Missouri Law Review

Volume 21
Issue 4 November 1956

1956

Index to Subjects Cumulative Index to Volumes 1-20–1936-1955

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

Part of the Law Commons

Recommended Citation

Index to Subjects Cumulative Index to Volumes 1-20–1936-1955, 21 Mo. L. Rev. (1956)
Available at: https://scholarship.law.missouri.edu/mlr/vol21/iss4/8

This Front Matter 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 Missouri Law Review by an authorized editor of University of Missouri School of Law Scholarship Repository. For more information, please contact bassettcw@missouri.edu.
## INDEX TO SUBJECTS

### ABATEMENT AND REVIVAL

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Survival and Revival of Actions, Missouri Supreme Court decisions relative to 1936</td>
<td>2:503</td>
</tr>
<tr>
<td>wrongful death actions</td>
<td>15:315</td>
</tr>
</tbody>
</table>

### ACCRETION

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>See WATERS AND WATER COURSES</td>
<td></td>
</tr>
<tr>
<td>Accretion, problems arising from</td>
<td>3:181</td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1943</td>
<td>9:332</td>
</tr>
</tbody>
</table>

### ACTIONS

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>See CIVIL CODE; CREDITORS RIGHTS; FEDERAL PROCEDURE; FEDERAL RULES; HUSBAND AND WIFE; INFANTS; JUDGMENT; LANDLORD AND TENANT; PARENT AND CHILD; TORTS; QUASI CONTRACTS; STATES; STATUTES OF LIMITATIONS</td>
<td></td>
</tr>
<tr>
<td>Administrative impregnability by estoppel, Missouri Supreme Court decisions relative to 1940</td>
<td>6:385</td>
</tr>
<tr>
<td>Concerning English Administrative Law Review</td>
<td>8:81</td>
</tr>
<tr>
<td>Lay practice before administrative bodies, Missouri Supreme Court decisions relative to 1940</td>
<td>6:389</td>
</tr>
<tr>
<td>unauthorized practice</td>
<td>2:313-337</td>
</tr>
<tr>
<td>Separation of powers</td>
<td>2:318</td>
</tr>
</tbody>
</table>

### ADMINISTRATIVE LAW

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>See ADMINISTRATIVE PROCEDURE; ADMINISTRATIVE TRIBUNALS; CONSTITUTIONAL LAW; LABOR LAW; PUBLIC SERVICE COMMISSION; JURISDICTION; WORKMEN'S COMPENSATION; UNEMPLOYMENT COMPENSATION</td>
<td></td>
</tr>
<tr>
<td>Administrative impregnability by estoppel, Missouri Supreme Court decisions relative to 1940</td>
<td>6:385</td>
</tr>
<tr>
<td>Concerning English Administrative Law Review</td>
<td>8:81</td>
</tr>
<tr>
<td>Lay practice before administrative bodies, Missouri Supreme Court decisions relative to 1940</td>
<td>6:389</td>
</tr>
<tr>
<td>unauthorized practice</td>
<td>2:313-337</td>
</tr>
<tr>
<td>Separation of powers</td>
<td>2:318</td>
</tr>
</tbody>
</table>

### ADMINISTRATIVE PROCEDURE

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>A Comparison of the Federal and Missouri Administrative Procedure Acts</td>
<td>17:286-325</td>
</tr>
<tr>
<td>adjudication</td>
<td>17:293</td>
</tr>
<tr>
<td>auxilliary matters</td>
<td>17:297</td>
</tr>
<tr>
<td>decisions</td>
<td>17:305</td>
</tr>
<tr>
<td>definition of terms</td>
<td>17:287</td>
</tr>
<tr>
<td>hearings</td>
<td>17:300</td>
</tr>
<tr>
<td>judicial review</td>
<td>17:309</td>
</tr>
<tr>
<td>public information</td>
<td>17:289</td>
</tr>
<tr>
<td>rule making</td>
<td>17:292</td>
</tr>
</tbody>
</table>

### ADMINISTRATIVE TRIBUNALS

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>See ADMINISTRATIVE LAW;</td>
<td></td>
</tr>
</tbody>
</table>

### JURISDICTION; PUBLIC SERVICE COMMISSION

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Missouri Dental Board, Missouri Supreme Court decisions relative to 1936</td>
<td>2:412</td>
</tr>
<tr>
<td>Missouri State Highway Commission, powers of, Missouri Supreme Court decisions relative to 1936</td>
<td>2:410</td>
</tr>
<tr>
<td>Power of to compel testimony and production of records</td>
<td>3:457</td>
</tr>
<tr>
<td>Public Service Commission of Missouri, see topic this index</td>
<td></td>
</tr>
<tr>
<td>St. Louis Board of Police Commissioners</td>
<td>2:411</td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1936</td>
<td></td>
</tr>
<tr>
<td>Unemployment Compensation Commission, see topic this index</td>
<td></td>
</tr>
<tr>
<td>Workman's Compensation Commission, see topic this index</td>
<td></td>
</tr>
</tbody>
</table>

### ADOPTION

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>See DISSENT AND DISTRIBUTION, REAL PROPERTY</td>
<td></td>
</tr>
<tr>
<td>Agreement to adopt</td>
<td>2:310</td>
</tr>
<tr>
<td>Consequences of adoption</td>
<td>2:300</td>
</tr>
<tr>
<td>Contract, oral, adoption by</td>
<td>2:303</td>
</tr>
<tr>
<td>Court decree of adoption</td>
<td>2:308</td>
</tr>
<tr>
<td>Custody of adopted child</td>
<td>2:309</td>
</tr>
<tr>
<td>Deed, adoption by</td>
<td>2:302</td>
</tr>
<tr>
<td>Equitable adoption</td>
<td>20:199</td>
</tr>
<tr>
<td>Judicial proceedings for adoption</td>
<td>2:305-309</td>
</tr>
<tr>
<td>Methods of adoption</td>
<td>2:302-4</td>
</tr>
<tr>
<td>Notice in judicial proceeding to adopt</td>
<td>2:306-7</td>
</tr>
<tr>
<td>Persons who may adopt</td>
<td>2:306-7</td>
</tr>
<tr>
<td>Persons who may be adopted</td>
<td>2:305</td>
</tr>
<tr>
<td>Proposed changes in Missouri laws affecting children: recommendations of the children's code commission</td>
<td>12:310-332</td>
</tr>
<tr>
<td>adoption of children</td>
<td>12:310</td>
</tr>
<tr>
<td>juvenile court act, the</td>
<td>12:321</td>
</tr>
<tr>
<td>paternity, guardianship, and non-support</td>
<td>12:325</td>
</tr>
<tr>
<td>Statutes on adoption in Missouri</td>
<td>2:301-2, 309</td>
</tr>
</tbody>
</table>

### ADVERSE POSSESSION AND USER

<table>
<thead>
<tr>
<th>Subject</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adverse User</td>
<td>17:103</td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to</td>
<td></td>
</tr>
</tbody>
</table>
AGENCY
See MASTER AND SERVANT; PRINCIPAL AND AGENT

AGRICULTURE
Frazier-Lemke Act, effect on 1:16-18

AIRCRAFT
Eminent domain
taking of private property by repeated low level flights of government aircraft 12:70
Negligence
Missouri Supreme Court decisions relative to Torts 1951, 17:420

