1934

Editorial Notes

The Editors

Follow this and additional works at: http://openscholarship.wustl.edu/law_lawreview

Part of the Law Commons

Recommended Citation

The Editors, Editorial Notes, 20 St. Louis L. Rev. 061 (1934).
Available at: http://openscholarship.wustl.edu/law_lawreview/vol20/iss1/6

This Editorial Notes is brought to you for free and open access by the Law School at Washington University Open Scholarship. It has been accepted for inclusion in Washington University Law Review by an authorized administrator of Washington University Open Scholarship. For more information, please contact digital@wumail.wustl.edu.
ST. LOUIS LAW REVIEW

Edited by the Undergraduates of Washington University School of Law, St. Louis. Published in December, February, April, and June at Washington University, St. Louis, Mo.

Subscription Price $2.00 per Annum. Seventy-five Cents per Copy.

A subscriber desiring to discontinue his subscription should send notice to that effect. Otherwise it will be continued.

THE STAFF

CHRISTIAN B. PEPER, Editor-in-Chief
HERMAN A. GORALNIK, Associate Editor
THOMAS B. CURTIS, Business Manager
BURTON PHILLIPS, Assistant Business Manager

ARTHUR J. BOHN JAMES C. LOGAN
J. C. CRAWLEY THOMAS S. MCPHEETERS
A. J. GALLANT JAMES I. WOLF
EVELYN HONIGBERG J. D. YOUNG
RALPH F. FUCHS, Faculty Adviser
ISRAEL TREIMAN, Faculty Adviser

BOARD OF TRUSTEES

WALTER D. COLES CHARLES NAGEL JAMES A. SEDDON
FRANKLIN FERRISS THEODORE RASSIEUR

ADVISORY COMMITTEE

R. W. CHUBB, Chairman C. H. LUECKING, Secretary
R. L. ARONSON J. J. GRAVELY M. OPPENHEIMER
F. P. ASCHMEYER A. M. HOENNY R. R. NEUHOFF
G. A. BUDEK, JR. J. M. HOLMES R. B. SNOW
R. S. BULL H. W. KROEGER K. P. SPENCER
J. M. DOUGLAS R. H. McROBERTS M. R. STAHLE
S. ELSON D. L. MILLAR M. L. STEWART

Editorial Notes

CONTRIBUTOR TO THIS ISSUE

GEORGE W. SIMPKINS, A.B., Harvard, 1930; LL.B., J.D., Washington University, 1933, contributes State Regulation of Contracts with Public Utility Affiliates. A former Editor-in-chief of the St. Louis Law Review, Mr. Simpkins is now a member of the Bar of St. Louis.
The Samuel Breckenridge Prize Awards for notes appearing in Volume XIX of the Law Review have been announced by the prize committee consisting of George W. Simpkins, Earl Susman and Fred A. Eppenberger. The prizes for the best note appearing in each of the four issues were awarded to: Herman Goralnik for his note in the December, 1933 issue, Securities as Subjects of Interstate Commerce; Harry Willmer Jones for his note in the February, 1934 issue, The Interest Required of a Petitioner for Receivership in Missouri; Sidney J. Murphy for his note in the April, 1934 issue, The Extent of the Right of a Public Utility to Refuse Service; Louis Clayton Larrabee for her note in the June 1934 issue, Publication as a Relinquishment of the Common Law Right in Literary Property. Mr. Murphy won the additional prize for the best note of the entire group.

Notes

SOME ASPECTS OF DISCRETIONARY TRUSTS

Under this title it is proposed to confine the discussion to situations in which the trustee has been given a discretion as to the quantum of income or principal he may pay over to the beneficiary. Such discretions vary in degree; in general three classes may be distinguished. (1) The most common category comprises discretionary powers expressly qualified and subordinated to some purpose of the settlor; such would include a discretion to pay such sums as the trustee deems fit “for the comfortable support” of the cestui,1 for “support and maintenance”;2 for suitable education;3 for necessary medical expenses;4 or to convey the principal “when he deems cestui able to manage it.”5 At times the

1In re Walters (1924) 278 Pa. 421, 123 Atl. 408; Cecil’s Trustee v. Robertson & Bro. (Ky. 1907) 105 S. W. 926; Ratliff’s Ex’ers v. Commonwealth (1907) 139 Ky. 533, 101 S. W. 978.
4French v. Calkins (1911) 252 Ill. 243, 96 N. E. 877.
5Mock v. Briggs (1898) 87 Iowa 610, 54 N. W. 456; Morris v. Daiker supra note 2; Bacon v. Bacon (1882) 55 Vt. 243.