## University of Missouri Bulletin Law Series

Volume 32 April 1925

Article 8

1925

Index to Subjects

Follow this and additional works at: https://scholarship.law.missouri.edu/ls

Part of the Law Commons

#### **Recommended Citation**

Index to Subjects, 32 Bulletin Law Series. (1925) Available at: https://scholarship.law.missouri.edu/ls/vol32/iss1/8

This Index is brought to you for free and open access by the Law Journals at University of Missouri School of Law Scholarship Repository. It has been accepted for inclusion in University of Missouri Bulletin Law Series by an authorized editor of University of Missouri School of Law Scholarship Repository. For more information, please contact bassettcw@missouri.edu.

# INDEX

# Law Series, Missouri Bulletin, 1-32

#### I. INDEX TO SUBJECTS

(Figures in bold face refer to leading articles; other figures refer to notes on recent Missouri cases. The figure in front of the colon refers to the series number, the other to the page.)

Accio	lent	Ins	ura	nce
	<b>c</b> 1	r .		-

See Insurance.	
Actions	
Actions for personal injuries resulting in death abate with the death of the	
wrong-doer	18:37
Administrative Actions	30:13
Assignability of rights of actions	4:12
Conclusiveness of judgment in ejectment	6:35
Election of remedies by condition seller	7:44
In name of real party in interest	4:33
Judicial Actions	30:12
Administrative Law	
Administrative action will not be reviewed on certiorari	6:7
Measure of review of orders of the Public Service Commission	11:75
Administrators	
See Executors and Administrators.	
Adoption	
Adopted child cannot take statutory remainder in fee tail	1:20
Creation of the status	10:22
Rights of adopted child	10:36
Rights of adopting parents	
Adverse Possession	
Does not destroy equitable servitude	16:7
Mistaken boundary lines	
Affidavit	
Necessity of signature	4:52
Agency	
See Principal and Agent.	
Alienation	
See Husband and Wife.	
Animals	
See also Torts; Trespass.	
District of trespassing	9:57
Duty of care in keeping	7:27
Effect of Inclosure Statutes upon duty to restrain from running at large	9:57
Liability of owner of vicious dog—"Liability at peril"	22:38
Appeal and Error	
See Certiorari.	
Power of appellate court to remand a case for new trial upon a single issue,	
leaving the verdict upon the remaining issue to stand	19:38
Sufficiency of notice of appeal from justice court	19:42
Arraignment	
Failure of record to show	5:40

٠

Assault and Battery	
Defense of third person in 1	14:51
Assessment	
Equalization of assessments	6: 9
Assumption of Risk	
Assuming risk to save employer's property	
Unjustifiable1	12:39
Assignment	
For collection	4:24
Of contract action	4:14
Of tort action	4:12
Partial assignments	4:16
Suit by assignee	
Title of assignee	4:18
Attorney and Client Client's right to settle without his attorney's consent	
	6:26
Attorney General Application for writ of certiorari by	6:20
Automobiles	0:20
See Motor Vehicles.	
Bailments	
See Pledges.	
Banks and Banking	
Liability of bank which discounts draft with bill of lading attached for de-	
fect in goods	7:40
Bargain and Sale	
Operation of conveyances by way of	8:19
Bills of Lading	
See Banks and Banking; Carriers.	
Bills and Notes	
See also Guaranty.	
Bond and note statute of 1825	4:5
Liability of anomalous endorser under Negotiable Instruments Law 12:44, 1	17:51
Liability of endorser where maker has been discharged by operation of	•• ••
	20:44
Parole evidence to charge endorsee as co-maker—"accommodated	12.44
party"17:51, " Writing necessary to effect renunciation by holder under Negotiable	12:44
Instrument Law	20.60
Where there is consideration	20.00
Where there is no consideration	
Bonds	
Issues of utilities regulated by Public Service Commission	32:00
Building Restrictions	
See Equitable Servitudes.	
Carriers	
See Railroads.	
Carrier's liability for negligence of Director General of Railroads	19:66
Degree of care required of the carrier in Missouri	27:56
Liability of bank which discounts draft with bill of lading attached for	
defect in goods	7:40
	3:48
Relation of carrier and passenger8:29, 2	27:55
Certiorari	
As auxiliary to error or appeal	.6:16
From the Supreme Court to the Court of Appeals	24:00
Scope of inquiry, doctrine of incorporation by reference	21:35

In nature of writ of error6:5,	13:76
Superintending power of Supreme Court over Courts of Appeals	2:28
Writ of in Missouri	24:00
Charities	
Charitable purpose; designation of trustee	21:31
Gifts to and rule against perpetuities	3:19
Rule in Morice v. The Bishop of Durham	20:53
Chattels	
See also Lost Chattels; Personal Property	
Effect of statute abolishing seals upon gifts of	10:62
Equitable servitudes for benefit of and upon	16:23
Executory limitations of personal and real	11:29
Impossibility of a reversion following a life interest in chattels	27:22
No estates in	
Chattels Real	
See Chattels.	
Chlidren	•
See also Infants; Parent and Child.	
Born legitimate	10:4
Illegitimacy	
Legitimation by subsequent marriage and recognition	10:4
Of void marriage	10:12
Some aspect of the status of, in Missouri	10: 3
Change of Venue	
Right of State to a change of venue from judge on ground of prejudice	17:68
Chose in Action	
Actions for personal injuries resulting in death abate with the death of the	
wrong-doer	18:37
Assignability of	4:11
Larceny of chose in action	21:13
Situs for garnishment of	6:22
Churches	
See Religious Societies.	
Cities	
See Municipal Corporations.	
Citizen	
Corporation not a	5:47
Cloud on Title	
Power of court to remove	6:38
To foreign land	6:38
Code Pleading	
See Pleading.	
Conditions	
See also Equitable Servitudes.	
Conditions subsequent in conveyances	5:3
Devisee or grantee under no obligation to perform	7:53
Conditional Sales	
See Sales.	
Conflict of Laws	
American law on the erection of a domicile	29:15
Domicile of wife illegally separated from her husband	29:19
Separated from husband because of latter's wrongful conduct	
Parties are separated by agreement	29:26
Due process of law in domicilliary determination	
Exemption laws of another state	
Garnishment of non-resident's chose in action	6:22
Powers of foreign trustee of domestic land	6:38