APPEAL & REVIEW
See CERTIORARI; CIVIL CODE OF PROCEDURE; COURTS; FEDERAL PROCEDURE; HABEAS CORPUS; INSTRUCTIONS; JURISDICTION; MANDAMUS; PRACTICE; PROHIBITION; PROPERTY; QUO WARRANTO
Abandonment of assignment 20:423
Appeal by plaintiff after his own "involuntary" nonsuit 2:253
Appealable orders and judgments 2:291
Assignments of error and points and authorities:
necessity of, form of 2:206
Bills of exceptions, origin of 2:288
Briefs and Abstracts
Course of an Appeal to the United States Circuit Court of Appeals 10:79-112
administrative agencies 10:105
bankruptcy and admiralty 10:100
civil cases 10:83
criminal cases 10:94
Court organization of the Missouri Supreme Court as affecting the capacity of review 4:345-350
Disposition of cases on appeal
Missouri Supreme Court decisions relative to 1936, 2:426
Effect of decisions,
Missouri Supreme Court decisions relative to 1937, 3:354; 1939, 5:387; 1945, 11:353; 1948, 14:338
Exceptions, preservation for appellate review 2:285
Extra-ordinary legal remedies
See CERTIORARI; HABEAS CORPUS; MANDAMUS; PROHIBITION; QUO WARRANTO, this index
Foundation for appeal--appealable orders
Harmless errors under the Federal Rules 5:19
Instructions, see topic this index Jurisdiction of Supreme Court, see also JURISDICTION, this index
Method of, under the Federal Rules 5:20, 53
Missouri appellate practice and procedure 6:1-40
abstracts of record 6:11
briefs in upper courts 6:23
jurisdiction of the upper courts 6:2
recommended changes 6:37
steps necessary for review 6:6
Motions, also see MOTIONS, this index
arrest of judgment, motion in, function in appellate procedure 2:298
trial, motion for, function in appellate procedure 2:285
strike, motion for necessity for to preserve error of admission of prejudicial evidence 1:365
Questions for review
Missouri Supreme Court decisions relative to 1948, 14:334; 1949, 15:342; 1950, 16:349; 1954, 20:340
Record proper, contents 2:287
Restrictions on appellate court's control of docket 2:293
Right of appeal to supreme court 17:339
State appeal in criminal cases 3:305
Statutory code, origin of 2:281

**ARBITRATION & AWARD**

See LABOR LAW
Compulsory Arbitration, Table of States Providing 18:154
International arbitration, a symposium 13:131-210
Labor arbitration, problems in 13:143-169
    arbitration expense 13:157
    arbitrator's fees 13:157
    stenographer's fees 13:162
    Taft-Hartley Act and arbitration 13:165
    state statutes 19:280
King-Thompson Act 18:154
Missouri arbitration statutes 13:170-195
    application of Section 15233 to appraisals 13:175
    attestation of the award 13:185
    confirmation of the award 13:185
    notice of meeting of arbitrators, postponement and adjournment thereof 13:180
    number of arbitrators 13:183
    oaths of arbitrators 13:181
    power of arbitrators 13:182
    powers of courts of equity 13:192
    revocation of submission 13:193
    vacating awards 13:196
    validity of common law awards as distinguished from statutory awards 13:173
    what may be submitted to arbitration 13:179
New York arbitration law 13:195-210
    amendments since 1937 13:203
    commencement of arbitration proceedings without a court order 13:199
    conduct of arbitration proceedings 13:207
    historical sketch 13:196
    present New York law of arbitration proceedings 13:204
    revision and consolidation of 1937 13:198
Specific performance, Missouri Supreme Court decisions relative to 1954, 20:356

**ARMED SERVICES**

Appellate review in amendments to Articles of War 1:15-75
of 1948 14:55
appendix 14:70
development in World War I 14:40
scope of review prior to World War I 14:29
Default in appearance of service man, procedure in case of 9:181
Habeas corpus and court-martial deviations from the Articles of War 14:147-160
Soldier and Sailor's Civil Relief Act 9:181

**ARREST**

See SEARCH AND SEIZURE
False arrest, liability of private citizen for instigating 8:135
Missouri Supreme Court decisions relative to 16:412
Use of deadly force in the arrest of misdeamnents 5:93
Prior to extradition 15:302

**ASSAULT AND BATTERY**

See CRIMINAL LAW; MASTER AND SERVANT
Missouri Supreme Court decisions relative to 1937, 3:434; 1939, 5:488

**ASSIGNMENTS**

See CONTRACTS

**ATTORNEYS**

See ATTORNEY AND CLIENT, COURTS, CONTEMPT
Admission to the Bar, conscienceitious objector 10:316
Benefit to public by return of law practice to lawyer 2:168
Bentham, Jeremy 2:48-9
Blackstone 2:47-9
City lawyer (review) 8:79
Commercial influence affecting lawyers 2:164-6
Control
    concurrent legislative and judicial power with respect to 2:325
    court, exclusive control in 2:319-20, 323
    court, inherent disciplinary power of, over 1:239, 244
    court, inherent power of, to regulate, discipline, or disbar 2:313, 315
    disbarment for acts outside professional duty 15:309
    disbarment proceedings 1:346
Illegal Parking obstructing view of traffic 16:191
Missouri Supreme Court decisions relative to
1940, 6:487; 1941, 7:431;
1942, 8:291; 1945, 11:400;
1946, 12:425; 1947, 13:410;
1948, 14:392; 1949, 15:411;
1950, 16:404; 1951, 17:419;
1952, 18:395; 1953, 19:354;
1954, 20:376
Registration of title, necessity of
Res ipsa loquitur as to skidding
automobiles 20:216
Stopping on highway without lights at night 4:227
Used car dealers, liability of
for damages caused by defective condition of used car
in course of demonstration 12:57
Violation of Municipal parking ordinance--presumption act
committed to owner 15:191

BANKRUPTCY
See CREDITOR'S RIGHTS; FRAUDULENT
CONVEYANCES; RECEIVERSHIP
Bankruptcy Act
Discharge, of one tenant by the
entireties 6:207
Erie Railroad v. Tompkins, application of
5:208
Examination under section
21a of
3:316
Filing of petition, necessity
for good faith in
2:214
constitutionality of
1:3, 4, 7, 8, 9-16
differences between
1:1-3
agriculture, economics,
effects of
1:16-18
Mortgage foreclosure, impairment of mortgagee's rights:
conditional sale and contracts
for sale as substitute for
mortgages
1:11-13
Minnesota Moratorium law, constitutionality of
1:5-7
power of sale
1:8
redemption, right of
1:9-11
BUSINESS VISITORS
See OWNERS AND OCCUPIERS OF LAND

