Annual Index to Volume 18

Buffalo Law Review

Follow this and additional works at: https://digitalcommons.law.buffalo.edu/buffalolawreview

Recommended Citation
Available at: https://digitalcommons.law.buffalo.edu/buffalolawreview/vol18/iss3/1

This Index is brought to you for free and open access by the Law Journals at Digital Commons @ University at Buffalo School of Law. It has been accepted for inclusion in Buffalo Law Review by an authorized editor of Digital Commons @ University at Buffalo School of Law. For more information, please contact lawscholar@buffalo.edu.
# SUBJECT INDEX

## ADMINISTRATIVE LAW


Rule 10b-5, Stock Purchases by Insiders Possessing Material Information and Misleading Corporate Press Release Violate SEC Rule 10b-5 .................... 581

## ANTITRUST AND TRADE REGULATION

Vertical Territorial Restraints and the Per Se Concept .......................... 153

## BAIL

Bail as a Preferred Freedom and the Failures of New York's Revision ......... 303

## BUSINESS

The Need for Protection of the Consumer of Services ............................ 173

## CITIZENSHIP

Voting Rights of Americans Abroad ........................................ 469

## CIVIL PROCEDURE

Programs For Improving Foreign Judgment Enforcement in New York: The Uniform Enforcement of Foreign Judgments Act ........................................ 53

Recognition of Foreign Country Judgments in New York: The Uniform Foreign Money-Judgments Act ................................................ 1

## CIVIL RIGHTS

1866 Civil Rights Act Held Constitutional Under the Thirteenth Amendment .... 594

## COLLATERAL ESTOPPEL


## COMMERCIAL LAW

The Need for Protection of the Consumer Services ................................. 173

## COMPARATIVE LAW

A Comparative Analysis of the New Penal Laws of New York and Michigan .... 233

Divorce Reform in Canada .......................................................... 119

Programs for Improving Foreign Judgment Enforcement in New York: The Uniform Enforcement of Foreign Judgments ........................................ 53

Recognition of Foreign Country Judgments in New York: The Uniform Foreign Money-Judgments Recognition Act ..................................... 1