Power of sale in mortgage of land situated in another state	31:57
Specific performance of contract stipulating for law of another state	20:47
Title of chattels under conditional sale made outside of state	
Constitutional Law	
Constitutionality of Missouri Public Service Commission Act	31:32
Constitutionality of proposed regulation of Missouri procedure by rules of	
court	13:11
Constitutionality of statutes legalizing maintenance of nuisances	17:13
Constitutionality of statute requiring compliance with statute as con-	
dition precedent to suit on contract	5:43
Constitutionality of statute requiring railroads to carry militia for one	
cent a mile	8:36
Due process of law in domicilliary determination	29:24
Impairment of obligation of special water contract by extension of city	
limits1:39,	16:39
Local and special legislation in Missouri under the constitution of 1875	19:18
Growth of local and special legislation in Missouri under the constitution o	
1820	19:3
Limitations upon local and special legislation under the constitution of	
1865	19:11
Definition of local and special laws	19:26
A study of cases involving application of constitutional limitations on	
special legislation in constitution (Mo.) of 1875	20: 3
The problem of classification	
Classification of population	
Other principles of classification	20: 8
Enactment of local and special laws	20:14
In pursuance of a provision of constitution of 1875	20:14
Classification of cities authorized by constitution of 1875	20:17
The four classses of cities organized under general laws	
Cities operating under special charters	20:21
Cities with "home rule" charters	
Classification of cities for special purposes	20:26
Statutory classification without direction by the constitution	
Laws which do not concern the organization and powers of cities	20:28
Laws which do not comply with the constitutonal classification of cities	20:29
Local option laws	20:31
Omission of the word "the" before the word "state" in information or	
indictment	
Right of covenantee to compensation for destruction of equitable re-	
striction through state's exercise of eminent domain Contingent Remainders	23:43
See Remainders.	
Contracts	
Abrogation of special water contract by extension of city limits1:39	16.20
For benefit of third persons	
Infant's ratification of, under statute	
Insanity, effect of on contracts of a person not yet judicially declared in-	11.07
sane	
Limitation of by Public Service Commission	
"Merger" of contract to convey real estate in deed	19:33
Mutuality of obligation of	
Obligations imposed by devise	
Of a board with its members	
Of foreign corporations which have not complied with requirements for	
admission into state	
Offer of reward for information leading to conviction	

.

Offer backed up by deposit	9:43
Preliminary stock subscription agreements in Missouri	9:3
Recovery for services rendered under broken contract	2:39
Right of insurance agent to renewal commissions accruing after termina-	
tion of agency	20:37
Title to chattels under conditional sale made outside state	22:31
When is a life insurance contract complete	14:48
Revocation of an order for goods	31:63
Unilateral	
Ultra vires, validity of	
Completely executed contracts	26:15
Executory Contracts	
Partially executed contracts	
Contributory Negligence	
See Negligence	
Contribution	
	7:55
Between joint devisees	7:55
Conveyances	
See Covenants For Title	
Conditions subsequent in	5:03
Conveyances to bona fide creditor in fraud of other creditors	10:44
Delivery of deeds	27:6 <b>9</b>
Implied warranty for title at common law	
Operation of	8:11
Secret conveyance by wife of her property in fraud of husband's marital	
rights	19:46
Validity of deed of trust given to secure debt of third party	23:31
Corporations	
Corporations	
See also Municipal Corporations.	
See also Municipal Corporations. See also Ultra Vires Transactions.	
See also Municipal Corporations. See also Ultra Vires Transactions.	
See also <b>Municipal Corporations.</b> See also <b>Ultra Vires Transactions.</b> Disregard for corporate entity where corporation and stockholder bear re-	9:47
See also <b>Municipal Corporations.</b> See also <b>Ultra Vires Transactions.</b> Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety	9:47
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu-	9:47 5:45
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state	
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in	5:45
<ul> <li>See also Municipal Corporations.</li> <li>See also Ultra Vires Transactions.</li> <li>Disregard for corporate entity where corporation and stockholder bear relation of principal and surety</li> <li>Legal consequences of failure of foreign corporation to comply with statutory requirements as to admission into state</li> <li>Membership in</li> <li>No necessity for seals in contracts or conveyances of corporations</li> </ul>	5:45 9:4 10:59
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in	5:45 9:4 10:59 25:09
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3,	5:45 9:4 10:59 25:09 13:76
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3, Relation of directors to corporation	5:45 9: 4 10:59 25:09 ,13:76 7:59
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3, Relation of directors to corporation Statutory liability of shareholders, nature of	5:45 9: 4 10:59 25:09 13:76 7:59 26:21
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state. Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3, Relation of directors to corporation Statutory liability of shareholders, nature of25:03,	5:45 9: 4 10:59 25:09 13:76 7:59 26:21
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state. Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3, Relation of directors to corporation Statutory liability of shareholders, nature of Ultra vires transactions25:03, Courts	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to com ply with statu- tory requirements as to admission into state Membership in	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to com ply with statu- tory requirements as to admission into state Membership in	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3, Relation of directors to corporation Statutory liability of shareholders, nature of Ultra vires transactions25:03, Courts Certiorari from the Supreme Court to the Courts of Appeals13:30, Scope of inquiry, doctrine of incorporation by reference. Certiorari in Missouri Confusion in the Missouri system of Appellate Courts Effect of rules of court	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47 11:58
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri9:3, Relation of directors to corporation Statutory liability of shareholders, nature of Ultra vires transactions25:03, Courts Certiorari from the Supreme Court to the Courts of Appeals13:30, Scope of inquiry, doctrine of incorporation by reference. Certiorari in Missouri Confusion in the Missouri system of Appellate Courts Effect of rules of court Measure of review of orders of Public Service Commission	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to comply with statu- tory requirements as to admission into state Membership in No necessity for seals in contracts or conveyances of corporations Position of a creditor in Preliminary stock subscription agreements in Missouri Statutory liability of shareholders, nature of Ultra vires transactions Courts Certiorari from the Supreme Court to the Courts of Appeals Confusion in the Missouri system of Appellate Courts Effect of rules of court Measure of review of orders of Public Service Commission Power of Appellate Court to remand case for new trial upon a single issue	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47 11:58 11:75
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to com ply with statu- tory requirements as to admission into state	5:45 9: 4 10:59 25:09 25:09 26:21 26:03 24:00 21:35 6: 3 12:47 11:58 11:75 19:38
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47 11:58 11:75
See also Municipal Corporations. See also Ultra Vires Transactions. Disregard for corporate entity where corporation and stockholder bear re- lation of principal and surety Legal consequences of failure of foreign corporation to com ply with statu- tory requirements as to admission into state	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47 11:58 11:75 19:38 16:27
See also Municipal Corporations.         See also Ultra Vires Transactions.         Disregard for corporate entity where corporation and stockholder bear relation of principal and surety	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47 11:58 11:75 19:38 16:27
See also Municipal Corporations.         See also Ultra Vires Transactions.         Disregard for corporate entity where corporation and stockholder bear relation of principal and surety	5:45 9:4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6:3 12:47 11:58 11:75 19:38 16:27 24:00
See also Municipal Corporations.         See also Ultra Vires Transactions.         Disregard for corporate entity where corporation and stockholder bear relation of principal and surety	5:45 9: 4 10:59 25:09 13:76 7:59 26:21 26:03 24:00 21:35 6: 3 12:47 11:58 11:75 19:38 16:27 24:00 14:32

