

TULANE LAW REVIEW

VOLUME 52

FEBRUARY 1978

NUMBER 2



CONTENTS

BIBLIOTECA DE LA CORTE SUPREMA	
N.º DE ORDEN	64554
UBIDACION	

ARTICLES

THE ROMAN LAW OF GUARDIANSHIP IN ENGLAND,
1300-1600 R.H. Helmholtz 223

STIPULATIONS AS TO LIABILITY AND AS TO
DAMAGES Saul Litvinoff 258

IMPLIED CIVIL LIABILITY UNDER THE TRUST INDENTURE
ACT: TRENDS AND PROSPECTS Charles E. Dropkin 299

COMMENTS

INTERNAL REVENUE CODE SECTION 2039—ESTATE TAXATION
OF EMPLOYEE DEATH BENEFITS IN NONQUALIFIED
RETIREMENT PLANS Betty Ann Maxey 343

REGULATORY REFORM: WILL AN INJECTION OF COMPETITION
CURE THE PATIENT? Lawrence J. Aldrich 362

NOTES

ANTITRUST—Vertical Territorial Restrictions Judged Under
Rule of Reason (*Continental T.V., Inc. v. GTE Sylvania
Inc.*, U.S. 1977) Guy Earl Wall 389

CIVIL RIGHTS—Section 703(h)—Post-Act Perpetuation of Pre-Act
Discrimination Through an Established Seniority System Is Not
Illegal (*International Brotherhood of Teamsters v. United
States*, U.S. 1977) Diane Wingo Matlin 397

CONSTITUTIONAL LAW—Equal Protection—State's Denial of
Right To Inherit Intestate Succession Based on
Illegitimate Status Invalidated (*Trimble v. Gordon*,
U.S. 1977) Kathleen M. Overcash 406

CONSTITUTIONAL LAW—First Amendment Protection Extended
to Price Advertising by Attorneys (*Bates v. State Bar of
Arizona*, U.S. 1977) Leonard W. Martin 414

FAMILY LAW—The Bar to Interspousal Suit and the Maternal
Preference Rule (*Stelly v. Montgomery*, La. 1977) . A. Gregory Grimsal 422

OBLIGATIONS—Deferred Compensation—Supplemental Awards and Pension Plans (<i>Morse v. J. Ray McDermott & Co.</i> , La. 1977)	<i>Michael Mossy Christovich</i>	427
SECURITIES REGULATION—Restriction on Private Rights of Action Under Section 14(e) (<i>Piper v. Chris-Craft Industries, Inc.</i> , U.S. 1977)	<i>J. Clifford Rogillio</i>	436
TORT—Attempted Murder Falls Within Course and Scope of Employment (<i>Miller v. Keating</i> , La. 1977)	<i>Ellis B. Murov</i>	443

TULANE LAW REVIEW

Current Prices

Subscription \$14.00 a Year

Foreign Subscription \$15.00 a Year

Single Copy \$5.00

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

Total paid circulation—2,264

Second-class postage paid at
New Orleans, Louisiana and additional mailing offices

Copyright 1978 by: Tulane Law Review Association
Joseph Merrick Jones Hall
Tulane University Station
New Orleans, Louisiana 70118

Tulane Law Review



Vol. 52, No. 2
February 1978

Devoted to the Civil Law, Comparative Law, and Codification

**THE ROMAN LAW OF GUARDIANSHIP IN
ENGLAND, 1300-1600**

R.H. Helmholz

**STIPULATIONS AS TO LIABILITY AND AS
TO DAMAGES**

Saul Litvinoff

**IMPLIED CIVIL LIABILITY UNDER THE
TRUST INDENTURE ACT: TRENDS
AND PROSPECTS**

Charles E. Dropkin

COMMENTS

**Internal Revenue Code Section 2039—Estate
Taxation of Employee Death Benefits in
Nonqualified Retirement Plans**

**Regulatory Reform: Will an Injection of
Competition Cure the Patient?**