CARRIERS
See CONSTITUTIONAL LAW; NEGLIGENCE
PUBLIC SERVICE COMMISSION;
PUBLIC UTILITIES; RAILROADS
Missouri Supreme Court decisions
relative to torts of:
1940, 6:487; 1941, 7:432;
1942, 8:296; 1943, 9:345;
1944, 10:284; 1945, 11:400;
1946, 12:427; 1947, 13:404;
1948, 14:387; 1949, 15:408;
1950, 16:400; 1951, 17:416;
1952, 18:390; 1953, 19:352;
1954, 20:374
Kotor Carrier Act of 1935 1:249
Bureau of Motor Carriers,
power of 1:250-1
power of state commission
under 1:251
state regulation of trucks
since the enactment of 5:104
Rea ipsa loquitur, skidding
vehicles 20:216
Regulation of weight and size
of trucks by state 3:474

CERTIORARI
See APPEAL AND REVIEW
Circuit court, use of 7:377
Missouri Supreme Court decisions
relative to, in:
1936, 2:419; 1937, 3:383;
1938, 4:389; 1939, 5:433;
1940, 6:432; 1941, 7:337;
1942, 8:425
Supreme Court, use of
to review records of quasi-
judicial bodies 7:379; 8:248
to review records of courts of
appeals 7:380-7; 8:249-52
nature of remedy 7:380
purpose of review 7:382
limitation of inquiry
7:383, 423
to prevent conflict with
controlling supreme court
decisions and between
courts of appeals 7:382-7

CHARITIES
See TRUSTS
Liability insurance, Missouri
Supreme Court decisions
relative to 20:353

CHATTEL MORTGAGES
See BANKRUPTCY
Automobiles, notation on certificate of title 16:156
Recognition of foreign chattels mortgages 16:160

CHILDREN
See ADOPTION; ATTRACTIVE NUISANCE; OWNERS AND OCCUPIERS OF LAND; PARENT AND CHILD

CIVIL CODE OF PROCEDURE
Amendments to pleadings
Missouri Supreme Court decisions relative to 1945, 11:422; 1946, 12:449
Appeals, the new general code for civil procedure interpreted
Application for orders, the new general code for civil procedure interpreted
Missouri Supreme Court decisions relative to 1946, 12:447
Briefs, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1951, 17:458
Cases covered in the new general code of civil procedure
Missouri Supreme Court decisions relative to 1948, 14:418; 1949, 15:434
Cases tried without a jury, the new general code for civil procedure interpreted
Consolidation of suits, the new general code for civil procedure interpreted
Missouri Supreme Court decisions relative to 1946, 11:425; 1950, 16:437
Coverage the new general code of civil procedure
Missouri Supreme Court decisions relative to 1951, 17:437
Code, Missouri—as passed in 1943, rules discussed
accomplishments of Missouri code 9:67
amendments to the Missouri code 9:23
changes in code made by the court 9:58
changes in code made by general assembly 9:59
criminal cases, unaffected under the code 9:43
defenses, counter-claim, and cross-claims 9:22
history of new code 9:42
judicial rule making under code 9:89
motions 9:19
new trial 9:133
parties 9:6
pleading 9:12
process 9:10
provisions eliminated by main committee 9:53
provisions of code 9:4
Rule-making by the court 9:89
scope and character of the code 9:52
scope and effect of the code 9:3
trial court procedure 9:24
uncertainties of new code 9:69
Continuances, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1946, 12:452; 1947, 13:446; 1948, 14:431; 1949, 15:447; 1952, 18:430
Control of court over judgment, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1946, 12:456; 1948, 14:439; 1949, 15:458; 1954, 20:396
Counterclaims, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1946, 12:449; 1947, 13:442
Cross-claims, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:442
Denial of performance of conditions precedent, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:441
Discovery—scope of interrogatories to party opponent under Missouri Code 11:192
Discovery, the new general code for civil procedure
Dismissals, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1946, 12:452; 1947, 13:449; 1948, 14:438; 1949, 15:448; 1950, 16:438
Documentary, production of, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1952, 18:429
Documentary evidence, depositions 9:42
Effects of the Code upon pleadings and methods of trial in action for injunction and damages 14:161
Evidence--discovery--scope of interrogatories to party opponent under Missouri Code 11:192
Exceptions to court rulings, the new general code for civil procedure interpreted
Exhibits, the new general code for civil procedure interpreted
Missouri Supreme Court decisions relative to--See Pleadings, this index
Filing of papers, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1945, 11:418
Instructions, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:449; 1948, 14:434; 1949, 15:449; 1950, 16:446
Intervention, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:438
Institution of suits, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:439
Joinder, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:440; 1954, 20:392
Law and Equity actions, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1947, 13:436
Motions, the new general code for civil procedure
New trial, the new general code for civil procedure
Notice, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1948, 14:419; 1952, 18:429
Objectives of the new general code for civil procedure
Missouri Supreme Court decisions relative to 1945, 11:417; 1950, 16:426; 1951, 17:437
Objections, the new general code for civil procedure
Parties, the new general code for civil procedure
Place of conducting trials, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1945, 11:424
Pleading--departure 15:90
naming corporation as defendant 15:311
Pleadings, general code for civil procedure interpreted
Pretrial procedure, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1946, 12:452; 1947, 13:449; 1950, 16:437
Trial of issues not raised by pleadings, the new general code of civil procedure
Missouri Supreme Court decisions relative to 1946, 12:451; 1947, 13:445; 1948, 14:430
Verdict, the new general code for civil procedure
Missouri Supreme Court decisions relative to 1946, 12:453; 1948, 14:435; 1949, 15:451; 1952, 18:431

COMMERCETaxation
See CONSTITUTIONAL LAW; PUBLIC SERVICE COMMISSION; TAXATION

CONDEMNATION
See EMINENT DOMAIN, FEDERAL RULES Acts of government as affecting landlord and tenant relationship 5:239
alterations and improvements ordered 5:243
condemnation because unsafe or unsanitary 5:241
condemnation under eminent domain 5:239
requisition of use by government 5:241
restriction of use by the police powers of state 5:242
Excess condemnation 3:1
Federal rules, application of 5:54
Leased premises, effect on 3:203
Missouri Supreme Court decisions relative to 1937, 3:400

CONFLICT OF LAWS
Administration of intangibles 19:1
Beale, Joseph Henry 2:131-3
Chattel mortgage (foreign), recognition of 16:160
Chattels
removal of, across state lines 2:175
situs of, as governing law 2:172
transfer of title in 2:171
Contracts 2:154-7
Contract, validity of--law governing 17:209
Divorce
divorce 2:149-54
decrees, full faith and credit 4:268-77
decree, not subject to collateral attack when court rendering it found it had
| Jurisdiction of both subject matter and parties | 14:103 |
| Foreign divorces, validity of | 2:193 |
| "Doing Business", what constitutes | 1:349 |
| Domicile | 2:142-4, 149-54 |
| as a unitary concept | 2:142 |
| basis of jurisdiction | 19:13 |
| conflicting adjudication of | 1:192; 2:142 |
| divorce purposes | 2:149-54 |
| infants | 2:143-4 |
| married women | 2:144 |
| Due process of law: non-recognition of valid title as denying | 2:186 |
| Erie R.R. v. Tompkins to application of | 5:202 |
| Federal judgments, problems in the enforcement of | 4:19-48 |
| Foreign judgments | 2:156-9 |
| Forum, non conveniens, Federal Employers' Liability Act | 16:174 |
| Full faith and credit to foreign judgments | 9:287 |
| Insurance contracts, law governing | 9:320 |
| Interstate bridge, law governing injury on | 18:198 |
| Local public policy | 1:348 |
| Missouri decisions and the restatement of | 3:143-65 |
| administration of estates | 3:163 |
| contracts | 3:154 |
| domiciles | 3:144 |
| judgments | 3:162 |
| jurisdiction of courts | 3:145 |
| property | 3:152 |
| workmen's compensation | 3:159 |
| wrongs | 3:156 |
| Missouri Supreme Court decisions in 1937 relative to | 3:355 |
| Presumptions and burdens of proof, as to | 4:299 |
| Recognition of foreign governments, affecting conflict of law principals | 1:322 |
| Service on superintendent of insurance in suits against foreign insurance companies, validity of | 5:336 |
| Situs of corporate stock | 19:24, 29 |
| Torts | 2:157-8 |
| Vested right doctrine | 2:138-41 |
| Williams cases, effect upon recognition of foreign divorce decrees in Missouri | 12:339 |
| Workmen's Compensation | 9:287 |
| Workmen's Compensation Act, application of to an injury received outside the state | 4:203 |
| Wrongful death of railroad employee riding on pass, applicability of federal or state law in action for damages | 14:191 |