Voting Rights of Americans Abroad ........................................ 469
<table>
<thead>
<tr>
<th>SUBJECT INDEX</th>
</tr>
</thead>
<tbody>
<tr>
<td>CONFESSIONS</td>
</tr>
<tr>
<td>Denial of Counsel and Failure to Provide Adequate Warnings Regarding Constitutional Rights Have Important Bearing on Confessions which are Tested Under the Totality of Circumstances ............................................ 373</td>
</tr>
<tr>
<td>CONSTITUTIONAL LAW</td>
</tr>
<tr>
<td>Alleged Parole Violator has Right to Counsel at a Parole Revocation Hearing .... 607</td>
</tr>
<tr>
<td>Bail as a Preferred Freedom and the Failures of New York's Revision .......... 303</td>
</tr>
<tr>
<td>Conviction of Chronic Alcoholic for Public Intoxication Not Violate of Eighth Amendment Proscription of Cruel and Unusual Punishment ...................... 337</td>
</tr>
<tr>
<td>Denial of Counsel and Failure to Provide Adequate Warnings Regarding Constitutional Rights Have Important Bearing on Confessions which are Tested Under the Totality of Circumstances ............................................ 373</td>
</tr>
<tr>
<td>Federal Wage and Hour Regulation of State Operated Facilities Within Power Granted to Congress in the Commerce Clause ................................. 330</td>
</tr>
<tr>
<td>New York State's Textbook Loan Law Not a Law Respecting an Establishment of Religion in Violation of the First and Fourteenth Amendments of the United States Constitution .............................................. 356</td>
</tr>
<tr>
<td>State Disbarment Proceedings and the Privilege Against Self-Incrimination ...... 489</td>
</tr>
<tr>
<td>State Trespassory Laws are Insufficient Basis for Abridging a Union's First Amendment Right to Picket in a Shopping Center ................................... 364</td>
</tr>
<tr>
<td>The New York and Federal Standards in Relation to Governmental Aid to Private Education ................................................................. 526</td>
</tr>
<tr>
<td>Voting Rights of Americans Abroad .................................................. 469</td>
</tr>
<tr>
<td>1866 Civil Rights Act Held Constitutional Under the Thirteenth Amendment .... 594</td>
</tr>
<tr>
<td>CONSUMERS</td>
</tr>
<tr>
<td>The Need for Protection of the Consumer of Services ................................ 173</td>
</tr>
<tr>
<td>CONTRACTS</td>
</tr>
<tr>
<td>Accord and Satisfaction: Conditional Tender by Check Under the Uniform Commercial Code ............................................................. 539</td>
</tr>
<tr>
<td>Legal and Moral Duty in Game Theory: Common Law Contract and Chinese Analogies ............................................................. 99</td>
</tr>
<tr>
<td>Miscalculations in Contracts: The Tort-Schema in German and Common Law .... 441</td>
</tr>
<tr>
<td>The Need for Protection of the Consumer of Services ................................ 173</td>
</tr>
<tr>
<td>CORPORATIONS</td>
</tr>
<tr>
<td>Deni,se of the Doctrine of Capital Wine and Spirit v. Pokrass .................... 184</td>
</tr>
<tr>
<td>Profits Resulting From the Use of Inside Information Inure to the Corporation Although No Harm to the Corporation was Alleged .................... 193</td>
</tr>
<tr>
<td>Rule 10b-5, Stock Purchases by Insiders Possessing Material Information and Misleading Corporate Press Releases Violate SEC Rule 10b-5 ...................... 581</td>
</tr>
<tr>
<td>Vertical Territorial Restraints and the Per Se Concept ................................ 153</td>
</tr>
<tr>
<td>CRIMINAL LAW AND PROCEDURE</td>
</tr>
<tr>
<td>A Comparative Analysis of the New Penal Laws of New York and Michigan ........ 233</td>
</tr>
<tr>
<td>Alleged Parole Violator Has Right to Counsel at a Parole Revocation Hearing .... 607</td>
</tr>
<tr>
<td>Bail as a Preferred Freedom and the Failures of New York's Revision ............ 303</td>
</tr>
<tr>
<td>Conviction of a Chronic Alcoholic for Public Intoxication Not Violative of Eighth Amendment Proscription of Cruel and Unusual Punishment ...................... 337</td>
</tr>
<tr>
<td>Criminal Law Revision Through a Legislative Commission: The New Experience ............................................................. 211</td>
</tr>
<tr>
<td>Denial of Counsel and Failure to Provide Adequate Warning Regarding Constitutional Rights Have Important Bearing on Confessions which are Tested Under the Totality of Circumstances ............................................ 373</td>
</tr>
<tr>
<td>Drafting a New Penal Law in New York: An Interview ................................ 251</td>
</tr>
<tr>
<td>Justifiable Use of Force Under Article 35 of the Penal Law of New York ........ 285</td>
</tr>
<tr>
<td>The Confusion of Confinement Syndrome Extended: The Treatment of Mentally III &quot;Non-Criminal Criminals&quot; in New York ............................................. 393</td>
</tr>
<tr>
<td>The New Penal Law: A Prosecutor's Evaluation ........................................ 269</td>
</tr>
</tbody>
</table>
CRUEL AND UNUSUAL PUNISHMENT
Conviction of a Chronic Alcoholic for Public Intoxication Not Violative of Eighth Amendment Proscription of Cruel and Unusual Punishment ........................ 337

DISBARMENT
State Disbarment Proceedings and the Privilege Against Self-Incrimination ...... 489

DIVORCE
Divorce Reform in Canada ............................................................. 119

EDUCATION
New York State's Textbook Loan Law Not a Law Respecting an Establishment of Religion in Violation of the First and Fourteenth Amendments of the United States Constitution .......................................................... 356
The New York and Federal Constitutional Standards in Relation to Governmental Aid to Private Education ............................................................... 527

ETHICS
State Disbarment Proceedings and the Privilege Against Self-Incrimination ...... 489

FAMILY LAW
Divorce Reform in Canada ............................................................. 119

GOVERNMENT
The New York and Federal Constitutional Standards in Relation to Governmental Aid to Private Education ............................................................... 526

INTERNATIONAL LAW
The Double Veto in the Security Council: A New Approach ......................... 550

JUDGMENTS
Programs for Improving Foreign Judgments Enforcement in New York: The Uniform Enforcement of Foreign Judgments Act ......................................... 53
Recognition of Foreign Country Judgments in New York: The Uniform Foreign Money-Judgments Act ................................................................. 1

