

THE
LAW OF PERSONS
AND OF
DOMESTIC RELATIONS

BY
EPAPHRODITUS PECK
OF THE CONNECTICUT BAR

THIRD EDITION
REVISED TO DATE

NATIONAL TEXTBOOK SERIES
E. M. MORGAN
GENERAL EDITOR



CHICAGO
CALLAGHAN AND COMPANY
1930

COPYRIGHT 1913
BY
CALLAGHAN AND COMPANY

COPYRIGHT 1920
BY
EPAPHRODITUS PECK

COPYRIGHT 1930
BY
EPAPHRODITUS PECK

NATIONAL TEXT BOOK SERIES



- Accounting in Law Practice**—By Willard J. Graham, Professor of Accounting, and Wilber G. Katz, Professor of Law, University of Chicago.
- Agency, 3rd Ed.**—By Floyd R. Mechem, Late Professor of Law, Chicago University.
- Bailments and Carriers, 2nd Ed.**—By Edwin C. Goddard, Professor of Law, University of Michigan, Revised by Charles E. Cullen, Professor of Law, Washington University.
- Bills and Notes, 3rd Ed.**—By James M. Ogden, Professor of Law, Indiana Law School.
- Blackstone, 4th Ed.**—By Thomas M. Cooley, Revised by James DeWitt Andrews.
- Commercial Law, 4 Vols., 2nd Ed.**—By Alfred W. Bays, Professor, Northwestern University, School of Commerce. Single volumes.
- Contracts**—By Anson, Revised by Charles J. Turck, President, Centre College, Danville, Ky.
- Corporations (Municipal) 3rd Ed.**—By Hon. Charles Elliott, Revised by Stewart Chaplin, Professor of Law, New York Law School.
- Corporations (Private)**—By Henry W. Ballantine, Professor of Law, University of California, School of Jurisprudence.
- Corporations (Studies in the Law of Corporation Finance)**—By Adolf A. Berle, Jr., Lecturer in Corporation Finance, Columbia University.
- Criminal Law, 3rd Ed.**—By William L. Clark and William L. Marshall, Revised by Judson A. Crane, Professor of Law, University of Pittsburgh.
- Damages**—By Ralph S. Bauer, Professor of Law, DePaul University.
- Dictionary, 2nd Ed.**—By Walter A. Shumaker and George F. Longsdorf, Revised by James C. Cahill, of Callaghan and Company.
- Domestic Relations, 3rd Ed.**—By E. Peck, formerly Professor of Law, Yale University.
- Equity**—By William F. Walsh, Professor of Law, New York University.
- Ethics, 2nd Ed.**—By George W. Warvelle, Professor of Law, DePaul University.
- Evidence**—By T. W. Hughes, Professor of Law, Washburn College.
- Introduction to the Study of Law**—By Edmund M. Morgan, Professor of Law, Harvard University.
- Monopolies and Federal Anti-Trust Laws**—By Louis J. Euler, Professor of Law, Loyola University, Los Angeles, California.
- Partnership, 2nd Ed.**—By Floyd R. Mechem, Late Professor of Law, Chicago University.
- Personal Property**—By Frank Hall Childs, Chicago Kent College of Law.
- Pleading (Code) 2nd Ed.**—By Hon. George L. Phillips, of Ohio Bar. Revised by P. W. Viesselman, Professor of Law, University of North Dakota.
- Pleading (Common Law) 2nd Ed.**—By Henry John Stephens, Revised by James DeWitt Andrews.
- Real Covenants and Other Interests Running with Land**—By Charles E. Clark, Dean of Yale University Law School.
- Real Property**—By Herbert T. Tiffany, of Maryland Bar.
- Sales**—By John B. Waite, Professor of Law, University of Michigan.
- Suretyship**—By Earl C. Arnold, Professor of Law, George Washington University.
- Torts, 2nd Ed.**—By Thomas M. Cooley, Revised by A. H. Throckmorton, Professor of Law, Western Reserve University.
- Wills, 2nd Ed.**—By John R. Rood, of Michigan Bar.

CALLAGHAN AND COMPANY

401 East Ohio Street

Chicago, Illinois

PREFACE TO THE THIRD EDITION

The first edition of this book was published in 1913, and the second in 1920. The publishers now advise me that a third edition is called for; and it is evident that a text book will be more serviceable by including references to the newest decisions, some of which are of great value to students because they review the state of the law to the present time and apply it to the new questions which have arisen, and some of which have made changes in the law sufficiently important to require an alteration of the text.

This book in its first edition was the outgrowth of a course of lectures on Domestic Relations, which I had delivered for the nine previous years in the Law School of Yale University. To serve the practical use and convenience of both instructor and student the selection of cases for the notes was chiefly of American rather than of English cases, and of the recent "ruling cases" which contain a broad discussion of the topic in question with a review of the prior decisions, rather than of the "leading cases," earlier in date, and in which the doctrines were first propounded which have been developed in later cases.

I have tried to make a book of a size and scope that could be reasonably used in such time as is usually given to this topic in the law schools.