Covenants	
See also Equitable Servitudes.	
See also Statutory Covenants.	
Conditions distinguished	5:05
For Title	
Rule against perpetuities does not apply to Covenant to Stand Seized	3:31
Modern use in conveyancingCriminal Law	8:21
Failure of record to show arraignment and plea	5:40
"Guilty knowledge" necessary to conviction for receiving stolen goods Intoxication as a defense	21:37 32:00
Larceny of referendum petitions	21: 3
	21:12
	21:13
Larceny of public documents	21:21
Omission of word "the" before the word "state" in information or in-	00.50
dictment.	22:50
"Reasonable doubt," instruction defining Right of comment on testimony in criminal case	24:00 1:35
Self defense, burden of proving	
Specific intent	32:00
Criminal Procedure	52.00
Omission of word "the" before the word "state" in information or indict-	
ment	22:50
Curtesy	
Estate by	2:12
Secret conveyance by wife of her property in fraud of husband's marital	
right	19:46
Cy Pres Doctrine	
Doctrine for creating estates tail	1:10
Effectuation of charitable trusts	3:22
Damage Feasant See Animals.	
Damages	
Comparative damage influencing right to recover	5.36
Measure of damages for conversion by pledgee	23:22
Measure of damages for maintenance of private nuisance	
Penal and remedial features of Missouri death statute3:38,	
Right of one spouse to recover for loss of consortium of the other due	
to defendant's negligence	17:54
Recovery for mental anguish	5:37
Receiver's liability for exemplary damages	8:52
Dead Bodies	
Recovery for mental anguish for malicious injury to	5:38
Deceit	20.42
Statement of fact or opinion Dedication	30:42
As result of user	9:50
Statutory dedication to public uses	5:27
Deeds	0.41
See also Conveyances.	
See also Statutory Covenants.	
Construction of	16:31
Delivery of	27:69
Merger of Contract to Convey real estate in deed	19:33

Descent	
Of statutory remainder in fee tail	1:12
Devise	
See Wills.	
Domestic Relations	
See Husband and Wife; Parent and Child.	
Domicile	
See Conflict of Laws.	
American law on erection of domicile	29:15
Married woman, domicile of	29:14
Easements	
Acquisition of easement by prescription	
Continuous and apparent	7:50
Disturbance of private easements—remedies	17:30
Light and air; right of way	17:31
Implied grant or reservation of Land occupier's right of access to public way—right to injunction when	7:47
Land occupier's right of access to public way—right to injunction when	17:34
Land occupier's right to unobstructed view of street17:35 (not	e 119)
Of necessity	7:47
Private easements distinguished from natural rights	17:30
Reciprocal	7:49
Ejectment	
Ejectment statute	4:3
Judgment conclusive in	6:35
Election of Remedies	
By conditional seller	7:44
Elections	
See Public Officers.	
Writ of prohibition in election contests31:23,	32:00
Eminent Domain	
Condemnation by municipality of land already devoted to public use	15:15
Right of covenantee to compensation for destruction of equitable restric-	
tions through state's use of eminent domain	23:43
Employer's Liability	
See Master and Servant	
Equity	
Equitable charge on land	7:53
Equitable relief against defamation	14:44
Equitable relief against nuisances and similar wrongs in Missouri	
Equitable relief against forfeiture for breach of condition	5:26
Power of foreign trustee over domestic land	6:38
Remedy in equity of private individuals for obstruction of public rights	17:37
Remedy of public for obstruction of public rights	17:38
Secret conveyance by wife of her property in fraud of husband's marital	
rights bad in equity	19:46
rights bad in equity Specific performance of contract stipulating for law of another state	20:47
Subrogation	4:57
Writ of prohibition, exercise of to prevent abuse of power by equity court	
	32:00
Injunctions	
Receiverships	32:00
Fauitable Samitudas	
As to a business	16:14
Failure of purpose of restriction	16:21
For benefit of and upon chattels	16:23
Formality essential to creation of	16:15
In gross	16:12

