</i>	
Voidability in Bankruptcy of Transfers Recorded Within the Four Months Period . . . . .	109	Interstate Commerce Commission Control of Intrastate Rates . . . . .	133
<i>Arthur Nussbaum</i>		<i>Philip G. Phillips</i>	

### NOTES

Taxability of Gain Resulting from Reduction of Liabilities (Commissioner of Internal Revenue v. Coastwise Transportation Corp., U. S. Circ. Ct. of App. 1st Circ., 1934)	144
Administrative Discretion and the Lowest Responsible Bidder (O'Brien v. Carney, U. S. Dist. Ct. D. Mass. 1934)	149
Power of Probate Court to Compel Attorney to Refund Excessive Fee Voluntarily Paid by Executor or Administrator (Matter of Rosenberg, N. Y. Ct. of App. 1934)	153
Business Compulsion as an Escape from the Patrol Evidence Rule (Champlin v. Transport Motor Co., Wash. Sup. Ct., 1934)	156
Application of Law of Residence to Govern Suit Against Tort Feasor's Estate for Foreign Tort (Herzog v. Stern, N. Y. Ct. of App. 1934)	158
Fees of Referees in Composition Agreements under the Bankruptcy Act (In re Realty Associates Security Corp., U. S. Dist. Ct. E. D. N. Y. 1934)	161
Effect Upon a Murderer's Estate of Statutes Precluding Murderer's Inheritance from Victim (In re Tarlo's Estate, Pa. Sup. Ct. 1934)	164
Right to Set Off Partner's Deposits in Individual and Fiduciary Capacities Against Debt Owed by Partnership to Insolvent Bank (Bryant Bros. v. Wilson, Ky. Sup. Ct. 1934)	170
Enforcement of Oral Promise to Return Personalty Transferred with Intent to Defraud (Gallo v. De Michael, Conn. Sup. Ct. 1934)	173
Revocation of Personal Funded Life Insurance Trust (Reuther v. Fidelity Union Trust Co., N. J. Eq. Ct. 1934)	176

### BOOK REVIEWS

Lauterpacht: The Function of Law in the International Community	182
Harno: Cases and Materials on Criminal Law and Procedure	}
Mikell: Cases on Criminal Law	
Weihofen: Insanity as a Defense in Criminal Law	<i>Justin Miller</i> 185
Bond: Civilization of the Old Northwest . . . . .	<i>James Grafton Rogers</i> 183
Chadbourn: Lynching and the Law	}
Raper: The Tragedy of Lynching	
Edwards: Courts and the Public Schools . . . . .	<i>Herbert Wechsler</i> 191
Bigelow and Madden: Cases on Rights in Land . . . . .	<i>Francis X. Busch</i> 193
	<i>W. R. V</i> 195

---

Published Monthly, November to June Inclusive, by  
**THE YALE LAW JOURNAL COMPANY, INC.**  
Publication and Editorial Offices, 127 Wall Street, New Haven, Conn.

---

Entered as second class matter under the Act of 1879 at the Post Office at New Haven, Conn., with additional entry at the Post Office at Worcester, Mass.