I wish to call particular attention to the cases printed in black-letter type in the notes. It was my practice in giving this course by lecture to assign in connection with each lecture a group of illustrative cases, which the

PREFACE

students were expected to read and be prepared to recite upon together with the contents of the lecture. I found this method very serviceable. The cases illustrate the propositions stated in the lecture, and the reading of the cases fixes the doctrine in the minds of students and shows its practical application. If these black-letter cases were assigned for study in connection with the text book, some of the advantages would be obtained which attach to the use of a case book in connection with a text book. The latter method has of course the convenience of placing the selected cases in the student's hands; but I am sure that most instructors will agree with me that there are decided compensations in requiring the students to examine the cases in the actual reports.

To facilitate the use of these black-letter cases, I have usually selected cases which are reported in one or more sets of reports besides the official volumes, so that in a large class each student may be able to get access to a report of the case in the library.

The traditional title for this field of law was Domestic Relations. In recent years it has been common to treat it under the title, The Law of Persons; and the two phrases have often been considered as synonymous. But it seems to me that they are entirely distinct, although closely related, and should be so treated. The only point at which they overlap is in treating the disabilities of married women, which topic is really a part of the law of persons, but so connected with the relation of husband and wife that it seems necessary to treat it under that head.

Accordingly I entitled this book in its second edition, The Law of Persons *and* Domestic Relations, instead of Persons *or* Domestic Relations. The Law of Persons includes those topics which relate to persons not having

PREFACE

the normal powers of an adult citizen; while the phrase Domestic Relations covers those mutual relationships which exist, not in business nor in political life, but in the home.

The analysis of the topic is therefore as follows: the Law of Persons in three parts, viz., Infants, Insane and Incompetent Persons, and Aliens; the Law of Domestic Relations in three parts, viz., Husband and Wife, Parent and Child, Guardian and Ward. Marriage and Divorce, while a part of the general topic of Husband and Wife, is of sufficient interest and importance to be especially mentioned as a sub-topic.

In preparing the third edition it has not seemed to me necessary to make any change in the analysis of the subject which has just been stated, nor to alter the text except as required by new developments of the law in the past nine years.

I inserted in the first edition, and retained in the second, an appendix based on the statistics of marriage and divorce contained in the United States census reports on that subject issued in 1906 and in 1916. At the time of publication of the first edition those statistics were not very widely known, and had not received the general attention and discussion in the periodical press which they have since received. The general results of these investigations have now been pretty widely made known and there seems to be little reason for including them in an elementary text book; and the volume of statistical material has now become so great that an adequate presentation of it to the present time would require a greater amount of space than it seems to merit. I have therefore dropped this appendix altogether.

The principal change in the present edition is the addition in the notes of important cases decided since 1920,

PREFACE

with occasional changes in the text suggested by these new decisions. Of course it is not humanly possible to read all the cases that have appeared in the English and American courts on the subject covered by this text book, and still less would it be desirable to insert references to all such cases. Inasmuch as the different series of selected and annotated cases have been united, so that there is now only one series of selected reports, the American Law Reports, it has seemed to me that it would be sufficient to examine for additional material the successive volumes of the American Law Reports, adding to this source the decisions of the Supreme Court of the United States, and the British Ruling Cases for decisions of especial value rendered in the British courts. Accordingly I have examined the American Law Reports down to volume 60, the reports of the Supreme Court of the United States through volume 277, and the British Ruling Cases to volume 14. This covers the field of reported law well into the year 1929.

In the process of noting down in the library, type-writing for publication and putting into print, several thousand reported cases with references to volume and page, the occurrence of some errors is practically unavoidable, and I have occasionally found such errors in the first and second editions. To eliminate them as far as possible I employed Mr. Edwin L. Ledbetter of the class of 1929 in the Yale Law School to examine each cited case in the library and note any errors in the citations. His work appeared to me to be thoroughly done; and I hope that errors in the prior editions may thus have been eliminated, and that the unavoidable crop of new errors in preparation of this edition may be found to be small.

I trust that this new edition may continue to deserve and to receive the gratifying support which the prior

PREFACE

editions have had from the teachers in those American law schools which use text books as a means of instruction; and I have always tried to make the book useful also to older members of the bar, and especially to those students who may have used the book in their law school classes and may afterward refer to it in their practice.

EPAPHRODITUS PECK

Bristol, Connecticut
January, 1930

TABLE OF CASES

[REFERENCES ARE TO PAGES]

