

---

Volume 74  
Issue 2 *Dickinson Law Review - Volume 74,*  
*1969-1970*

---

1-1-1970

## Dickinson Law Review

Follow this and additional works at: <https://ideas.dickinsonlaw.psu.edu/dlra>

---

### Recommended Citation

*Dickinson Law Review*, 74 DICK. L. REV. (1970).

Available at: <https://ideas.dickinsonlaw.psu.edu/dlra/vol74/iss2/1>

This Front Matter is brought to you for free and open access by the Law Reviews at Dickinson Law IDEAS. It has been accepted for inclusion in Dickinson Law Review by an authorized editor of Dickinson Law IDEAS. For more information, please contact [lja10@psu.edu](mailto:lja10@psu.edu).



# Dickinson Law Review

Published Since 1897

Vol. 74, No. 2

Winter, 1970

## Contents

### ARTICLES

- REVISION OF PENNSYLVANIA ESCHEAT LAWS ...*Robert B. Ely, III* 179
- THE ASSISTANCE OF COUNSEL AND THE WARREN COURT:  
POST-GIDEON DEVELOPMENTS IN PERSPECTIVE  
*Otis H. Stephens, Jr.* 193

### COMMENTS

- THE PENNSYLVANIA IMPLIED CONSENT LAW: PROBLEMS  
ARISING IN A CRIMINAL PROCEEDING  
*Robert P. Barbarowicz* 219
- CONFLICT OF INTERESTS: MULTIPLE DEFENDANTS REPRESENTED  
BY A SINGLE COURT-APPOINTED COUNSEL  
*Richard R. Isaacson* 241
- THE MATERIALITY OF PREJUDICE TO THE INSURER AS A  
RESULT OF THE INSURED'S FAILURE TO GIVE  
TIMELY NOTICE .....*F. Warren Jacoby* 260

PUBLIC UTILITY TAXATION IN PENNSYLVANIA: ARTICLE VIII, SECTION 4, OF THE CONSTITUTION OF PENNSYLVANIA 1968 .....	<i>Philip R. Mann</i>	274
TAX REFORM ACT: DENIAL OF CHARITABLE DEDUCTION FOR THE USE OF PROPERTY .....	<i>Holly E. Moehlmann</i>	290

<b>NOTES</b>
--------------

BRENNAN V. ILLINOIS RACING BOARD: THE VALIDITY OF STATUTES MAKING A HORSE TRAINER THE ABSOLUTE INSURER FOR THE CONDITION OF HIS HORSE .....	<i>Thomas Costa</i>	303
ARNETT V. STATE: LENGTH OF HOSPITALIZATION ADMISSIBLE AS TENDING TO PROVE AN INTENT TO KILL .....	<i>Robert F. Cox, Jr.</i>	318
JURORS AS NONVOLUNTARY EMPLOYEES UNDER WORKMEN'S COMPENSATION LAW .....	<i>Robert A. Naragon</i>	334

<b>RECENT CASES</b>
---------------------

DISCOVERY—"SURPRISE" EXPERT TESTIMONY PRECLUDED; INSUFFICIENT REPLY TO BROAD INTERROGATORY— <i>Nissley v. Pennsylvania R.R.</i> , 435 Pa. 503, 259 A.2d 451 (1969). .....		347
WILLS—INVALIDATION OF CHARITABLE BEQUESTS IN PENNSYLVANIA BY EXECUTING TWO WILLS WITHIN THIRTY DAYS OF DEATH— <i>Gearhart Estate</i> , 434 Pa. 344, 255 A.2d 557 (1969). .....		352
SEARCH AND SEIZURE—WARRANTLESS SEARCH INCIDENT TO ARREST RESTRICTED— <i>Chimel v. California</i> , 395 U.S. 752 (1969). .....		361

---



---

**DICKINSON LAW REVIEW**

Publication Office: 1521 O Street, Lincoln, Nebraska

Editorial Office: Dickinson Law Review, Carlisle, Pa. 17013

SECOND-CLASS POSTAGE PAID AT LINCOLN, NEBRASKA. Published Fall, Winter, Spring and Summer since January 1897. Subscription price \$7.00 per annum, \$3.00 per number. Address all subscription and business inquiries and changes of address to the Business Manager, DICKINSON LAW REVIEW, Carlisle, Pa. Unless notice to the contrary is received at the editorial office, it is assumed that a renewal of subscription of the REVIEW is desired.

COPYRIGHT © 1970 BY DICKINSON SCHOOL OF LAW, CARLISLE, PA. 17013  
ALL RIGHTS RESERVED

---



---