**CONSTITUTIONAL LAW**

See **ADMINISTRATIVE LAW; CONFLICT OF LAWS; COURTS; CRIMINAL LAW; EMINENT DOMAIN; EVIDENCE; LABOR LAW; PUBLIC UTILITIES; TAXATION; WAR POWERS OF NATIONAL GOVERNMENT**

Administrative agencies, power of, to compel testimony and production of records 3:457

Amending of the federal constitution (review) 8:79
Ancillary administration, article IV, sect. 2 2:103
Appeals, right of the state in criminal cases 3:305
Cases in the United States Supreme Court: 1941-1946 (refresher materials for returned service men) 11:197-316

bills of attainder 11:275
citizenship, suffrage and related matters 11:293
due process and equal protection 11:263
federal state relations 11:199
fifth amendment--just compensation clause 11:274
freedom of speech, press and religion 11:209
interstate commerce 11:219
protection of persons accused of crime 11:278
separation of powers 11:205
thirteenth amendment:
peonage cases 11:529
war powers of the national government 11:209

Civil liberties
freedom of religion 10:316
freedom of religion--compulsory flag salute 6:106
freedom of speech 17:193
free speech (review) 7:101
freedom of speech and press and contempt of court 11:299
freedom of speech and press--handbill ordinances 6:103
freedom of speech and press in labor cases for employee 12:235
for employer 12:241

Civil rights, Missouri Supreme Court decisions relative to
1941, 7:344
ordinance prohibiting operation on city streets of sound trucks as not violation of freedom of speech 14:194
literature upon street of company town 12:61
right of Negro to vote in primary election 3:198
Fifth Amendment
self-incrimination, proposed limitation on privilege against 2:78
state law permitting court and prosecution to comment upon failure of accused to testify, constitutionality of 13:97
Fair Trades Acts, constitutionality of 3:194
Framework of state government, Missouri Supreme Court decisions relative to 1937, 3:356
Full faith and credit actions 8:184
foreign divorces, validity of, applicability of 2:140-54, 193
foreign judgments, applicability of full faith and credit clause to 2:158-9
insurance cases 7:403-5
Hours of employment regulated 9:314
Interstate commerce—See Commerce Clause
Jury Trial
misdemeanors cases 10:128
petty offences, right to, in 3:63
Just compensation
Missouri Supreme Court decisions relative to 1937, 3:360; 1938, 4:368
Legislation
Missouri Supreme Court decision relative to 1936, 2:434
Miscellaneous Missouri Supreme Court decisions relative to 1938, 4:369; 1939, 5:394
Missouri Constitution (new), interpretive problems in 10:219
Norris-La Guardia Anti-injunction Act, constitutionality of 2:1, 27
Obligation of contracts
Missouri Supreme Court decisions relative to 1936, 2:439; 1937, 3:360; 1939, 5:391; 1940, 6:404; 1941, 7:341
Occupation of field by congressional act 7:469
Police power
Missouri Supreme Court decisions relative to 1939, 5:390; 1940, 6:403
Price control, regulation of business by the state through 7:73
Privileges and immunities
Missouri Supreme Court decisions relative to 1940, 6:405
Regional school, constitutionality of 13:286
Retrospective and ex post facto laws
Missouri Supreme Court decisions relative to 1936, 4:369; 1940, 6:405; 1941, 7:342
Sedition Act of 1799, constitutionality of 5:167
Separability of statutory provisions
Missouri Supreme Court decisions relative to 1937, 3:361; 1938, 4:369
Separation of powers
Missouri Supreme Court decisions relative to 1936, 2:433; 1937, 3:356; 1938, 4:359
St. Louis County sewer litigation 3:187
State aid to sectarian schools under 14th Amendment 12:465
Statutes confined to one subject
Missouri Supreme Court decisions relative to 1937, 3:361
Statute, who may challenge constitutionality of 2:442
Statutory reenactment by reference
Missouri Supreme Court decisions relative to 1937, 3:361
"Taking" of private property for private use 2:443
Taxation
See TAXATION, this index
interstate commerce, relating to. See commerce clause, TAXATION, this index
Missouri Supreme Court decisions in 1945 relative to taxation—tax statutes in conflict with constitutional provisions 11:391
regulation through federal taxation 3:58
state taxation—exemption of income devised by employees of a federal instrumentality 2:373
state taxation on gross income, constitutionality of 4:64
taxation arbitrary and grossly excessive valuation of property as violation of due process 1:205
equal protection 1:188
state statute providing tax on income from securities but exempting from taxation money loaned within state as violation of privileges and immunities clause of 15th Amendment 1:188
Missouri Supreme Court decisions relative to
1936, 2:140; 1937, 3:361
tax on income denied from
land in another state 2:242
Treaty power 17:66
Treaty making power in U.S.,
Canada and Australia, limitations on 7:54
Uniform reciprocal enforcement
of support act 17:1
Vested rights
Missouri Supreme Court
decisions relative to 1940, 6:404
Wagner Act and the states
rights 3:27-41

CONTEMPT
See ATTORNEYS; CONSTITUTIONAL LAW
Contempt of court and the press in Missouri: 7:229-261
criminal prosecution 7:243
due process 7:238, 242
editorials 7:246
historical fallacy 7:254
history 7:229
interference with pending case 7:250
Nelson case 7:237
pending case concept 7:255
Post-Dispatch case 7:246
present legal principles 7:260
procedure concerning punishment 7:230
"scandalizing doctrine" 7:243, 248
Shepard case 7:234
trial by jury 7:255
Giving legal advice by laymen 3:56
Public Service Commission may punish for 2:315, 329, 337
Under federal rules 5:20