A

- A & B, In re (Eng.), 407.
 Aaron v. Mandel (Ky.), 448.
 Aaron v. Mo. & Kan. Tel. Co. (Kan.), 388.
 Abbeville Trading Co. v. Butler (Ga.), 88.
 Abbot v. Bayley (Mass.), 257.
 Abbott v. Abbott (Me.), 197, 299.
 Abbott v. Converse (Mass.), 375.
 Abraham v. Kidney (Mass.), 390.
 Abrams v. State (Wash.), 110.
 Abrams v. U. S. F. & G. Co. (Wis.), 430, 444, 456.
 Achilles v. Achilles (Ill.), 272, 275.
 Acker v. Bell (Fla.), 12.
 Ackeret v. Minneapolis (Minn.), 405.
 Ackerman v. N. J. R. Co. (N. J.), 268.
 Adair v. State (Okla.), 57.
 Adams v. Adams (100 Mass.), 196.
 Adams v. Adams (154 Mass.), 347.
 Adams v. Barrey (Mass.), 267.
 Adams v. Beall (Md.), 23, 28.
 Adams v. Butts (Conn.), 302.
 Adams v. Kellogg (Conn.), 217, 260.
 Adams v. Main (Ind.), 204.
 Adams v. Palmer (Me.), 130, 131.
 Adams v. Story (Ill.), 320.
 Adams's Appeal (Conn.), 423.
 Addington v. Wilson (Ind.), 52, 70.
 Addis v. Applegate (Iowa), 86.
 Adoue v. Spencer (N. J.), 290, 291, 292.
 Adsit v. Adsit (N. Y.), 315.
 Agar-Ellis, In re (Eng.), 407.
 Agricultural Asso. v. State (Md.), 388.
 Ahern v. Easterby (Conn.), 238.
 Albany Fire Insurance Co. v. Bay (N. Y.), 258.
 Albee v. Albee (Ill.), 194.
 Albee v. Carpenter (Mass.), 224.
 Albert's Appeal (Pa.), 457.
 Alcon v. Coons (Ind.), 451.
 Alderson v. Kahle (W. Va.), 92.
 Aldrich v. Bennett (N. H.), 379.
 Alexander, In re (N. J.), 307.
 Alexander, In re (Pa.), 447.
 Alexander v. Hillebrand (Mich.), 456.
 Alexander v. Morgan (Ohio), 229, 336.
 Alexander v. Shalala (Pa.), 287.
 Alexier v. Matzke (Mich.), 50.
 Alfson v. Bush Co. (N. Y.), 116.
 Allaire v. St. Luke's Hospital (Ill.), 5.
 Allen, In re (Vt.), 58, 59.
 Allen v. Allen (Conn.), 131, 174.
 Allen v. Allen (N. J.), 152.
 Allen v. Austin (R. I.), 319.
 Allen v. Hooper (Me.), 221.
 Allen v. Kingsbury (Mass.), 267.
 Allen v. Little (Ohio), 260.
 Allen v. McCullough (Tenn.), 229, 265.
 Allen v. United States (U. S.), 7.
 Allen's Appeal (Pa.), 152.
 Alles v. Lyon (Pa.), 293.
 Alley v. Winn (Mass.), 249.

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- Alling v. Alling (N. J.), 395, 455.
 Allison v. Bryan (Okla.), 399.
 Alvey v. Hartwig (Md.), 363, 367.
 Alvey v. Reed (Ind.), 19.
 Ambrose v. Kerrison (Eng.), 248.
 American Mortgage Co. v. Dykes (Ala.), 35, 37, 38, 40.
 American Trust Co. v. Boone (Ga.), 63.
 Ames v. Ames (Ill.), 417.
 Amos v. Atlanta R. Co. (Ga.), 393.
 Anders v. Anders (Mass.), 153.
 Anderson v. Anderson (Ky.), 223.
 Anderson v. Darby (S. C.), 411.
 Anderson v. Soward (Ohio), 37.
 Anderson v. Watt (U. S.), 190, 191.
 Andrews v. Andrews (Conn.), 272, 273, 274, 314.
 Andrino v. Yates (Idaho), 409.
 Andrus v. Blazzard (Utah), 439.
 Angel v. McClellan (Mass.), 365.
 Angelo v. People (Ill.), 7.
 Ankeny v. Hannon (U. S.), 330, 332.
 Anthony v. Norton (Kans.), 389, 391.
 Antonides v. Walling (N. J.), 432.
 Anustakasas v. International Contract Co., 116.
 Apostolopoulos, In re, (Utah), 111.
 Appleby v. Appleby (Minn.), 272, 275.
 Appleton v. Rowley (Eng.), 331.
 Athorp v. Backus (Conn.), 44, 110.
 Arbuckle v. Walker (Vt.), 269.
 Archbell v. Archbell (N. C.), 284.
 Arkin v. Page (Ill.), 370.
 Armistead v. Dangerfield (Va.), 3.
 Armitage v. Mace (N. Y.), 292.
 Armstrong v. Kerns (Md.), 264.
 Arndt-Ober v. Met. Opera Co. (N. Y.), 125.
 Arrington v. Arrington (N. C.) 222.
 Arrowsmith v. Gleason (U. S.), 437.
 Arrowsmith v. Harmening (Ohio), 437.
 Arthur v. Israel (Colo.), 188.
 Artman v. Ferguson (Mich.), 276.
 Asberry v. Mitchell (Va.), 23.
 Ashlock v. Vivell (Ill.), 42.
 Askey v. Williams (Tex.), 15.
 Aspinwall v. Aspinwall (N. J.), 283, 284.
 Aszman v. State (Ind.), 91.
 Atchison R. Co. v. Fajardo (Kan.), 116.
 Atherton v. Atherton (N. Y.), 180.
 Atherton v. McQuesten (N. H.), 305.
 Atkeson v. Woodmen of the World (Okla.), 156.
 Atkins v. Atkins (Mass.), 280.
 Atkins v. State (Tenn.), 55.
 Atwood v. Atwood (Conn.), 55.
 Atwood v. Atwood (Mass.), 307.
 Atwood v. Holcomb (Conn.), 378.
 Augusta Factory v. Barnes (Ga.), 386.
 Austin v. Austin (Mich.), 379.
 Austin v. Austin (Miss.), 300.
 Austin v. Davis (Ind.), 254, 256.
 Avakian v. Avakian (N. J.), 149.
 Ayers v. Burns (Ind.), 18.