In Missouri	16: 3
Mutual covenants in general building scheme	16:18
Notice of building restriction	15:19
Public policy against enforcing restrictions	16:22
Right of covenantee to compensation for destruction of equitable re-	10.55
striction by state's use of eminent domain	23:43
Upon after acquired property	16.13
Who are bound by	
Who may enforce	
Escheat	10. 9
As affected by the existence of tenure	8:9
	0.9
Estates	
See also Remainders.	
"Assigns" as a word of limitation	16:31
By curtesy	2:12
By entirety	6:40
By marital right	2:5
Enlargement of	
Estates tail in Missouri	1:5
Executory limitations of property in Missouri11:3	, 12:48
Nature of Homestead right	3:33
No estates in chattels	4:39
Recovery between tenants in common for improvements or repairs	3:50
Estoppel	
By deed	28:29
By deed Equitable estoppel, as basis for enforcing an ultra vires contract	
25:26, 25:32,	
Legal estoppel, as basis for enforcing ultra vires contract	
Degar estoppen, as busis for enforcing area vires contract initiation	
- · · ·	
Evidence	
Evidence See Privileged Communications: Witnesses.	
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before	30:47
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before Burden of proving self-defense	30:47
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before Burden of proving self-defense Burden of proof and burden of going forward with the evidence where	30:47
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before Burden of proving self-defense Burden of proof and burden of going forward with the evidence where suicide is pleaded in defense of action on accident insurance policy	30:47 26:35
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before	30:47 26:35
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before Burden of proving self-defense Burden of proof and burden of going forward with the evidence where suicide is pleaded in defense of action on accident insurance policy 17:64, Confidential communications between husband and wife, admissibility in	30:47 26:35 20:68
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before	30:47 26:35 20:68 21:40
Evidence See Privileged Communications: Witnesses. Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where         suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in         divorce suits         Demurrer to the evidence under the code         Entries in regular course of business	30:47 26:35 20:68 21:40 21:25 15:21
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where         suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in         divorce suits         Demutrer to the evidence under the code         Entries in regular course of business.         Parol evidence in construction of wills	30:47 26:35 20:68 21:40 21:25 15:21 14:36
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 (47, 49
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 :47, 49 20:50
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 (47, 49 20:50 20:50 20:50 23:39
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 (47, 49 20:50 20:50 23:39 22:44
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 (47, 49 20:50 20:50 23:39 22:44
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 (47, 49 20:50 20:50 23:39 22:44
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in divorce suits         Demutrer to the evidence under the code         Entries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumptions are not items of evidence         Presumption of coercion in favor of wife who commits crime in presence of husband         Rehabilitation by proof by prior consistent statement         Res Gestae	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in divorce suits         Demutrer to the evidence under the code         Entries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumptions are not items of evidence         Presumption of coercion in favor of wife who commits crime in presence of husband         Rehabilitation by proof by prior consistent statement         Res Gestae	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where         suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in         divorce suits         Demurrer to the evidence under the code         Entries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumption of coercion in favor of wife who commits crime in presence of husband         Rehabilitation by proof by prior consistent statement         Reputation of deceased         Res Gestae         Some problems of hearsay and relevancy in Missouri         Support by character witness to rehabilitate impeached witness	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45 15: 3
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where         suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in         divorce suits         Demurrer to the evidence under the code         Fntries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumptions are not items of evidence         Presumption of coercion in favor of wife who commits crime in presence of         husband         Rehabilitation by proof by prior consistent statement         Reg Gestae         Some problems of hearsay and relevancy in Missouri         Support by character witness to rehabilitate impeached witness	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45 15: 3 18:43
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in divorce suits         Demurrer to the evidence under the code         Fntries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumption of coercion in favor of wife who commits crime in presence of husband         Rehabilitation by proof by prior consistent statement         Reputation of deceased         Res Gestae         Some problems of hearsay and relevancy in Missouri         Support by character witness to rehabilitate impeached witness         Exchange         As a means of conveyance	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45 15: 3
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where         suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in         divorce suits         Demurrer to the evidence under the code         Entries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumptions are not items of evidence         Presumption of coercion in favor of wife who commits crime in presence of         husband         Rehabilitation by proof by prior consistent statement         Res Gestae         Some problems of hearsay and relevancy in Missouri         Support by character witness to rehabilitate impeached witness         Executors and Administrators	30:47 26:35 20:68 21:40 21:25 15:21 14:36 47, 49 20:50 20:50 23:39 22:44 32:00 10:45 3:45 15: 3 18:43 8:19
Evidence         See Privileged Communications: Witnesses.         Administrative bodies, introduction before         Burden of proving self-defense         Burden of proof and burden of going forward with the evidence where suicide is pleaded in defense of action on accident insurance policy         17:64,         Confidential communications between husband and wife, admissibility in divorce suits         Demurrer to the evidence under the code         Fntries in regular course of business.         Parol evidence in construction of wills         Presumption as to law of a foreign state         Necessity for laying basis for presumption         Presumption of coercion in favor of wife who commits crime in presence of husband         Rehabilitation by proof by prior consistent statement         Reputation of deceased         Res Gestae         Some problems of hearsay and relevancy in Missouri         Support by character witness to rehabilitate impeached witness         Exchange         As a means of conveyance	30:47 26:35 20:68 21:40 21:25 15:21 14:36 (47, 49 20:50 20:50 20:50 23:39 22:44 32:00 10:45 3:45 15: 3 18:43 8:19 18:14