CONTRACTS
See ADOPTION; CONFLICTS;
CONSTITUTIONAL LAW; EQUITY;
LABOR LAW; QUASI CONTRACT;
WILLS
Accord and satisfaction by a third person 15:115
Appraisals—conclusiveness of engineer's estimates 15:83
Assignment of salary to be earned by public school teacher 1:353
Consideration acceptance of less than amount due as full satisfaction 1:84
moral consideration 1:350
in municipal contracts 20:316
consideration in parol

reduction of rent under written lease 2:519
consideration in subscription agreements 6:194
Construction of: mutual understanding 1:277
instructions on mutual misunderstanding 1:277
Contracting against liability for negligent conduct 4:55
Duress: a double concept 6:73
Employee (individual), the remedies of Missouri cases 3:269
Family relations and gratuitous services 17:213
Fraud, illegal clause in contract 1:355
Illegality—agreement of curatrix to renounce her office 5:246
Market price at time of delivery 20:316
Mental incompetency in relation to contracts, judicial tests of a different standard 6:146
an inarticulate behavioristic standard 6:157
Mutuality in, requirement of 4:306
Negotiability by contract, an element of 8:200
Options 19:172
Protection of an idea by 13:91
Quasi contracts, see topic this index
Rate fixing in relation to prior existing contracts 2:399
Repudiation 19:88
Inducing Breach of Contract 19:366
Restraint of marriage in teacher's contracts, clauses 1:189
Statute of frauds: part performance of oral contract for personal services 1:202
Statute of limitations, action by third party beneficiary 14:108
Sufficiency of complaint under federal rules 5:27
Third party beneficiaries 17:214
Warranties, see topic this index
Williston's fundamental conceptions 3:219-251
consideration 3:240
contract 3:221
miscellany 3:249
mutual assent 3:226

CONVERSION
Damages, measure of 1:282
Liability of livestock commission merchant for sale of livestock consigned by one not the owner 12:65
CONVEYANCES
See CREDITORS RIGHTS; EQUITY; FRAUDULENT CONVEYANCES; REAL PROPERTY, this index
Absence of "heirs and assigns" as affecting transferability of fishing rights 16:178
Contingent remainders; alienability 12:218; 16:331
Conveyancing 19:214
Limitations subject to create joint tenancy 5:114
Possibility of reverter, alienability 13:76
Reservations in conveyances in favor of third persons 10:133
Restraints on alienation; racial restrictions 12:221
Rights of entry, alienability 13:76
Tax deeds void on face 20:87

COPYRIGHTS
See UNFAIR COMPETITION
Legal protection of ideas 4:239-267
as property at common law 4:240
infringement of literary property 4:264
Proposed legislation 4:252
protection by contract 13:91
protection by court 4:253
protection by copy right 4:249
protection by patent 4:246
protection by material embodiment 4:255
Loss of common law copyright of an architectural by dedication 4:221

CORPORATIONS
Corporate creditors
Missouri Supreme Court decisions relative to 1939, 5:402
Corporation taxes, see TAXATION
Corporate entity 1:279
Disregarding corporate entity to disclose evasion of judgment of ouster 13:101
Dividends, informal deduction of 2:223
Dividends, paid-in surplus 17:59
Foreign corporations
acts and decrees of unrecognized de facto government, validity and effect of 1:318
recognition of Soviet Government by United States, effect on decrees and acts of Soviet Government 1:319
status of Russian corporations nationalized by Soviet Government 1:317
rights of particular persons to represent in court 1:317
Incorporated society, nature of membership in 1:194
Injunction against unfair use of corporation name 4:321
Nature and theory 1:279
Persons under the 14th Amendment 3:318
Optometry, practice of, by corporation 2:95
Pledge of corporate assets
Missouri Supreme Court decisions relative to 1939, 5:356
Promoters, rights of corporation against for secret profits 1:161
Punitive damages
Missouri Supreme Court decisions relative to 1939, 5:400
Recission, right of corporation where promoters gain secret profits 1:165
Situs of Shares 19:24, 29
Stock transfer--open penalty bond 16:163
Treasury stock, Missouri Corporation Act relative to 12:347
Ultra virens
Missouri Supreme Court decisions relative to 1939, 5:400
Venue
Missouri Supreme Court decisions relative to 1939, 5:406

COSTS
In will contests 3:330
COURTS
See APPEAL AND REVIEW; CONTEMPT; JUDGMENTS; JURIES; JURISDICTION
Administrator of courts, improvement of 8:5
Control of court over criminal sentences after term 2:98
Court organization of the Missouri Supreme Court as affecting the capacity of review 4:345-50
Disciplinary power of validity of legislative limitation upon time of disbarment proceedings 1:283
Dissenting opinion, use and abuse of 3:120
Erie R.R. v. Tompkins, development of the doctrine of 5:193
Fifty years of the United States Circuit Court of Appeals 7:189
History 19:269
In and out of court (review) 7:326
Inconsistency in judicial application of laissez faire 16:150
Jurisdictions: See JURISDICTION and APPEAL & REVIEW
Magistrate courts under Missouri constitution of 1945 10:130
Missouri courts in early years 9:165
Missouri Supreme Court: bar committees of 1:241
disciplinary power of 1:239, 244
judicial council created by rule of court 1:239
rules of 1:239
Role of law in judicial decisions 19:101
Rule making power of inherent power of judiciary 1:238, 242
legislature may give courts right to make procedural rules 1:263
legislature not qualified to make procedural rules 1:266
Supreme Court of Missouri, inherent power of to make procedural rules for itself and lower courts 1:264, 265
Statistical survey of decisions, see Missouri Supreme Court, this index
Traffic courts (review) 8:151
The United States and the World Court 10:145
Unauthorized practice of law: power of courts to suppress 3:313
War criminals: Their prosecution and punishment (review) 10:237

Work of the Supreme Court
See Missouri Supreme Court, this index -- and particular subject relative to this index

COUNTIES
Missouri County Budget Law (1933) 1:275

COVENANTS
Covenants for title availability to remote grantees 3:48
measure of damages where breach of 4:194
Racial restrictive covenants 15:313
damages for breach 15:313
generally 19:58
Missouri Supreme Court decisions relative to 1940, 6:466; 1942, 8:276; 1946, 12:413; 1948, 14:371; 1952, 18:373, 372; 1954, 20:367

COURT RULES
See APPEAL AND REVIEW; CIVIL CODE; CRIMINAL CODE

CREDITORS RIGHTS
See BANKRUPTCY; FRAUDULENT CONVEYANCES
Accounts receivable—recording of 9:167
Attachment and execution under the Federal Rules 5:19, 20
Corporation creditors Missouri Supreme Court decisions relative to 5:402
Exemptions, see title, this index Fraudulent conveyances, see title this index
Heir's renunciation, effect on creditor 12:67
Partnership assets right of separate creditors against 17:185
Promoters of corporation for secret profits which impair interests of creditors, liability of 1:169
Satisfaction of judgment out of property on person of judgment debtor 1:272

CRIMINAL CODE OF PROCEDURE
See CRIMINAL LAW; CRIMINAL PROCEDURE
Effect of Missouri rules on

https://scholarship.law.missouri.edu/mlr/vol21/iss4/8
Criminal Law

Allocation

definition and history 9:115
in jurisdictions where governed by statute 9:232
in Missouri 9:241
in the United States 9:124
where there is no statute 9:126