B

- Babb v. Perley (Me.), 218, 267.
 Babbitt v. Babbitt (Ill.), 193.
 Bachelor v. Korb (Neb.), 436.
 Badger, Ex parte (Mo.), 409.
 Badger v. Phinney (Mass.), 32.
 Bagley v. Mason (Vt.), 92.
 Bailey v. Bailey (N. H.), 170.
 Bailey v. Barnberger (Ky.), 29.
 Bailey v. Gardner (W. Va.), 225, 226.

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- Bailey v. Long (N. C.), 208.
 Bailey v. Miller (N. C.), 10.
 Bailey v. People (Col.), 197.
 Baird v. Connell (Iowa), 279.
 Baird v. Fletcher (Vt.), 267.
 Baker v. Barney (N. Y.), 249, 250.
 Baker v. Braslin (R. I.), 232, 269.
 Baker v. Carter (Me.), 235, 252.
 Baker v. Haldeman (Mo.), 370.
 Baker v. Lorillard (N. Y.), 433.
 Baker v. Oughton (Iowa), 250.
 Baker v. Stone (Mass.), 19.
 Baker v. Young (Ill.), 269.
 Balch v. Smith (N. H.), 412, 415.
 Baldwin v. Carter (Conn.), 273, 305.
 Baldwin v. Foster (Mass.), 365.
 Baldwin v. Rosier (U. S.), 22.
 Baldwin v. Second St. R. Co. (Cal.), 257.
 Bales v. Elder (Ill.), 397.
 Ball v. Ball (Eng.), 407.
 Ball v. Ball (R. I.), 328, 331.
 Ball v. Cross (N. Y.), 187.
 Ballard v. Russell (Me.), 268.
 Banbury Peerage Case, The (Eng.), 350.
 Bandfield v. Bandfield (Mich.), 299.
 Bane v. Bane (Cal.), 446.
 Bangor v. Wiscassett (Me.), 252.
 Bank v. Lumber Co. (Tenn.), 330.
 Banks v. Goodfellow (Eng.), 69.
 Banning v. Gotshall (Ohio), 443.
 Barber v. Barber (U. S.), 257, 266, 297.
 Barber v. People (Ill.), 136.
 Barber v. Root (Mass.), 218, 219.
 Barbier v. Connolly (U. S.), 113.
 Bardwell v. Purrington (Mass.), 7.
 Barker v. Hibbard (N. H.), 15.
 Barker v. Smiley (Ill.), 309.
 Barlow v. Parsons (Conn.), 276.
 Barnes v. Barnes (Cal.), 164.
 Barnes v. Edwards (Md.), 248.
 Barnes v. Hurd (Mass.), 268.
 Barnes v. Ward (N. C.), 456.
 Barnett v. Harsbarger (Ind.), 280, 296, 338.
 Barney v. Parsons (Vt.), 447.
 Barnum v. LeMaster (Tenn.), 275, 288, 327, 328.
 Barr v. Armstrong (Mo.), 249.
 Barrett v. Buxton (Vt.), 63, 87.
 Barrett v. Failing (U. S.), 319.
 Barron v. Barron (Vt.), 228.
 Barrows v. Barrows (Ill.), 287.
 Barry, In re (N. J.), 417.
 Barry v. Barry (Eng.), 408.
 Bartholomew v. Muzzy (Conn.), 287.
 Bartles v. Nunan (N. Y.), 293.
 Bartlett v. Bartlett (Mass.), 305.
 Bartlett v. Cowles (Mass.), 425.
 Bartley v. Richtmyer (N. Y.), 391.
 Bashford v. Wells (Kan.), 163.
 Bater v. Bater (Eng.), 176.
 Battell v. Torrey (N. Y.), 434, 438.
 Baum v. Baum (Wis.), 284.
 Baum v. Hartman (Ill.), 447.
 Baum v. Mullen (N. Y.), 234.
 Baxter v. Baxter (Mass.), 174.
 Bayes v. Howes (Ky.), 315, 316.
 Beach v. Brown (Wash.), 211.
 Beach v. Norton (Conn.), 225.
 Beach v. Ranney (N. Y.), 268.
 Beach v. Voegtlen (N. J.), 399.
 Beals v. See (Pa.), 66.
 Beam v. Bridges (N. C.), 328.
 Beam's Appeal (Pa.), 453.
 Beamish v. Beamish (Eng.), 143.
 Beard v. Dean (Ga.), 425.
 Beard v. Webb (Eng.), 266.
 Beardsley v. Hotchkiss (N. Y.), 363.
 Bearinger v. Pelton (Mich.), 441.
 Beasley v. State (Ala.), 86.
 Beasley v. State (Ind.), 295.
 Beatty v. Davenport (Wash.), 355.
 Beaty v. Richardson (S. C.), 318.