١

Exemption	
Application of foreign law of	6:25
Explosives	
Duty of care of	7:29
Failure of Issue	
Limitations of estates tail	1:9
Remoteness of gifts upon	3:7
False Imprisonment	
Liability of railroad for false imprisonment by its ticket agent	
Where malice is pleaded, it must be proved	22:53
Fellow Servants	
See Master and Servant.	
Fences	
Duty to fence against animals	9:57
Feoffment	
Possibility of in Missouri	8:16
Finders	
See Lost Chattles.	
Fines and Recoveries	
How far possible in Missouri	8:18
Fires	
Duty to use care in regard to	7:31
Firearms	
Duty to use care in regard to	7:32
Fixtures	10.00
Effect of annexation by lessor for use of the lessee	12:55
Test for application of law of	3:42
Foreign Corporations	
See Corporations	
Foreign Lands	6:38
Power to appoint trustee of Forfeiture	0:56
Equitable relief against	5:26
For breach of condition	5:18
Method of ousting officer who has forfeited public office	4:50
Of public office	7:56
France	1.50
French law in Missouri	8:6
Franchise	
Limitation by Public Service Commission	31:44
Garnishment	
Bona fide creditor as garnishee	19:44
Of non-resident's chose in action	6:22
Gifts	
Effect of statute abolishing seals upon gift chattels	10:62
Imperfect gifts considered declarations of trusts	
Trust, creation of by gift of the beneficial interest	
	27.01
Grant	0.17
Present status of, in law of conveyancing	8:17
Statutory grant	8:21
Guaranty	
Liability of endorser where the maker has been discharged by operation	
of law	
Suit against maker and guarantor jointly	11:63
Habeas Corpus	
Certiorari to quash record in <i>habeas corpus</i> proceedings	6:15

1

Hearsay Rule	
See Evidence.	
Highways	
See also Dedication.	
Duty to use care toward persons using highways	7:13
Use of certiorari in opening, widering, or changing public roads and streets	6:8
Homestead	
Nature of the right	3:33
Humanitarian Doctrine	
See Negligence.	
Husband and Wife	
See also Curtsey; Estates; Privileged Communications.	
Husband's liability for necessaries supplied to wife	4:54
Husband's liability for support of child held by mother in another state	11:72
Husband's liability for wife's torts	5:34
Husband's purchase of land with wife's money	6:40
Presumption of coercion in favor of wife committing crime in presence of	
husband Recovery against spouse for tort committed during coverture	22:44
Recovery against spouse for tort committed during coverture	10:45
Recovery by wife for physical injuries to husband	2:34
Right of one spouse to recover for loss of consortium of the other due to	
defendant's negligence	17:54
Secret conveyance by wife of her property in fraud of husband's marital	10.44
rights	19:46
Indictment and Information	
Omission of the word "the" before the word "state" in information or	00 50
indictment	22:50
Infants	r 20
Liability of father for tort of infant	5:30
Limitations to unborn children	3:29 11:67
Ratification of contracts under the statute	11:67
Rights of unborn child	1:42
Injunction Land occupier's right of access to public way—right to injunction when	17.24
Demotusliniumstion against puissings, when granted	17.34
Perpetual injunction against nuisance, when granted Preliminary injunction against private nuisance, when granted	17.20
	17.22
Insurance Application of "suicide statute" to accident policy where assured com-	
	17:62
mitted suicide while sane Murder of insured by beneficiary, effect of	
When is life insurance contract complete	17.70
Interstate Commerce	15.07
Breaking journey	15:27
Issue	
See Failure of Issue.	
Judgments	
Conclusiveness of, in ejectment	6:35
Effect of reversal of under statute allowing reinstitution of suits	9:54
When is the Supreme Court equally divided, and what is the effect?	12:58
When must a constitutional question be raised to confer jurisdiction upon	
the Supreme Court	14:32
Judicial Notice	
Judicial notice of foreign law	20:47
Necessity of laying basis in pleading for presumption as to foreign law	20:50
Presumption that statutory law of foreign state is same as that of the	
forum	20:49

\_: ·

Juries	
Jury sworn after evidence is in	22:57
Jurisdiction	
Lack of jurisdiction as basis for writ of prohibition	
After legislative amnesty has been granted	_ : <b>31:11</b>
Action under unconstitutional statute	
Judge disqualified	
Jurisdiction assumed by another court	- 31:07
Lack of jurisdiction over subject matter	31:04
No service of process	
Term of Court expired	
Where appeal has been taken	_ 31:09
Wrong venue;	e <b>j 81:05</b>
Jurisdiction of Public Service	
Commission	_1.30:34
lustices of the Peace	
Sufficiency of notice of appeal from justice court.	19:42
Landlord and Tenant	
Lease and assignment	8:22
Larceny	
Consent of owner	
Constructive asportation	
Of instruments savoring of realty	21:12
Of instruments evidencing chose in action	265 <b>21 : 13</b>
Of public documents	± 321:21
Of referendum petitions	_ 21:3
Legitimacy	
See Children.	
License Certiorari to review grant or revocation of dram shop license	16.10
Licensee	111.00110
Duty of care owed to	
Liability of city for death of child drowned in unguarded pond in city par.	
Liens Attorney's lien	6.20
Delivery of possess ion by pledgee to pledgor, effect on lien	- 0:47
Life Estates	2 23: 4
See Estates.	
Lost Chattels	
	10 00
Finder's right to possession	. 10:50
Marriage	
See also Husband and Wife.	10 (0
Requisites of common law marriage Married Woman's Act	. 1.2:60
Married Woman's Act Husband's control of wife's property under	
Plusband's control of whees property under	10.45
Rights of action against husband Right of wife to recover for loss of consortium of husband due to defer	_ 10:43
Right of whe to recover for loss of consortium of husband due to deler	1-
dant's negligence	LUI7:54
Wife's recovery for physical injury to husband	9.02.35
Master and Servant.	10 22
Assuming risk to save employer's property	
Borrowed servant	
Duty of employer to furnish medical aid to employees	
Employer's liability	
Independent Contractor	26:27
Liability of railroad for false imprisonment by its ticket agent	
Liability of employer for death of tresspasser	2111/:57

