## Recent Developments

Constitutionality of Required Payment of Dues to Integrated Bar Association	549
OBSCENITY IN PRIVATE COMMUNICATIONS  Ackerman v. United States, 293 F.2d 449 (9th Cir. 1961); United States v. Holt, 12 U.S.C.M.A. 471, 31 C.M.R. 57 (1961)	553
CONFLICT BETWEEN STATE STATUTE AND MUNICIPAL ORDINANCE Union Sand & Supply Corp. v. Village of Fairport, 172 Ohio St. 387, 176 N.E.2d 224 (1961)	557
THE HOME PORT DOCTRINE HELD APPLICABLE TO FOREIGN AIR COM- MERCE  Scandinavian Airline System, Inc. v. County of Los Angeles, 56 Cal. 2d 1, 363 P.2d 25 (14 Cal. Rptr. 25) (1961), cert. denied, 368 U.S. 899 (1961)	561
DETERMINING WHETHER CONVENTION TRIPS ARE A PERSONAL OR BUSINESS EXPENSE	567
"Mathematical Formula Argument" Rejected as Measure of Damages for Pain and Suffering in Personal Injury Case Hall v. Booth, 178 N.E.2d 619 (Ohio App. 1961)	573
DISCOVERY OF PRETRIAL PHYSICAL EXAMINATION	577
OHIO COURT HOLDS REVOCABLE INTER VIVOS TRUST VALID AS AGAINST THE SURVIVING SPOUSE	581
New York Holds Adopted Children Not Within Meaning of "Descendants"  In re Rick's Trust, 10 N.Y.2d 231, 219 N.Y.S.2d 30, 176 N.E.2d 726 (1961)	586
LEGISLATURE PROVIDES FOR "P.O.D." CERTIFICATES OF DEPOSIT  In the Matter of Estate of Atkinson, 175 N.E.2d 548 (Ohio P. Ct. 1961)	594





Volume 23

## SELECTED PROBLEMS IN OHIO PLEADINGS

PLEADING INJURIES AND DAMAGES IN TORT ACTIONS	Norman W. Shibley
ACTIONS IN GENERAL ASSUMPSIT	Charles W. Fornoff
BURDEN OF PLEADING—GUEST STATUTE AND LAST CLEAR CHANCE	Robert E. Leach
PROBLEMS OF PLAINTIFF IN PLEADING NEGLIGENCE	Robert Kovach
PLEADING IN RES IPSA LOQUITUR CASES	William E. Knepper
FAILURE TO PROCEED CORRECTLY AGAINST MINOR DEFENDANTS	Otto Miller III
DEFENSIVE PLEADING IN NEGLIGENCE ACTIONS	Earl F. Morris
JOINDER OF MASTER AND SERVANT	Robert L. Wills
JOINDER OF JOINT AND CONCURRENT TORTFEASORS	Russell E. Leasure

**Summer 1962** 

Number 3



Volume 23

Secretario Cara de Car

Number

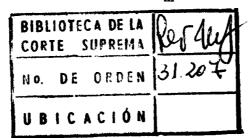
## **CONTENTS**

## SELECTED PROBLEMS IN OHIO PLEADINGS

Pleading Injuries and Damages in Tort Actions	391
ACTIONS IN GENERAL ASSUMPSIT	401
Burden of Pleading—Guest Statute and Last Clear Chance $Robert\ E.\ Leach$	423
PROBLEMS OF PLAINTIFF IN PLEADING NEGLIGENCE	435
Pleading in Res Ipsa Loquitur Cases	450
FAILURE TO PROCEED CORRECTLY AGAINST MINOR DEFENDANTS  Otto Miller III	461
Defensive Pleading in Negligence Actions  Earl F. Morris	473
Joinder of Master and Servant	488
Joinder of Joint and Concurrent Tortfeasors	521
Comment	
STOCK REDEMPTION FUNDED BY LIFE INSURANCE	532
Copyright, 1962, by the Ohio State University.	<del></del>
Published quarterly at Columbus, Ohio. Second-class postage paid at Columbio, and Worcester, Mass.	nbus,
Subscriptions: \$5.00 a year; \$1.50 a copy.	

iii

Unless notice of discontinuance is received by the Journal at the expiration of



a subscription, it will be assumed that a renewal is desired.