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- Beauchamp v. Bertig (Ark.), 234.
 Beaudette v. Gagne (Me.), 391.
 Beaufort v. Collier (Tenn.), 327.
 Beaumont's Case (Pa.), 49, 61.
 Beaver v. Bare (Pa.), 378.
 Becker v. Becker (Wis.), 147.
 Bedan v. Turney (Cal.), 202.
 Beddingfield v. Estill (Tenn.), 293.
 Bedford v. Bedford (Ill.), 455.
 Bedford's Case (Eng.), 5.
 Beebe, In re (N. Y.), 421.
 Beebe v. Trafford (Conn.), 411.
 Beecher v. Crouse (N. Y.), 430.
 Beeler v. Dunn (Tenn.), 454.
 Beggs v. State (Ala.), 134.
 Behrens v. McKenzie (Iowa), 65.
 Behsmann v. Behsmann (Minn.), 152.
 Beickler v. Guenther (Iowa), 18.
 Beigler v. Chamberlain (Minn.), 367.
 Beisel, In re (Cal.), 455.
 Beisel v. Gerlach (Pa.), 205.
 Belcher v. Com. (Ky.), 50.
 Belknap v. Stewart (Neb.), 249.
 Bell, Ex parte (Tenn.), 412.
 Bell v. Bell (Ala.), 295.
 Bell v. Bell (Ga.), 228.
 Bell v. Nealy (N. C.), 318.
 Bell v. Rossignol (Ga.), 252.
 Benbow v. Moore (N. C.), 216.
 Bendel v. Nagle (Fed.), 118.
 Benge v. Hiatt (Ky.), 399.
 Benham v. Bishop (Conn.), 36, 37.
 Benjamin v. Benjamin (Conn.), 236, 264.
 Benjamin v. Dockham (Mass.), 237, 250.
 Bennet v. Bennet (N. J.), 405.
 Bennett v. Bennett (Ala.), 137.
 Bennett v. Bennett (N. Y.), 191, 210, 223.
 Bennett v. Davis (Eng.), 326.
 Bennett v. Packer (Conn.), 316.
 Bensell v. Chancellor (Pa.), 63.
 Bensiack v. Cook (Mo.), 85.
 Benson v. Tucker (Mass.), 21.
 Bentley v. Bentley (Ga.), 46.
 Benton, In re (Iowa), 406, 418, 443.
 Berger v. Jacobs (Mich.), 209, 223.
 Bergey's Appeal (Pa.), 292, 339.
 Bergh v. Warner (Minn.), 235, 241, 243, 250.
 Bernard v. Merrill (Me.), 44.
 Bernardo v. McHugh (Eng.), 406.
 Bernatavicius v. Bernatavicius (Mass.), 294.
 Bernhamer v. Miller (Ind.), 426.
 Bernhardt v. Perry (Mo.), 213.
 Berry v. Johnson (Me.), 422.
 Besant v. Wood (Eng.), 282.
 Besondy, In re (Minn.), 247, 395, 455.
 Bestor v. Hickey (Conn.), 36.
 Bethany Hospital Co. v. Hale (Kan.), 350.
 Bethell v. Hillyard (Eng.), 154.
 Betser v. Betser (Ill.), 211.
 Betts v. Betts (N. Y.), 174.
 Beverly's Case (Eng.), 89.
 Bevier v. Galloway (Ill.), 237, 242, 249, 250.
 Bibb v. State (Ala.), 263.
 Bickerstaff v. Marlin (Miss.), 378, 425.
 Bigaouette v. Paulet (Mass.), 202.
 Bigelow v. Grannis (N. Y.), 36.
 Bigelow v. Hubbard (Mass.), 307, 313, 314.
 Bilderblack v. Clark (Kan.), 356.
 Billing v. Pileher (Ky.), 245, 250.
 Billings v. Billings (Mass.), 174.
 Billings v. People (Ill.), 311.
 Binford v. Johnston (Ind.), 382.
 Binnerman v. Weaver (Md.), 264, 265.
 Birch v. Abercrombie (Wash.), 370.
 Birch v. Anthony (Ga.), 283.