American organization for prosecution of German war criminals 13:45-75
background 13:45
central registry of war criminals and security suspects 13:54
crimes against the peace and against humanity 13:64
extradition of alleged war criminals 13:55
Nuremberg trial 13:60
over-all American organization in Germany 13:50
violations of the laws and customs of war 13:57
war crimes commission 13:48
Amount of force officer may use to effect arrest of a misdemeanant 14:76

Arrest, see Topic this index

Centralization in federal prosecutions 15:244

Character evidence in prosecution for sex crimes 20:273-306

Confession, sound recording of 12:353

Crimes

aiding and abetting--sufficiency of evidence 5:108
assault with intent to kill 4:90
assault with intent to maim 17:319
burglary--breaking by person with qualified right of entry 6:209
embezzlement 18:177
homicide
in attempt to commit a felony 4:76
murder
homicide in attempted
perpetration of
robbery 1:87
instructions to jury 1:87
probable cause, liability
for homicide in death
resulting from improbable
cause 2:228
larceny and embezzlement
distinction between indictment
and information removed by
statute 13:106
robbery
consent of owner, intent 1:87
stolen property, possession
of as evidence of guilt 4:71
Entrapment--criminal liability
of officers 16:165
Federal Criminal Code--mailing
of punchboards 17:357
Felony Murder Rule, see CRIMES;
HOMICIDE
Former jeopardy 15:185
Gambling--question of
legalization 17:232
Habitual Criminal Act
application of 7:76
granted felonies 14:112
Missouri Supreme Court decisions
relative to 1943, 9:315
Inconsistent statutes
Missouri Supreme Court decisions
relative to 1941, 7:486
Insanity
insanity as a defense 17:95
insanity of defendant, due
process in determination of
irresistible impulse 6:212
Missouri Supreme Court decisions
relative to 1940, 7:48; 1942, 8:243
Intent
possessions of burglar's
tools 1:281
transfer of 1:356
under federal stealing
statute 18:452
Mens rea, crimes without
interpretation of statutes
as requiring 2:225
Narcotic Drug Laws in Missouri,
an analysis of 17:252-285
care of the addict in
Missouri 17:279
commitment of addicts 17:276
marijuana 17:271
miscellaneous 17:283
opium dens 17:274
the law today 17:257
the problem 17:252
the question of the criminality
of the usage 17:282
the uniform Narcotic Drug
Law 17:259
Officers right to affect an arrest
Missouri Supreme Court decisions
relative to 1946, 12:389
Parole
Missouri Supreme Court decisions
relative to 1940, 7:51
Political crimes
5:164-192, 293-323
federal offenses 5:167
miscellaneous federal political
offenses 5:186
offenses against neutrality 5:189
treason 5:184
Public nuisance
padlocking 20:201
Search and Seizure, see this index
Second offenders
Missouri Supreme Court decisions
relative to 1946, 12:388; 1947, 13:366;
1948, 14:347; 1949, 15:353
Self-defense in making arrests,
use of 5:94
Sentence, control of court over,
after term 2:98
Specific offenses
Missouri Supreme Court decisions
relative to 1940, 7:52; 1941, 7:466;
1949, 15:352; 1950, 16:359;
1951, 17:383; 1952, 18:340;
1953, 19:316; 1954, 20:342
Statutory construction 2:367
Transmission of racing
information 17:16
Violation of municipal parking
ordinance--presumption act
was committed by owner 15:191

CRIMINAL PROCEDURE
See CRIMINAL CODE OF PROCEDURE;
CRIMINAL LAW
Appeals
by state in criminal cases 3:305
in England, history of 1:326
Missouri Supreme Court decisions
relative to 1936, 2:449; 1937, 3:367;
1939, 5:410; 1940, 7:45;
1941, 7:464; 1943, 9:319;
1951, 17:387; 1952, 18:349;
1953, 19:317; 1954, 20:349
Character evidence in prosecution
for sex crimes 20:273-306
Jury trial
misdemeanor cases 10:128
right to for petty offenses 3:63
waiver of 11:287; 14:185
Motion for new trial, statement
of grounds for 1:175
Procedure before trial
Missouri Supreme Court decisions
relative to 1936, 2:444; 1937, 3:363;
1938, 4:371; 1940, 7:46;
1941, 7:462; 1942, 8:236;
1943, 9:313; 1946, 12:382;
1947, 13:356; 1948, 14:338;
1949, 15:345; 1950, 16:351;
1951, 17:378; 1952, 18:343;
1953, 19:310; 1954, 20:349

Protection of persons accused of crimes
exclusion from jury service
miscellaneous right to counsel
search and seizure use of confessions waier of jury trial
Sentence, control of court over after term Trial
Missouri Supreme Court decisions relative to
1936, 2:444; 1937, 3:363;
1938, 4:372; 1939, 5:411;
1940, 7:47; 1941, 7:463;
1942, 8:236; 1943, 9:314;
1946, 12:383; 1947, 13:360;
1948, 14:341; 1949, 15:348;
1950, 16:352; 1951, 17:380;
1952, 18:344; 1953, 19:311;
1954, 20:345

Witnesses, securing attendance of material witnesses 18:38

DAMAGES
See EXTENDED DOMAIN
Apportionment of where one of concurring causes is an Act of God 15:93
Conversion, damages for 1:282
Covenant for title, measure of damage, for breach of 4:194
Liquidated damages 20:365
Power of appellate courts in Missouri to order remittiturs 17:340
Trespasses: measure of damages in action against underground trespassers 2:115
Restrictive racial covenants, damages for breach of 15:313
Wrongful death, measure of in Missouri 15:31

DECLARATORY JUDGMENTS
See JUDGMENTS

DEDICATION
Liability after dedication 3:200
Loss of common law copyright of an architectural design by 4:221
Missouri Supreme Court decisions relative to
1944, 10:268; 1946, 12:409

DEED OF TRUST
See LIMITATION OF ACTIONS; MORTGAGES
Foreclosure by power of sale inserted in a mortgage or Trustee's sale under Missouri Supreme Court decisions relative to 1937, 8:368

DESCENT AND DISTRIBUTION
See PROBATE AND ADMINISTRATION; WILLS
Adopted child receives property by law of descent 2:300, 311, 312
Missouri Supreme Court decisions relative to 1938, 4:461; 1941, 7:447
Murder of ancestor 4:210
Pretermitted heirs 19:86
Probate code 1955 20:137
Renunciation by heir at law, effect on creditor 12:67

DIVORCE
See CONFLICT OF LAWS; DOMESTIC RELATIONS; HUSBAND AND WIFE; JURISDICTION
Alimony, suit for after divorce obtained by constructive service 1:344
Connivance, passivity of one spouse toward misconduct of other as constituting 1:88
Full faith and credit in divorce decrees 2:193; 4:268-277
Jurisdiction 2:149-154; 8:177
Recognition of divorce decrees 2:149-54
Williams cases, effect upon recognition of foreign divorce decrees in Missouri 12:339

DOMESTIC RELATIONS
See DIVORCE; HUSBAND AND WIFE; PARENT-CHILD

DOMICIL
See CONFLICT OF LAWS; DIVORCE; TAXATION

DOWER
See PROBATE AND ADMINISTRATION; REAL PROPERTY; WILLS
| DUE PROCESS |
| See CONSTITUTIONAL LAW |

**EADEMENTS**

Absence of "heirs and assigns" as affecting transferability of fishing rights 16:178

