

# Tulane Law Review



Vol. 44, No. 4

June 1970

Devoted to the Civil Law, Comparative Law, and Codification

## Civilian Methodology

In Memoriam

Clarence J. Morrow

1913-1968

Professor of Law  
Tulane University  
1938-1968

HEMEROTECA  
SALA 2  
ESTANTE 10



# TULANE LAW REVIEW

Vol. XLIV

JUNE 1970

No. 4

## TABLE OF CONTENTS

BIBLIOTECA DE LA CORTE SUPREMA	Rou
NO. DE ORDEN	44.090
UBICACION	

### ARTICLES

CLARENCE J. MORROW .....	660
PUBLICATIONS OF CLARENCE J. MORROW .....	670
CIVILIAN METHODOLOGY IN LOUISIANA .....	<i>Albert Tate, Jr.</i> 673 - 80
THE HISTORICAL SIGNIFICANCE OF FRENCH CODIFICATIONS .....	<i>Jean Maillet</i> 681 - 92
ON THE STRUCTURE OF A CIVIL CODE .....	<i>Alain Levasseur</i> 693 - 703
STATUTORY INTERPRETATION—CIVILIAN STYLE .....	<i>Konrad Zweigert and Hans-Jürgen Puttfarcken</i> 704 - 19
“EQUITY” IN THE CIVIL LAW: A COMPARATIVE ESSAY .....	<i>Manuel Rodriguez Ramos</i> 720 - 39
CIVILIAN JUDICIAL DECISIONS—AN HISTORICAL ACCOUNT OF ITALIAN STYLE .....	<i>Gino Gorla</i> 740 - 9
SOME REFLECTIONS ON SALES AND CIVILIAN METHODOLOGY .....	<i>F. H. Lawson</i> 750 - 6
LIMITATION ON CODIFICATION—A SEPARATE LAW OF TRAFFIC ACCIDENTS .....	<i>André Tunc</i> 757 - 65
LEGAL METHOD IN THE PHILOSOPHIES OF HEGEL AND SAVIGNY .....	<i>Mitchell Franklin</i> 766 - 97

### NOTES

Administrative Law—The Freedom of Information Act—The Use of Equitable Discretion to Modify the Act (Consumers Union of the United States, Inc. v. Veterans Administration, S.D.N.Y. 1969) .....	<i>Anne L. Shiff</i> 800
Civil Rights and Municipal Corporations—The New Orleans Public Accommodations Ordinance: An Exercise of the Police Power Under Home Rule (Heath v. City of New Orleans, E.D. La. 1970) .....	<i>Rutledge C. Clement, Jr.</i> 805
Constitutional Law—Public Employee’s Privilege Against Self-Incrimination (Roux v. New Orleans Police Department, La. App. 4th Cir. 1969) .....	<i>Gerald R. Cooper</i> 813

Constitutional Law—Thirteenth Amendment— Civil Remedies Against Private Discrimination (Sullivan v. Little Hunting Park, Inc., U.S. 1969) .....	<i>Sergio A. Leiseca, Jr.</i>	820
Federal Procedure—Rule 19—Equitable Dismissal of Suit Where “Needed” Persons Cannot be Joined (Prestenback v. Employers’ Insurance Co., E.D. La. 1969) .....	<i>Charles B. Hahn, Jr.</i>	827
Negotiable Instruments—Louisiana Usury Law Applied to National Banks (Meadow Brook National Bank v. Recile, E.D. La. 1969) .....	<i>Robert R. Casey</i>	832
Quasi-Contract—Misapplication of Articles 2301-04 to a Payment which Subsequently Becomes Undue —Necessity of Error in <i>Condictio Indebiti</i> (Whitehall Oil Co. v. Boagni, La. 1969) .....	<i>Jeffrey P. Victory</i>	840
Security Devices—Laborers’ Privilege—Legal Subrogation to Laborers’ Rights (Pringle Associated Mortgage Corp. v. Eanes, La. 1969) .....	<i>David A. Kerstein</i>	847

#### REVIEWS

Drinan: Democracy, Dissent, and Disorder: The Issues and the Law .....	<i>Edward N. Beiser</i>	855
Lawson: The Roman Law Reader .....	<i>F. F. Stone</i>	859

BOOKS RECEIVED .....		861
----------------------	--	-----

## TULANE LAW REVIEW

Subscription \$10.00 a Year  
Foreign Subscription \$11.00 a Year  
Single Copy \$3.50

Published by Tulane Law Review Association  
in December, February, April and June

Total paid circulation — 1856

Second-class postage paid at  
New Orleans, Louisiana and Worcester, Massachusetts  
Copyright 1970 by the Tulane Law Review Association

TULANE UNIVERSITY  
New Orleans, Louisiana 70118  
U.S.A.