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- Birch v. Linton (Va.), 38.
 Birmingham Water Works v. Hume (Ala.), 221, 223, 224.
 Bishop v. Bishop (Pa.), 193.
 Black v. Carrollton R. Co. (La.), 381.
 Black v. Clements (Del.), 242, 252.
 Black v. N. Y. N. H. & H. R. Co. (Mass.), 92.
 Blacklaws v. Milne (Ill.), 413
 Blackstone v. Standard Life Ins. Co. (Mich.), 81.
 Blackwell v. Willard (N. C.), 120.
 Blades v. Fell (Eng.), 237.
 Blades v. Szatai (Md.), 365.
 Blaechinska v. Howard Mission (N. Y.), 199.
 Blagge v. Ilsley (Mass.), 389, 390.
 Blair v. Broadwater (Va.), 370.
 Blair v. Seitner Dry Goods Co. (Mich.), 209.
 Blake v. Leigh (Eng.), 420.
 Blake v. Pegram (Mass.), 449, 453.
 Blandford v. Blandford (Eng.), 172.
 Blazekovic, Ex parte (Fed.), 115.
 Blewitt, In re (N. Y.), 58.
 Bligh v. Biddeford R. Co. (Me.), 384.
 Bloom v. Burdick (N. Y.), 45.
 Blumenthal v. Craig (Fed.), 44.
 Blythe v. Ayres (Cal.), 347.
 Board of Trade v. Hayden (Wash.), 276.
 Bobo v. Bryson (Ark.), 377.
 Bohanan v. Maxwell (Iowa.), 199, 274.
 Boisseau v. Boisseau (Va.), 439.
 Boland v. O'Neil (Conn.), 284.
 Bolger v. Boston El. R. Co. (Mass.), 209.
 Bolton, In re (N. Y.), 417, 439.
 Bombardier v. Goodrich (Vt.), 19.
 Bond v. Bond (Wash.), 194.
 Bond v. Conway (Md.), 224.
 Bond v. United Railroads (Cal.), 388.
 Bonney v. Perhan (Ill.), 237, 252.
 Booher v. State (Ind.), 90.
 Bool v. Mix (N. Y.), 11.
 Booth v. Wilkinson (Wis.), 446.
 Boozer v. Addison (S. C.), 225.
 Borden v. Jenks (Mass.), 317.
 Borgess v. Richards (W. Va.), 275.
 Borland v. Marshall (Ohio.), 303.
 Boruff v. Stipp (Ind.), 430.
 Botsford v. Wilson (Ill.), 256.
 Botts v. Gooch (Mo.), 288, 326, 328.
 Bourland v. Baker (Ark.), 336.
 Boutell v. Shellabarger (Mo.), 234.
 Bouthier v. Malden (Mass.), 356.
 Bowen v. Daugherty (N. C.), 247.
 Bowers v. Hutchinson (Ark.), 284, 285.
 Bowie v. Stonestreet (Md.), 278, 279, 296.
 Bowles v. Bingham (Va.), 350.
 Bowman v. Little (Md.), 349.
 Box v. Lanier (Tenn.), 305.
 Boyce v. Boyce (N. J.), 193.
 Boyd v. Bird (Ind.), 389.
 Boyd v. De La Montagnie (N. Y.), 299.
 Boyd v. Glass (Ga.), 419.
 Boyd v. Nebraska (U. S.), 97, 109.
 Boyden v. Boyden (Mass.), 37.
 Boyer v. East (N. Y.), 436.
 Boyes's Estate (Cal.), 454.
 Boyett, In re (N. C.), 60.
 Boykin v. Boykin (N. C.), 351.
 Boynton v. Dyer (Mass.), 447, 451.
 Boynton v. Miller (Mo.), 295.
 Bozeman v. Browning (Ark.), 21.
 Bracy v. Miller (Ark.), 23.
 Bradley, In re (Wis.), 357.
 Bradley v. Pratt (Mass.), 15.
 Bradley v. Pratt (Vt.), 18.
 Bradley v. Sattler (Ill.), 393.

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- | | |
|--|--|
| <p>Bradley v. State (Miss.), 197.
 Brady, In re (Idaho), 418.
 Bragg v. Wiseman (W. Va.), 302.
 Braiden v. Mercer (Ohio), 450.
 Bramberry's Estate (Pa.), 294.
 Brand v. Brand (Ky.), 248.
 Branson v. Branson (Neb.), 173.
 Braswell v. Downs (Fla.), 441.
 Braun v. Braun (Pa.), 164.
 Bray v. Brumsey (N. C.), 423.
 Brazil v. Moran (Minn.), 231.
 Breadalbane Case, The (Eng.), 145, 146.
 Breckenbridge v. Ormsby (Ky.), 21.
 Breed v. Judd (Mass.), 30.
 Breeding v. Davis (Va.), 218, 301.
 Bressee v. Stanly (N. C.), 36, 37.
 Breuer v. Dowden (Ky.), 345.
 Brewer v. Bowersox (Md.), 294.
 Brewer v. Brewer (Neb.), 194.
 Brewer v. Browning (Miss.), 358.
 Bridge v. Asheville R. Co. (S. C.), 382.
 Bridges v. Hales (Eng.), 415.
 Briese v. Maechtle (Wis.), 41.
 Brigg's Will, In re (N. Y.), 416.
 Brisbin v. Huntington (Iowa), 398.
 Bristol v. Chicago Railroad Co. (Iowa), 375.
 Broadstreet v. Broadstreet (Mass.), 77.
 Brock v. State (Ind.), 347.
 Brooke v. Logan (Ind.), 429.
 Brookfield v. Allen (Mass.), 251.
 Brookfield v. Warren (Mass.), 247.
 Brooks v. Austin (N. C.), 273.
 Broughel v. So. N. E. Tel. Co. (Conn.), 386.
 Brow v. Brightman (Mass.), 367.
 Brown, In re (N. Y.), 452.
 Brown, In re (Wash.), 57, 60.
 Brown v. Aekroid (Eng.), 245.
 Brown v. Brown (3 Conn.), 50.</p> | <p>Brown v. Brown (88 Conn.), 197, 299.
 Brown v. Brown (Md.), 249.
 Brown v. Brown (Mass.), 290.
 Brown v. Brown (N. C.), 205, 211, 339.
 Brown v. Chicago R. Co. (Wis.), 385.
 Brown v. Crafts (Me.), 322.
 Brown v. Dureko (Me.), 252.
 Brown v. Fifield (Mich.), 267.
 Brown v. Kemper (Md.), 269.
 Brown v. Kistleman (Ind.), 213.
 Brown v. Lindsay (S. C.), 219.
 Brown v. Scott (Md.), 151, 152.
 Brown v. Slater (Conn.), 271.
 Brown v. Smith (R. I.), 367.
 Brown v. Snell (N. Y.), 447.
 Brown v. Spalding (N. H.), 203.
 Brown v. United States (U. S.), 119.
 Brown's Appeal (Conn.), 310, 319, 320.
 Brown's Appeal (Pa.), 456.
 Brown's Estate (Iowa), 292.
 Browning v. Browning (Kan.), 152.
 Browning v. Headley (Va.), 228.
 Browning v. Jones (Ill.), 202.
 Brownson v. Weeks (La.), 257.
 Bruguire v. Bruguire (Cal.), 186, 188.
 Brunnell v. Carr (Vt.), 232.
 Bryan v. Batcheller (R. I.), 318.
 Bryan v. Lyon (Ind.), 429.
 Bryant v. Brown (Miss.), 373.
 Bryant v. Jackson (Tenn.), 80.
 Bube v. Birmingham R. Co. (Ala.), 381.
 Buchanan v. Duncan (Pa.), 303.
 Buck v. Branson (Okla.), 132.
 Buckler, In re (N. Y.), 422.
 Buel v. United Railways Co. (Mo.), 5.</p> |
|--|--|

