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Personal Property

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could be entered without having jurisdiction over the person of the partners.

In *Williams v. Williams*⁴ the holder of a liquor permit entered into an agreement with others to conduct a tavern business as partners. One partner dissolved the partnership and sought an accounting of the profits. The defendant counterclaimed for damages for breach of a partnership contract to pay defendant for his services. The court held that the purpose of the partnership agreement was illegal, as the firm was not licensed. The usual sanction was applied, i.e., both the petition and cross-petition were dismissed, leaving the partners where they had put themselves.

Although there were no new cases on the tort liability of partnerships, two cases reaffirmed existing law on the subject. In *Oneil v. Sea Bea Club*⁵ the court of appeals held that an unincorporated association was not liable for injuries received by a member of the association caused by defects in the premises. However, the tort immunity does not extend to the family of the member or partner, and the Ohio Supreme Court has held that a minor may bring a personal tort action against a partnership of which his father is a member.⁶

HUGH A. ROSS

PERSONAL PROPERTY

The Ohio Supreme Court recently held¹ that purchase money trusts which do not involve fraud with respect to motor vehicles have been abolished by the Ohio Certificate of Title Act.² It also recognized that when title to a motor vehicle is an issue in a suit, the litigants may enter into a stipulation on this issue of title.³ Such practice is permissible under Ohio Revised Code, Section 4505.04, as amended October 2, 1953, which specifically provides that title to a motor vehicle may be evidenced "by admission in the pleadings or stipulation of the parties."⁴

An Ohio court of appeals properly affirmed a decision of the Jackson County Probate Court which refused to sustain an alleged gift of stock from a husband to his wife.⁵ The stock was in the name of the husband, but each certificate had stapled to it an assignment signed in blank by the

¹ 121 N.E.2d 98 (Ohio App. 1953).

² 118 N.E.2d 175 (Ohio App. 1954). The court relied on *Koogler v. Koogler*, 127 Ohio St. 57, 186 N.E. 725 (1933).

³ *Signs v. Signs*, 156 Ohio St. 566, 103 N.E.2d 743 (1952); *Signs v. Signs*, 161 Ohio St. 241, 118 N.E.2d 411 (1954). See also *Damm v. Elyria Lodge*, 158 Ohio St. 107, 107 N.E.2d 337 (1952). The *Signs* cases are commented on in the TORTS article *infra*.