

Table of Contents

DePaul College of Law

Follow this and additional works at: <https://via.library.depaul.edu/law-review>

Recommended Citation

DePaul College of Law, *Table of Contents*, 12 DePaul L. Rev. (1963)
Available at: <https://via.library.depaul.edu/law-review/vol12/iss2/1>

This Front Matter is brought to you for free and open access by the College of Law at Via Sapientiae. It has been accepted for inclusion in DePaul Law Review by an authorized editor of Via Sapientiae. For more information, please contact wsulliv6@depaul.edu, c.mcclure@depaul.edu.

DE PAUL LAW REVIEW

Volume XII

SPRING-SUMMER 1963

Number 2

CONTENTS

THE PRESENT STATE OF TRIAL ADVOCACY	185
<i>By</i> TOM C. CLARK	
FREE PRESS vs. FAIR TRIAL	197
<i>By</i> HUBERT L. WILL	
THE DESECRATION OF THE FERGUSON MONUMENT TRUST: THE NEED FOR WATCHDOG LEGISLATION	217
<i>By</i> LUIS KUTNER	
THE POWER OF THE STATE TO TAX WHERE THE INCI- DENCE FALLS UPON THE FEDERAL GOVERNMENT	240
<i>By</i> WILLIAM G. CLARK	
COMMENTS	
State Flood-Plain Zoning	246
Attorney-Client Privilege: Does It Apply to Corporations?	263
Sales—Manufacturers' Liability and the Necessity for Privity of Contract—Illinois History	272
Congress and the Welfare Power	284
Jewish Divorce and the Civil Law	295
CASE NOTES	
<i>Constitutional Law</i> —Right to Counsel in All State Criminal Pro- ceedings— <i>Gideon v. Wainwright</i> , 83 S. Ct. 792 (1963).	306
<i>Constitutional Law</i> —Waiver of Right To Claim Denial of Due Process in Cases Involving Perjured Testimony— <i>People v.</i> <i>Lueck</i> , 4 Ill.2d 544, 182 N.E.2d 733 (1962).	308
<i>Damages</i> —The Compensatory Theory Favored over the Col- lateral Source Doctrine— <i>Coyne v. Campbell</i> , 11 N.Y.2d 372, 183 N.E.2d 891 (1962).	313
<i>Damages</i> —Computation by Use of a Per Diem Formula— <i>Caley</i> <i>v. Manicke</i> , 24 Ill.2d 390, 182 N.E.2d 206 (1962).	317

<i>Evidence</i> —Declaration against Penal Interest Exception to Hearsay Rule— <i>McGraw v. Horn</i> , 183 N.E.2d 206 (Ind. 1962)	323
<i>Insurance</i> —Change of Beneficiary by Will— <i>Suga v. Suga</i> , 35 Ill. App. 355, 182 N.E.2d 922 (1962)	329
<i>Labor</i> —Extension of the Entity Concept To Allow Recovery to Union Members in Tort Actions against Union— <i>Marshall v. International Longshoremen's Union</i> , 22 Cal. Reprtr. 211, 371 P.2d 987 (1962)	333
<i>Obscenity</i> —Admissibility of Evidence of Contemporary Community Standards— <i>People v. Finkelstein</i> , 11 N.Y.2d, 300, 183 N.E.2d 661 (1962)	337
<i>Parent and Child</i> —State's Right To Take Custody of a Child in Need of Medical Care— <i>State v. Perricone</i> , 37 N.J. 463, 181 A.2d 751 (1962)	342
<i>Patent Law</i> —Function of the Apparatus Rejection—Inconsistent with the Patent Act of 1952— <i>Ex Parte Symons</i> , 134 U.S.P.Q. 74 (Pat. Off. Bd. of App., 1962)	346
<i>Real Property</i> —Business Compulsion: Exaction of Overpayment— <i>Weinman Pump Manufacturing Co. v. B. F. Cline</i> , 183 N.E.2d 465 (Court of Appeals of Ohio, 1961)	351
<i>Real Property</i> —Condemnation of Non-Slum Area for Private Redevelopment— <i>Cannata v. City of New York</i> , 11 N.Y.2d 210, 182 N.E.2d 395 (1962)	356
<i>Torts</i> —Minor Held to Adult Standard— <i>Betzold v. Erickson</i> , 35 Ill. App.2d 203, 182 N.E.2d 342 (1962)	361
<i>Trusts</i> —Charitable Trusts: Illegal Purpose— <i>In re Robbins' Estate</i> , 57 Cal. Rep.2d 765, 371 P.2d 573 (1962)	364

BOOK REVIEWS

<i>Carlin: Lawyers on Their Own: A Study of Individual Practitioners in Chicago.</i>	369
By EARL L. ROSS	
<i>Bolt: A Man for All Seasons</i>	372
By JAMES E. STARRS	

Subscription price: \$3.00 a year

Single copies: \$1.50

Published semiannually by De Paul University College of Law
25 East Jackson Boulevard, Chicago 4, Illinois

Copyright 1963 by De Paul University

PRINTED IN U.S.A.



be not only a legal research training device and a sort of showcase for the efforts of our students, but a useful service to the legal profession and to legal scholarship.”

The *De Paul Law Review*, which Mr. Seiter was instrumental in founding, and of which he was so much a part, has been and will continue to be the herald of De Paul Law School.

In 1959 Professor Seiter received two noteworthy honors. He was named “Man of the Year” by Mount Carmel High School as its “Outstanding Graduate of 1934,” and he was elected to membership on the Illinois Supreme Court Committee on Character and Fitness.

A fitting eulogy to this man who led his life so that he never once had to stray from the path of kindness was voiced by a former student when he said: “He was able to accomplish with kindness what others could only accomplish by stricter means. Mr. Seiter led—he did not push.”

Requiescat in Pace

DEAN PHILIP ROMITI

FRANCIS JOSEPH SEITER

1917-63

The passing of Francis J. Seiter leaves a notable void in the hearts of those who knew him. During his lifetime Professor Seiter was able to fill that void with the quality of kindness—a quality which all men seek but few men possess.

His record as a student, practicing attorney, and professor of law is a chronicle which many would be proud to have ascribed to themselves. Mr. Seiter was born in Chicago in 1917. At the age of five he entered St. Philip Neri Elementary School on the South Side. Even in these early years in grade school, as editor of the school paper, he showed an interest in and displayed a flair for writing and editing his own works and the works of others. He was valedictorian of his graduating class in 1930. Mr. Seiter continued his education at Mount Carmel High School from 1930 to 1934. While attending high school, he became the editor-in-chief of the school yearbook, a member of the editorial board of the school newspaper, and class valedictorian. Upon graduating from Mount Carmel in 1934, Professor Seiter followed in his father's footsteps and entered the University of Chicago. While in undergraduate school he was a member of the staff of the *Maroon*, the school newspaper. He received his A.B. degree from the University of Chicago in 1938. He then entered the Law School at the University of Chicago, where he distinguished himself in curricular and extracurricular activities, including Phi Beta Kappa, Order of the Coif, article editor of the *Law Review*, and president of Phi Alpha Delta. He graduated from law school with a J.D., *cum laude*, in 1940.

Professor Seiter joined the teaching staff of De Paul University College of Law in 1947 after serving for four years as an attorney with the United States Army. His field of teaching specialization included courses in Sales, Legal Research, Federal Taxation, and Personal Property. He immediately became interested in organizing and supervising a law review at De Paul and in 1948 was appointed Faculty Director of the newly born *De Paul Law Review*. Professor Seiter visualized and worked in earnest for a publication which, to use his own words, "would