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- | | |
|---|--|
| <p>Buerfening v. Buerfening (Minn.), 169.</p> <p>Buffington v. Buffington (Ind.), 272.</p> <p>Bullard v. Briggs (Mass.), 309.</p> <p>Bullock v. Knox (Ala.), 350.</p> <p>Bunger v. Bunger (Kan.), 137.</p> <p>Bunnell v. Bunnell (Ky.), 442.</p> <p>Bunnell v. Greathead (N. Y.), 202.</p> <p>Burdeno v. Amperse (Mich.), 287.</p> <p>Burdick, In re (N. Y.), 420.</p> <p>Burkett v. Trowbridge (Me.), 250.</p> <p>Burkholder's Appeal (Pa.), 279.</p> <p>Burleigh v. Coffin (N. H.), 218, 220, 221.</p> <p>Burley v. Russel (N. H.), 19.</p> <p>Burlington v. Fosby (Vt.), 397.</p> <p>Burnard v. Haggis (Eng.), 41.</p> <p>Burnett v. Burkhead (Ark.), 205.</p> <p>Burney v. Children's Hospital (Mass.), 373.</p> <p>Burney v. Savannah Grocery Co. (Ga.), 276.</p> <p>Burney v. Torrey (Ala.), 68.</p> <p>Burnham v. Burnham (Wis.), 86.</p> <p>Burns v. Cooper (Eng.), 437.</p> <p>Burr v. Burr (N. Y.), 172.</p> <p>Burroughs v. Richman (N. J.), 87.</p> <p>Burton v. Anthony (Ore.), 12, 15, 17.</p> <p>Burton v. Belvin (N. C.), 399.</p> <p>Burton v. Marshall (Md.), 254.</p> <p>Burwell v. S. C. Tax Commission (S. C.), 339.</p> <p>Bush v. Bradley (Conn.), 303.</p> <p>Bush v. Breinig (Pa.), 87.</p> <p>Bush v. Bush (Ark.), 171.</p> <p>Bushnell v. Bushnell (Conn.), 299.</p> <p>Bushong v. Rector (W. Va.), 269.</p> <p>Butler v. Breck (Mass.), 230.</p> <p>Butler v. Buckingham (Conn.), 255.</p> <p>Butler v. Butler (Ill.), 132.</p> <p>Butler v. Fitzgerald (Neb.), 306, 307.</p> | <p>Butler v. Legro (N. H.), 449.</p> <p>Butterfield v. Sawyer (Ill.), 356.</p> <p>Butterworth v. Butterworth (Eng.), 202, 210.</p> <p>Buttlar v. Buttlar (N. J.), 277, 284, 285, 299.</p> <p>Buttlar v. Rosenblath (N. J.), 293.</p> <p>Buxton v. Barrett (R. I.), 248.</p> <p>Byrnes, In re (Eng.), 420.</p> <p>Byrom v. Gunn (Ga.), 421.</p> |
|---|--|
- C**
- | | |
|---|--|
| <p>Cain v. Garner (Ky.), 19.</p> <p>Cain v. Ligon (Ga.), 290.</p> <p>Calder v. Bull (Conn.), 310.</p> <p>Caldwell's Succession (La.), 358.</p> <p>Callagan v. Lake Hopatcong Ice Co. (N. J.), 382.</p> <p>Callister's Estate, In re (N. Y.), 199, 271.</p> <p>Calvert v. Godfrey (Eng.), 432.</p> <p>Camerlin v. Palmer (Mass.), 238.</p> <p>Cameron v. Cameron (Miss.), 322.</p> <p>Cameron-Backley Co. v. Thornton Light & Power Co. (N. C.), 63, 64, 87.</p> <p>Camp v. Pitman (N. C.), 412.</p> <p>Campbell, In re (Cal.), 410.</p> <p>Campbell v. Campbell (Ill.), 52, 67, 69.</p> <p>Campbell v. Com. (Ky.), 361.</p> <p>Campbell v. English (Ohio), 423.</p> <p>Campbell v. Scott (Ind.), 422.</p> <p>Campbell v. Stakes (N. Y.), 41.</p> <p>Canaan v. Avery (N. H.), 350.</p> <p>Canal Bank v. Partee (U. S.), 254.</p> <p>Canby v. Porter (Ohio), 219.</p> <p>Cannon v. Alsbury (Ky.), 12, 22.</p> <p>Cannon v. Grantham (Miss.), 229, 269.</p> <p>Cany v. Patton (Pa.), 237, 238, 294.</p> <p>Carden v. Wright (N. Y.), 390.</p> <p>Carey v. Berkshire R. Co. (Mass.), 384.</p> | |
|---|--|