Missouri Supreme Court decisions relative to 1937, 3:339; 1939, 5:468; 1947, 13:388; 1948, 14:378; 1949, 15:397

Reserving out of conveyance an easement in favor of third person 10:134

Tax sale of land subject to equitable restrictions 3:326

Words which create an easement 6:245-267

Words of conveyance 6:246

Words implying actual intention to have an easement 6:264

Words of promise 6:253

**ELECTIONS**

Racial discrimination 19:62

See CONDEMNATION; CONSTITUTIONAL LAW

**EMINENT DOMAIN**

See CONDEMNATION; CONSTITUTIONAL LAW

Damages 6:166-191

Appraisal of property 6:179

Building 6:178

Change of grade 6:172

Due process 6:168

Federal decisions 6:181

Fixtures 6:178

Just compensation 6:166

Land 6:178

Leasehold interests 6:175

Measure of damages 6:170

Fifth amendment--Just compensation clause 11:274

Taking of private property to repeated low-level flights of government aircraft 12:70

Value, determination of respective interests on leased premises 3:203

See CRIMES; CRIMINAL LAW AND PROCEDURE

**EMBEZZLEMENT**

Employer - Employee  
See MASTER AND SERVANT; PRINCIPAL AND AGENT; WORKMEN'S COMPENSATION

**EQUAL PROTECTION**

See CONSTITUTIONAL LAW

**EQUITY**

See FRAUDULENT CONVEYANCES; INJUNCTIONS; QUASI CONTRACTS; RECEIVERSHIP; RESTITUTIONS; TRUST; TRUSTEES; UNFAIR COMPETITION

Conclusions  
Missouri Supreme Court decisions relative to 1940, 6:416

Cy pres, application to will construction 5:125

Divorce  
Missouri Supreme Court decisions relative to 1939, 5:424

Erie Railroad v. Tompkins, application to cases in equity 5:197

Equitable action concerning title to realty  
Missouri Supreme Court decisions relative to 1941, 7:348

Equity regarding substance  
Missouri Supreme Court decisions relative to 1940, 6:415

Express trusts, see TRUSTS this index

Federal Rules, fusion of law and equity under 5:8, 23

Fraudulent conveyances, see topic this index

Injunctions  
Missouri Supreme Court decisions relative to 1937, 3:371; 1940, 6:414; 1941, 7:348

Jurisdiction, equity  
Missouri Supreme Court decisions relative to 1940, 6:407

Laches  
Missouri Supreme Court decisions relative to 1938, 4:376; 1940, 6:415

Membership in incorporated society, protections of 1:194

 Receivers  
Missouri Supreme Court decisions relative to 1940, 6:414

Recission, right of corporation where promoters gain secret profit 1:164

Reformation  
Missouri Supreme Court decisions relative to 1937, 3:370; 1940, 6:414

Relief from judicial tax sales  
Missouri Supreme Court decisions relative to 1940, 6:411; 1941, 7:348, 424

Resulting trusts, see TRUSTS this index
| **Right of corporation against promoters for secret profit** | Missouri Supreme Court decisions relative to 1952, 18:359; 1953, 19:328 |
| **Specific performance** | **Declarations, extra-judicial admission** |
| **Statute of frauds: part performance of oral contract for personal service** | **Discovery under Federal Rules** |
| Missouri Supreme Court decisions relative to 1937, 8:368 | 5:7, 12, 26, 32, 42, 45, 50 |
| Vendor and purchaser, See topic this index | **Discovery--scope of interrogatories to party opponent under Missouri code** 11:192 |
| **ESTATES** | **Documentary evidence** |
| See CONVEYANCES; PERSONAL PROPERTY; REAL PROPERTY | Missouri Supreme Court decisions relative to 1937, 3:380; 1938, 4:382; 1941, 7:364 |
| **ETHICS** | **Dying declarations** |
| See ATTORNEY AND CLIENT | proposed extension of the exceptions to recovery rule 2:201 |
| **EVIDENCE** | **Erie R.R. v. Tompkins,** application of to | 5:216 |
| See CIVIL CODE OF PROCEDURE; CRIMINAL CODE OF PROCEDURE; FEDERAL CRIMINAL PROCEDURE; FEDERAL PROCEDURE; INSURANCE; MEDICINE; PRACTICE; WILLS AND ADMINISTRATION | **Examination of opponent under Federal Rules** 5:17 |
| Confessions, admissibility of 17:217 | **Exhibits** |
| Admission of under federal rules 5:16, 49 | Missouri Supreme Court decisions relative to 1940, 6:430 |
| Best evidence | **Expert and opinion evidence** |
| **Circumstantial evidence** | **Hearsay evidence** |
| Missouri Supreme Court decisions relative to 1940, 6:431 | Missouri Supreme Court decisions relative to 1941, 7:363; 1944, 10:260; 1945, 11:358; 1946, 12:394; 1948, 14:354; 1949, 15:359; 1950, 16:368; 1951, 17:396; 1952, 18:356; 1953, 19:327 |
| Code--Proposed for Missouri 20:294 | **Impeachment of former testimony by evidence obtained after first trial** 1:191 |
| **Criminal Law** | **Impeachment of witnesses by character evidence** 20:142-186, 273-306 |
| Missouri Supreme Court decisions in 1954 relative to 20:345 | **Judicial notice** |
| Cross-examination | Missouri Supreme Court decisions relative to 1936, 2:451; 1937, 3:373; 1939, 5:425; 1940, 6:417; 1941, 7:353; 1942, 8:244; 1949, 15:355; 1950, 16:363; 1952, 18:351; 1953, 19:320 | **Dead Man's Statute**
| cross examination 14:285 | dead man statute 14:259 |
| dying declarations 14:318 | expert and opinion evidence 14:294 |
| extra-judicial confessions 14:281 | family history, statements and reputation of 14:310 |
| judges and jurors as witnesses 14:266 | judicial notice, municipal ordinances 14:273 |
| impeachment and rehabilitation 14:291 | mental and physical condition, statements on 14:305 |
| physician-patient privilege 14:277 | possession and boundaries, statements and reputation of 14:308 |
| verdict, competency of juror to impeach whether it should be adopted 14:252 | Rehabilitation of witness by character evidence 20:142-186, 273-306 |
| Testimony in prior proceedings Missouri Supreme Court decisions relative to 1942, 8:246 | Uncontradicted evidence, weight of 1:361 |
| Unfavorable testimony Missouri Supreme Court decisions relative to 1942, 8:246 | Weight and sufficiency of evidence Missouri Supreme Court decisions relative to 1937, 3:382; 1938, 4:381; 1939, 5:429; 1941, 7:367, 377 |
state court 18:185
Witnesses, see topic this index
Workman's Compensation proceedings, evidence in
2:406, 512

EXECUTORS AND ADMINISTRATORS
See CONFLICT OF LAWS; PROBATE AND ADMINISTRATION; WILLS

EXEMPTIONS
See CREDITORS RIGHTS; PROBATE CODE; WILLS AND ADMINISTRATION
Homestead
effect of remarriage by widow 6:80
generally 12:21
Missouri Supreme Court decisions relative to 1945, 11:388
possession as notice 19:183
wife's privilege to claim homestead in estate by the entirety 4:73
Missouri statutes generally 12:34
Personal property exemptions 12:26
Wage exemptions 12:31