JURISPRUDENCE
Legal and Moral Duty in Game Theory: Common Law Contract and Chinese Analogies ................................................................. 99
Miscalculations in Contracts: The Tort-Schema in German and Common Law .. 441
SUBJECT INDEX

L

LABOR LAW

Employees Have No Right to Reemployment at New Plant Based on Seniority 379
Federal Wage and Hour Regulation of State Operated Facilities Within Power Granteed to Congress in the Commerce Clause 330
State Trespassory Laws are Insufficient Basis for Abridging a Union's First Amend- ment Right to Picket in a Shopping Center 364

LAW REVISION

Criminal Law Revision Through a Legislative Commission: The New York Ex- perience 213
Drafting a New Penal Law in New York: An Interview 251

LEGAL PROFESSION

State Disbarment Proceedings and the Privilege Against Self-Incrimination 489

LEGISLATION

Criminal Law Revision Through a Legislative Commission: The New York Ex- perience 213
Drafting a New Penal Law in New York: An Interview 251
The Need for Protection of the Consumer of Services 173

NEGLIGENCE

Complaint Alleging Mother's Mental Distress with Physical Manifestations Caused by Witnessing Death of Her Daughter Occasioned by the Alleged Negligence of Defendant Held to State a Cause of Action Even Though Mother Not in Zone of Peril 201
Wife of Negligently Injured Man Has Cause of Action for Loss of Consortium 615

NEGOTIABLE INSTRUMENTS LAW

Accord and Satisfaction: Conditional Tender by Check Under the Uniform Com- mercial Code 539

P

PAROLE

Alleged Parole Violator has Right to Counsel at a Parole Revocation Hearing 637

PLANT REMOVAL

Employees Have No Right to Reemployment at New Plant Based on Seniority 379

REGULATION OF BUSINESS

Vertical Territorial Restraints and the Per Se Concept 153

RELIGION

New York State's Textbook Loan Law Not a Law Respecting an Establishment of Religion in Violation of the First and Fourteenth Amendments of the United States Constitution 356
# BUFFALO LAW REVIEW

## RETRAINT OF TRADE

*Vertical Territorial Restraints and the Per Se Concept* ........................................... 153

## RIGHT TO COUNSEL

*Alleged Parole Violator has Right to Counsel at a Parole Revocation Hearing* .... 607

## SECURITIES

*Profits Resulting From the Use of Inside Information Inure to the Corporation Although No Harm to the Corporation Was Alleged* .................................................. 193
*Rule 10b-5. Stock Purchases by Insiders Possessing Material Information and Misleading Corporate Press Release Violate SEC Rule 10b-5* ............................ 581

## STOCKHOLDERS

*Demise of the Doctrine of Capital Wine and Spirit v. Pokrass* ............................ 184

## TORTS

*Complaint Alleging Mother's Mental Distress with Physical Manifestations Caused by Witnessing Death of Her Daughter Occasioned by the Alleged Negligence of Defendant Held to State a Cause of Action Even Though Mother Not in Zone of Peril* ................................................................. 201
*Wife of Negligently Injured Man Has Cause of Action for Loss of Consortium* 615

## UNIFORM COMMERCIAL CODE

*Accord and Satisfaction: Conditional Tender by Check Under the Uniform Commercial Code* .............................................................. 539

## UNITED NATIONS LAW

*The Double Veto in the Security Council: A New Approach* .............................. 550

## VOTING RIGHTS

*Voting Rights of Americans Abroad* ................................................................. 469

## WELFARE LAW

*Alabama's Substitute Father Regulation Ruled Invalid* ......................................... 623
TABLE OF CASES

A
Amalgamated Food Employees Union Local 590 v. Logan Valley Plaza, Inc. ........... 364

B
Board of Education of Central District No. 1 v. Allen ........................................ 356

D
Diamond v. Oreamund ........................................................ 193
Dillon v. Legg ................................................................. 201

G
Greenwald v. Wisconsin .................................................................................. 373

J
Jones v. Mayer Co. ................................................................. 594

K
King v. Smith ................................................................................ 623

M
Maryland v. Wirtz ................................................................................. 330
Millington v. Southeastern Elevator Co. ...................................................... 615

P
People Ex Rel. Combs v. La Vallee ........................................................ 607
Powell v. Texas .................................................................. 337