j

Scope of employment	8:33 5:30
	5:50
Mental Anguish	
See Damages.	
Mortgages	~~ ~ ~
Validity of deed of trust given to secure debt of third parties	
Validity of ultra vires mortgage executed to the Corporation	
Whether an executed or executory transaction	26:25
Motor Vehicles	
Degree of care required of driver of automobile in Missouri (Statute	
repealed. See 19:51)18:48,	19:51
Tort liability of automobile owners	5:30
Municipal Corporations	
Abrogation of special water contract by extension of city limits1:39,	16:39
Appointment of member of appointing body	
Duty of municipality toward traveling public	
Liability for failure to remove snow and ice from sidewalk	
Necessaries	
See Husband and Wife; Parent and Child.	
Negligence	
Assuming risk to save employer's property	18.77
Assumption of risk12:39,	
Contributory misconduct of the plaintiff	
Degree of care required of driver of automobiles in Missouri (Statute	12.23
Degree of care required of univer of automobiles in Missouri (Statute	10.51
repealed. See 19:51)	
Degrees of negligence	
Duty to use care	
Effect of plaintiff's violation of statutes or ordinances	
Effect of violation of speed ordinance upon liability of railroads	8:46
Humanitarian doctrine1:37, 12:34,	
Humanitarian doctrine—duty to trespassers	
Legal or proximate cause12: 3,	22:38
Liability for injury resulting from efforts to save life endangered by de-	
fendant's negligence	2:32
Liability of city for death of child drowned in unguarded pond in city park	2:41
Liability of owner of vicious dog—"Liability at peril"	22:38
Misfeasance and nonfeasance	28:37
Tort liability for negligence in Missouri7:3, 12:3,	12:25
Tort liability of automobile owner	5:30
Turntable doctrine	26:32
Negotiable Instruments	
See Bills and Notes.	
Negotiable Instruments Law	
See Bills and Notes.	
Nuisances	
Attractive nuisances	2:41
Culpability of defendant—"Liability at peril"	17.14
Equitable relief against nuisances and similar wrongs in Missouri	17:3
Independent actors, liability of	17:18
	17:18
Joint actors, natinty of	17:13
	17:17
	17:36
	17:30
	17:26
rerpetual injunction against private nuisances, when granted	17:20
	17:5
rrivate nuisances, remedies	17:0

Remedy of private individual for damages sustained from public nuisance Whether the issue at law must first be directed to establish right claimed before equitable relief will be given	
Preliminary injunction against private nuisances	
Officers	
See Public Officers.	
Order of Publication	
See Process.	
Parent and Child	
See also Adoption; Children.	
Duty of father to support child held by mother in another state	11:72
Right of father to defend child against assault and battery	14:51
Tort liability of owner of automobile operated by his child	5:30
Partition	
Of remainders	14:23
When it is contrary to testator's intention	15:36
Party Walls	
See Easements.	
Passengers	
See Carriers.	
Perpetuities	
Effect of remoteness	14:53
Rule against in Missouri	3:3
Personal Property	
Assignability of pledgee's interest	23:4
Assignment of the debt by pledgee without transfer of the pledged	20. 1
property	23:9
Damages recoverable by pledgor where pledgee has dealt wrongfully with	
the pledge	23:22
Delivery of possession by pledgee to pledgor, effect on lien	23:4
Limitations of	11 :29
Rights and obligations of pledgor where debt and pledged property have	
been assigned to third parties	23:10
Rights of pledgor where pledge has been damaged in the hands of assignees	22.11
of pledgee. Right of pledgee to sue pledgor upon the debt after illegally transferring	23:11
pledge	23:28
Rule in Wild's Case as affecting	1:11
Sale of part of a mass	2:37
Transfer of the pledge by pledgee without assignment of the debt	23:12
Transfer of the pledge by pledgee involving assertion by transferee of a	
greater right than pledgee has	23:13
Transfer by pledgee	
Physician and Patient	
Waiver of privileged communication between	6:30
Pleading	
See Prohibition.	
Necessity of disclosing when waiving tort and suing in assumpsit	25:44
Necessity of pleading foreign law in suit for specific performance of con-	
tract stipulating the law of another state	20:47
Omission of the word "the" before the word "state" in information or	00.00
indictment	22:50
Right of plaintiff to amend after verdict	20:57
Where malice is pleaded in actions for false imprisonment it must be proved	22:53
bro. ou	

### LAW SERIES 32, MISSOURI BULLETIN

Pledges	
Assignability of pledgee's interest	23:4
Assignment of the debt by pledgee without transfer of the pledged	
property	
Conversion by pledgee4:47,	23:22
Damages recoverable by pledgor where pledgee has dealt wrongfully with	
pledge	23:22
Delivery of possession by pledgee to pledgor, effect on lien	23:4
Rights and obligations of pledgor where debt and pledged property have	2J .T
	23:10
been assigned to third party	23:10
Rights of pledgor where pledge has been damaged in the hands of assignee	00.11
of pledgee	23:11
Right of pledgee to sue pledgor upon the debt after illegally transferring	
the pledge	23:28
Transfer of the pledge by pledgee without assignment of the debt	23:12
Transfer of the pledge by pledgee involving assertion by transferee of a	
greater right than pledgee had	23:13
Transfer of personal property by pledgee	23: 3
Powers	
Executory limitations following power of disposal	11:37
Practice and Procedure	
See Prohibition.	
See also Trials; Pleading;	
Before Public Service Commission	32:00
Prohibition, exercise of, to prevent errors of practice	32:00
Rights of pledgor where pledge has been damaged in the hands of as-	02.00
signees of pledgee	23:11
Right of pledgee to sue pledgor upon the debt after illegally transferring	23.11
Right of pledgee to sue pledgor upon the debt after megally transferring	22.20
pledge	
Rule in Wild's Case as affecting	1:11
Sale of part of a mass	2:37
Transfer of the pledge by pledgee without assignment of the debt	23:12
Transfer of the pledge by pledgee involving assertion by transferee of a	
greater right than pledgee has	23:13
Transfer by pledgee	23:3
Physician and Patient	
Proposed regulation of Missouri procedure by rules of court	13:3
Sufficiency of motion for new trial	17:59
Sufficiency of notice of appeal from justice court	19:42
Right of assignee to sue in his own name	4:24
Presumptions	
See Evidence	
Prescription	
Acquisition of easement by prescription	24:00
Principal and Agent	
See also Master and Servant.	
Appointment of agent to execute instruments under seal	10:60
Right of insurance agent to renewal commissions accruing after termina-	
tion of agency	20:37
Wife as agent of husband in purchase of necessaries	4:54
Private Nuisances	
See Nuisances.	
Privileged Communications	
Between husband and wife10:48	
Between husband and wife in divorce suit	
Waiver of between physician and patient	6:30