TABLE OF CASES

[REFERENCES ARE TO PAGES]

- Carey v. Mackey (Me.), 283, 285.
 Carleton v. Haywood (N. H.), 269.
 Carleton v. Rivers (Ala.), 225, 226.
 Carlisle v. Tuttle (Ala.), 424.
 Carlisle v. United States (U. S.), 114.
 Carow v. Mowatt (N. Y.), 10.
 Carpenter v. Buffalo Gen. Elec. Co. (N. Y.), 358.
 Carpenter v. Carpenter (Kan.), 165.
 Carpenter v. Garrett (Va.), 301, 302.
 Carpenter v. Harris (Mich.), 424.
 Carpenter v. Osborn (N. Y.), 285.
 Carpenter v. Rodgers (Mich.), 88.
 Carpenter v. Sloane (Ohio), 424.
 Carr v. Anderson (Minn.), 241, 245.
 Carr v. Clough (N. H.), 23, 29, 32.
 Carr v. State (Tex.), 8.
 Carris v. Carris (N. J.), 152.
 Carroll's Estate, In re (Pa.), 352.
 Carroll v. Bosley (Tenn.), 452.
 Carroll v. Lee (Md.), 326.
 Carse v. Reticker (Iowa), 199.
 Carstens v. Hanselmann (Mich.), 242, 257.
 Carter v. Carter (N. Y.), 227.
 Carter v. Dale (Tenn.), 331.
 Carter v. Howard (Vt.), 252.
 Carter v. State (Tex.), 76, 86.
 Carter v. Tice (Ill.), 447.
 Carthage v. Canton (Me.), 375.
 Cartwright v. McGown (Ill.), 144, 145, 146, 147, 148.
 Casey v. Casey (N. J.), 164.
 Casey v. Kastel (N. Y.), 11.
 Cash v. Lust (Mo.), 67.
 Cass, In re (La.), 427.
 Cassin v. Cassin (Mass.), 152.
 Cassin v. Delaney (N. Y.), 231.
 Castetter v. State (Ind.), 450.
 Castree v. Shotwell (N. J.), 326.
 Caswell v. Parker (Me.), 41.
 Catlin v. Haddox (Conn.), 38.
 Caujolle v. Ferrie (N. Y.), 349.
 Central of Ga. R. Co. v. Hall (Ga.), 78, 80.
 Chace, Ex parte (R. I.), 155.
 Chadbourne v. Gilman (N. H.), 286.
 Chaddock v. Plummer (Mich.), 369.
 Chadwick v. Dunham (Minn.), 419.
 Chae Chan Ping v. United States (U. S.), 117.
 Chaffee v. Chaffee (Vt.), 273, 314, 315.
 Chamberlain v. Anderson (Iowa), 216.
 Chamberlain v. Chamberlain (N. J.), 145.
 Chamberlain v. People (N. Y.), 351.
 Chambers v. Perry (Ala.), 431.
 Chandler v. Barrett (La.), 70.
 Chandler v. Glover (Pa.), 36.
 Chandler v. Hollingsworth (Del.), 307.
 Chandler v. Simmons (Mass.), 21, 27, 64.
 Chang Chan v. Nagle (U. S.), 104.
 Chanslor v. Chanslor (Ky.), 446.
 Chapman v. Schroeder (Ga.), 310.
 Chapman v. Tibbetts (N. Y.), 431.
 Chappel v. Nunn (Eng.), 243.
 Chapsky v. Wood (Kans.), 372, 409.
 Chastain v. Johns (Ga.), 370.
 Cheadle v. State (Okla.), 86, 91.
 Cheek v. Bellows (Tex.), 238.
 Chehak v. Battles (Iowa), 354.
 Cheney v. Arnold (N. Y.), 144.
 Cheney v. Roodhouse (Ill.), 431.
 Chesapeake & Ohio R. Co. v. Francisco (Ky.), 81.
 Cheshire, The (U. S.), 125.
 Cheshire v. Barrett (S. C.), 37, 40.
 Chestnut v. Chestnut (Ill.), 299.
 Chestnut v. Tyson (Ala.), 440.
 Chevannes v. Priestly (Iowa), 82.