S
SEC v. Texas Gulf Co. ............................................................. 581

U
U.A.W. Local 1251 v. Robertshaw Controls Co. ........................................ 379

Y
Young & Co. v. Shea .................................................................. 321

TABLE OF ARTICLES

A COMPARATIVE ANALYSIS OF THE NEW PENAL LAWS OF NEW YORK AND MICHIGAN.  
B. J. George, Jr. ................................................................. 233
BAIL AS A PREFERRED FREEDOM AND THE FAILURES OF NEW YORK'S REVISION. Neil  
Fabricant ................................................................. 303
TABLE OF CONTENTS


Payne, Julian D. Divorce Reform in Canada ................................................................. 119

Denzer, Richard, Schwartz, Herman, and Skolnick, Jerome. Drafting A New Penal Law in New York: An Interview ................................................................. 251


Morris, Grant H. The Confusion of Confinement Syndrome Extended: The Treatment of Mentally Ill “Non-Criminal Criminals” in New York ......................... 393

Payne, Julian D. Divorce Reform in Canada ................................................................. 119

Kulzer, Barbara. Programs for Improving Foreign Judgment Enforcement in New York: The Uniform Enforcement of Foreign Judgments Act .................... 53

Kulzer, Barbara. Recognition of Foreign Country Judgments in New York: The Uniform Foreign Money-Judgments Recognition Act ..................................... 1

Levin, Jerome and Shubert, Mark. State Disbarment Proceedings and The Privilege Against Self-Incrimination ................................................................. 489

Dugan, Robert. Miscalculations in Contracts: The Tort-Schema in German and Common Law ................................................................................................. 441

George, J. A Comparative Analysis of the New Penal Laws of New York and Michigan ........................................................................................................... 233

Gormley, W. Paul. An Introduction to the Science of Peace (Irenology) ................. 636

Denzer, Richard, Schwartz, Herman, and Skolnick, Jerome. Drafting A New Penal Law in New York: An Interview ................................................................. 251


Kulzer, Barbara. Programs for Improving Foreign Judgment Enforcement in New York: The Uniform Enforcement of Foreign Judgments Act .................... 53

Kulzer, Barbara. Recognition of Foreign Country Judgments in New York: The Uniform Foreign Money-Judgments Recognition Act ..................................... 1


Morris, Grant H. The Confusion of Confinement Syndrome Extended: The Treatment of Mentally Ill “Non-Criminal Criminals” in New York ......................... 393

Payne, Julian D. Divorce Reform in Canada ................................................................. 119

TABLE OF AUTHORS AND REVIEWERS

BARTLETT, RICHARD AND SCHWARTZ, HERMAN. Criminal Law Revision Through A Legislative Commission: The New York Experience ................................................. 213

BIRMINGHAM, ROBERT L. Legal and Moral Duty in Game Theory: Common Law Contract and Chinese Analogies ................................................................. 99

CHILINGIRIAN, JACK C. State Disbarment Proceedings and The Privilege Against Self-Incrimination ................................................................. 489

DAVIDSON, KENNETH M. Voting Rights of Americans Abroad .................................... 469

DUGAN, ROBERT. Miscalculations in Contracts: The Tort-Schema in German and Common Law ................................................................. 441


GORMLEY, W. PAUL. An Introduction to the Science of Peace (Irenology) ................. 636

DENCER, RICHARD, SCHWARTZ, HERMAN, AND SKOHNICK, JEROME. Drafting A New Penal Law in New York: An Interview ................................................................. 251

FABRICANT, NEIL. Bail as a Preferred Freedom and the Failures of New York’s Revision of Bail Law ............................... 363

KULZER, BARBARA. Programs for Improving Foreign Judgment Enforcement in New York: The Uniform Enforcement of Foreign Judgments Act .................... 53

KULZER, BARBARA. Recognition of Foreign Country Judgments in New York: The Uniform Foreign Money-Judgments Recognition Act ..................................... 1

LEIBOVITZ, WILLIAM. Justifiable Use of Force Under Article 35 of the Penal Law .......... 285


MORRIS, GRANT H. The Confusion of Confinement Syndrome Extended: The Treatment of Mentally Ill “Non-Criminal Criminals” in New York ......................... 393

PAYNE, JULIEN D. Divorce Reform in Canada ................................................................. 119