Process	
Effect of misnomer in order of publication	10:53
Prohibition	
Extraordinary writ of, in Missouri	30:00
Pleading in prohibition	32:00
Power to issue	30:07
Excess of jurisdiction	32:00
In equity suits	-31:23
In election contests32:00	-31:23
Lack of jurisdiction	30.03
Where appeal or writ of error is inadequate	32.00
Practice in prohibition	32.00
Necessity of objection in lower court to its jurisdiction	32.00
Refusal to issue	52.00
To prevent erroneous exercise of jurisdiction	22.00
To prevent erroneous exercise of jurisdiction	32:00
To review jurisdictional fact	32:00
Where appeal or writ of error is adequate	32:00
Right of state to change of venue from judge on ground of prejudice	17:68
Property	
See Estates; Personal Property; Real Property.	
Public Nuisance	
See Nuisances.	
Public Officers	
Appointment of member of appointing board	7:56
Method of ousting officer who has forfeited office	4:50
Use of certiorari to review removal from office	6:8
Public Service Commission	
See Utilities.	
Constitutionality of act Creating	31:32
Effect of Act on prior statutes	31:40
Judicial control of, in Missouri	30:30
Measure of review of orders of, by Courts11:75	31:31
Nature of	30:34
Power to restrain	
Rates and rate-making	31:39
Public Service Companies	
Abrogation of special water contract by extension of city limits 1:39,	16:39
Purpresture	10105
Defined	18.20
	17:39
Quasi Contracts	
Necessity of pleading a waiver when waiving a tort to sue in quasi con-	
tracts	25:44
Right of insurance agent to recover in quasi contracts for renewal com-	
missions accruing after termination of agency	20:37
Right to recover where there has been performance on an ultra vires con-	
tract	25:24
Quo Warranto	
Method of ousting public officer who has forfeited office	4:50
	1.50
Railroads	
See also Carriers.	
Discrimination in rates for militia	8:36
Effect of violation of speed ordinances upon the liability of	8:46
Liability of for false imprisonment by ticket agent	16:36
Liability of for negligence of Director General of Railroads	19:66
Rape	
Of insane woman	14:46

Real Property	
See also Equitable Servitudes: Estates	
Conclusiveness of judgment in ejectment	6:35
Conditions subsequent in conveyances	5:3
Estates tail	1:5
Executory limitations of	11:3
Husband's purchase of land with wife's money	6:40
Land tenure and conveyances	8:3
Nature of homestead rights	3:33
Recovery between tenants in common for improvements or repairs	3:50
Rule against perpetuities	3:3
Tenancy by entirety, effect of divorce on	25:50
Transfer and partition of remainders	14:03
Receivers	
Liability for exemplary damages	8:52
Recoveries	
See Fines and Recoveries.	
Religious Societies	
Effect of schism in church upon church property	8:24
Remainders	
Alienability of contingent	12:48
Executory limitations of property in Missouri	11:3
Implication of12:48;	15:25
Remainder over after estate tail	1:24
Rule against perpetuities applicable to	3:31
Statutory remainder in estates tail	1:11
Transfer and partition of in Missouri	_14:3
Remoteness	
See Perpetuities.	
Res Adjudicata	
See Judgments.	
In prohibition proceedings under Missouri statute	32:00
Revocation	
Of offer9:43,	31:63
Robbery	
Animus furandi	
Forcible collection of a debt	28:35
Rule Against Perpetuities	
See Perpetuities.	
Rules of Court	
Effect of rule of appellate and trial courts	11:58
In other jurisdictions	13:17
Proposed regulations of Missouri procedure by	13: 3
Sales	
Election of remedies by conditional seller	7:44
Liability of bank which discounts draft with bill of lading attached for	
defect in goods	7:40
Sale of part of a mass	2:37
Title to chattels under conditional sale made outside of state	
Warranty of quality	7:61
Seals	
Effect of statute abolishing use of private	10:59
Self-defense	
See Criminal Law	
Shelley's Case	
Rule is not in force in Missouri	1:10
Rule in does not apply to personalty	4:40

### LAW SERIES, MISSOURI BULLETIN 1-32

Signatures	
Must an affidavit be signed.	4:52
Spain	
Spanish law in Missouri	8: 6
Specific Performance	
Of a gift	26:08
Statute of Limitations	
Application by analogy to acquisition of easements	24:00
Statute of Uses	21.00
As adopted in Missouri	27.14
Effect of statute upon equitable titles	
Statutory action in Missouri for wrongful death	
See Torts.	
Statutory Covenants for title	
Effect on after acquired title	28.28
In Missouri	
Running with land	
Restrained by express language	
Subpoena Duces Tecum	20.15
Exercise of a writ of prohibition to prevent a misuse of	22.00
Subrogation	32:00
Equitable right to	4:57
	4:57
Support	
See Easements.	
Suretyship	
Disregard of corporate entity where corporation and stockholders bear	0.47
relation of principal and surety	9:47
Surrender	
As a means of conveyance	8:18
Taxation	
Certiorari, to review validity of assessment and levy of taxes	6:9
Classification of property for purposes of	25:37
Secured debts law	25:37
Tenancy in Common	
Recovery between tenants in common for improvements or repairs	3:50
Tenure	
Land tenure in Missouri	8:3
Torts	
See also Negligence.	
Actions for personal injuries resulting in death abate with the death of the	
wrong-doer	18:37
Actions for wrongful death	25:54
Assignability of tort action under the Code	4:12
Duty to third person	28:37
Husband's liability for wife's torts	5:34
Liability for death of trespassers—humanitarian doctrine	17:57
Liability for killing trespassing animals	9:63
Liability of city for death of child drowned in unguarded pond in city park	2:41
Liability of husband for tort to wife	10:45
Liability of municipal corporation for failure to remove snow and ice from	
sidewalks	15:33
Liability of owner of vicious dog-""Liability at peril"	22:38
Liability of railroad for false imprisonment by its ticket agent	16:36
Recovery by wife for physical injury to husband	2:34
Recovery by spouse for loss of consortium of other spouse due to de-	
fendant's negligence	17:54
Recovery for mental anguish	5:37
received for month mighting received and r	0.01

83

" Tort liability for injury to unborn child	1:42
Tort liability for negligence in Missouri	12:25
Tort liability of automobile owner	5:30
Tort liability of automobile driver18:48,	19:51
Turntable Doctrine	26:32
Trespass	
By animals	9:57
Trespassers	,
•	17:57
	17.57
Trial	
	21:25
Directing verdict for party having burden of proof22:46,	23:36
Directing the verdict for party having the duty of going forward with the	/
	23:36
Failure of record to show arraignment and plea	5:40
	22:57
Power of appellate court to remand case for new trial upon a single issue,	
	19:38
	17:59
	19:4 <b>2</b>
Right of comment on testimony of defendant in criminal case	1:35
Verdicts against the evidence	1:44
When must a constitutional question be raised to confer jurisdiction upon	
	14:32
Trover	
Conversion by a pledgee4:47,	23.22
Misdelivery by common carrier	3:48
	J.10
Trusts and Trustees	
Adoption of statute of uses in Missouri	27:14
Charitable trusts	
Designation of objects must be definite and certain20:53,	
Necessity of designating trustee having capacity to take	21:31
Creation of trust	
By gift of the beneficial interest	27:04
Of a bond deposit	27:12
Development after statute of uses	27:16
Effect of statute of uses on equitable titles	27:15
Equitable interests in land before statute of uses in England	27:15
Imperfect gifts considered declarations of trusts	27:08
Power of foreign trustee over domestic land	6:38
Resulting trusts	6:40
Termination of trustee's title with accomplishment of purposes of the	
trust	27:20
Turntable Doctrine	
See Negligence.	
See also Torts.	
Ultra Vires Transactions	
See Corporations	
Assignment of a chose in action to a Corporation	26:22
Completely executed contracts	25:14
Effect of statutory or charter provision expressly making ultra vires	
	25:12
Enforcement of25:03, Equitable estoppel, as basis for enforcing ultra vires contract 25:26, 25:32,	26:03
Equitable estoppel, as basis for enforcing ultra vires contract 25:26, 25:32,	26:07
Vii 7 Executory contracts	25:10
Partially executed contracts	25:14

## LAW SERIES, MISSOURI BULLETIN 1-32

.

Quisi contractual relief where contract has been performed Validity of an ultra vires mortgage executed to corporation	25:24 26:23
Unborn Children	
Limitations to successive generations of	
Tort liability for injury to	1:42
Uses	
See Trusts.	
Executory limitations of real property under the Statute of Uses	11:8
Utilities	
Regulation of by Public Service	
Commission	32:00
Crossings of Railroads, etc.	32:00
Extensions and additional service	32:00
Limitation of contracts and franchise	31:44
Power to stop trains	
Rate-making	31:39
Verdicts	
Directing verdict for party having burden of proof22:46,	23:36
Directing verdict for party having duty of going forward with the evi-	
dence	23:36
Power of appellate court to remand a case for new trial upon a single issue,	
leaving the verdict to stand upon the remaining issue	19:38
Verdicts against the evidence	1:44
Warranty	
See Sales	
Ways	
Of necessity	7:50
•	
Wild's Case	
Wild's Case As affecting personal property	4.47
As affecting personal property	4:42
As affecting personal property Rule in	
As affecting personal property Rule in Wills	1:11
As affecting personal property Rule in Wills Ambiguities in wills	1:11
As affecting personal property Rule in Wills Ambiguities in wills Attesting witness	1:11 14:36 27:60
As affecting personal property Rule in Wills Ambiguities in wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53,	1:11 14:36 27:60 21:31
As affecting personal property Rule in Wills Ambiguities in wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take	1:11 14:36 27:60 21:31 21:31
As affecting personal property Rule in Wills Ambiguities in wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators	14:36 27:60 21:31 21:31 14:42
As affecting personal property Rule in Wills Ambiguities in wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders	14:36 27:60 21:31 21:31 14:42 14:11
As affecting personal property Rule in Wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders Execution of	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60
As affecting personal property Rule in Wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders Execution of Executory limitations of property under the Statute of Wills	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10
As affecting personal property Rule in Wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders Execution of Executory limitations of property under the Statute of Wills Gift cut down by later words	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78
As affecting personal property Rule in Wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders Execution of Executory limitations of property under the Statute of Wills Gift cut down by later words Obligations created by devise	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53
As affecting personal property Rule in Wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders Execution of Executory limitations of property under the Statute of Wills Gift cut down by later words Obligations created by devise Parol evidence in the construction of	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36
As affecting personal property Rule in Wills Attesting witness Charitable trusts, designation of object must be definite and certain 20:53, Charitable trusts, trustee must have capacity to take Declarations of testators Devise of remainders Execution of Execution of Executory limitations of property under the Statute of Wills Gift cut down by later words Obligations created by devise Parol evidence in the construction of Proof of execution by attesting witnesses	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48 21:40
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48 21:40 11:60
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48 21:40 11:60 21:27
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48 21:40 11:60 21:27 32:00
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48 21:40 11:60 21:27 32:00 18:43
As affecting personal property	1:11 14:36 27:60 21:31 21:31 14:42 14:11 27:60 11:10 13:78 7:53 14:36 25:60 27:60 10:48 21:40 11:60 21:27 32:00

See Certiorari; Habeas Corpus; Injunction; Quo Warranto; Prohibition.