EXTRAORDINARY LEGAL REMEDIES
See CERTIORARI; HABEAS CORPUS; MANDAMUS; PROHIBITION; QUO WARRANTO

FAIR TRADE ACTS
Constitutionality of 3:194

FALSE IMPRISONMENT
Liability of individual for arrest made by police 14:217
Missouri Supreme Court decisions relative to torts 1939, 5:469; 1941, 7:442;
1948, 14:407; 1949, 16:412

FEDERAL CRIMINAL PROCEDURE
Resume of United States Supreme Court Decisions: 7:262-301
conduct of jury after cause finally submitted and verdict 7:294-301
consistency of verdicts 7:301
discharge of jury 7:295
indictments 7:299
judgments 7:300
jurors impeaching verdicts 7:300
motion for new trial 7:294
recall of jury 7:296
sealed verdicts 7:298
special verdicts 7:297
verdicts 7:296
conduct of trial; the judge and the prosecuting attorney 7:284-294
confessions 7:289
court's examination of witnesses 7:294
cross-examination 7:289
detectives shadowing jurors 7:290
excluding general public 7:284
grand jury—judge absent 7:287
improper argument by prosecuting attorney 7:287
improper charge to jury 7:293
instructions 7:292
jurisdiction of judge 7:285
necessity of oath to officer 7:291
opinion by Judge 7:294
power to President to remove federal district attorney 7:290
questions to jurors 7:289
separate trials 7:291
evidence 7:266-284
accomplice 7:284
accused's spouse 7:265
admissions 7:278
attorney's reference to defendant's failure to testify 7:268
co-defendant 7:264
competency of witnesses 7:263, 274
confessions 7:278
conspiracy 7:280
credibility of witnesses 7:275
cross-examination 7:275
dying declarations 7:279
evidence 7:277
evidence of former crimes 7:283
evidence of legislative acts 7:271
grand jury 7:270
informer 7:263
instructions 7:278
interpreters 7:282
jurors 7:264, 278
leading questions 7:281
motions to enjoin use of evidence 7:267
motions to suppress evidence 7:267
objections 7:284
opinion, expert 7:282
opinion, non-expert 7:283
presumption and burden of proof 7:271
removal of accused (extradition) 7:269
Rule of Decisions Act 7:263
search and seizure 7:266
secondary evidence 7:284
self defense 7:263
self incrimination 7:278
subpoena duces tecum 7:281
threats 7:283
variance 7:281
warrant of arrest 7:271
wire tapping 7:266

FEDERAL GOVERNMENT
Government liability in tort    7:281
jurisdiction of court of    7:281
claims; eminent domain; taking    7:281
of property by repeated low-
level flights of government    7:281
aircraft 12:70

FEDERAL JURISDICTION
See COURTS; FEDERAL PROCEDURE;
JURISDICTION

FEDERAL PROCEDURE
See JUDGMENTS; PLEADINGS; PRACTICE
Administrative Procedure Act
see administrative procedure
Federal judgments--liens 6:214
Final judgment--cause of    5:110
action
Interpleader--diversity of    5:249
citizenship
Interrogatories, judicial
limitations upon rules
permitting 16:45-58
Liens of a federal judgment,
the 6:247-330
One year of our federal
rules 5:11-55
abolition of demurrer under 5:8, 26
admissibility of evidence
under 5:16, 49
admissions 5:46
allegation of intent in
fraud 5:30
allegation on information
and belief 5:28
allegation of jurisdictional
amount 5:28
alternate juror under 5:16
amending pleadings under 5:36
appeal under 5:20, 53
bills of particular under
5:23, 26, 27, 32, 45
burden of proof 5:23
capacity to sue 5:30
class suits under 5:11, 40
condemnation 5:54
consolidation of causes
for trial 5:48
contempt 5:20
counterclaims 5:34
declaratory judgments 5:18
depositions 5:14, 41
discovery of information
5:7, 12, 50
diversity of citizenship
5:35, 37
examination of opponent 5:17

inconsistent pleadings 5:29
interpleader 5:10, 40, 249
joinder of causes 5:38
joinder of parties 5:9, 38
jurisdiction and venue 5:21
jury trial 5:15, 18, 25, 47, 52
motion for security of
costs 5:34
motion to dismiss 5:8, 26, 30, 31
new trial 5:16; 19:52
offer of evidence 5:17
pleading statute of frauds 5:29
prayer as relief 5:51
pretrial procedure 5:14, 37
reply 5:26
stay of proceedings 5:19
substitution of parties 5:11
sufficiency of complaint 5:27
summary judgment 5:18, 51
theory of case 5:27
third party practice 5:11, 35, 54
voluntary nonsuit 5:16
Physical examination, privilege
against 6:220
Proposed amendments to rules of
civil procedure for the
district courts of the United
States and their significance
to Missouri lawyers:
11:1-30; 77-110
admission of facts and or
genuineness of documents 11:25
appeal to a circuit court
of appeals 11:98
books and records kept by
the clerks and entries
therein 11:107
counterclaim and cross-
claim 11:10
defenses and objections 11:4
depositions pending action 11:16
depositions, persons before
whom may be taken 11:19
depositions upon oral
examination 11:19
discovery and production of
documents and things for
inspections, copying,
photographing 11:24
dismissal of actions 11:27
district courts and clerks
11:106
entry of judgment 11:89
finding by the court 11:82
injunctions 11:93
interrogatories to the
parties 11:21
intervention 11:15
judgments; costs 11:85
motions for a directed verdict
and for judgment 11:77
new trials; amendment of
judgments 11:90
offer of judgment 11:97
parties plaintiff and defendant; capacity 11:14
pleadings allowed 11:4
receivers appointed by federal courts 11:94
record on appeal to a circuit court of appeals 11:101
relief from judgment or order 11:91
subpoena 11:29
summary judgment 11:87
third-party practice 11:12
time, enlargement of 11:1
Removal jurisdiction when question is involved 6:519

FOOD
Manufacturers liability to consumer, not a purchaser for impure food and beverages on basis of implied warranty 2:528
consumer-purchaser for impure foods on basis of implied warranty 2:73
Retailers liability to consumer for food sold to consumer in sealed containers 2:370
Wholesaler’s liability for food sold to consumer in sealed containers 2:235

FORECLOSURE
See BANKRUPTCY; DEEDS OF TRUST; LIMITATIONS OF ACTIONS; MORTGAGES

FRAUD AND DECEIT
Misrepresentation by turning back automobile speedometer 1:363
Promissory statements with present intent not to perform 3:69

FRAUDS, STATUTE OF
See STATUTE OF FRAUDS

FRAUDULENT CONVEYANCES
See BANKRUPTCY; EQUITY
Action to set aside by
grantor 10:229
Conditions precedent to setting aside 4:324
Missouri Supreme Court decisions relative to 1937, 3:368; 1938, 4:374; 1939, 5:418; 1941, 7:347; 1944, 10:274
Right of defrauded creditors to set aside 3:71
Wife’s privilege to claim homestead in estate by entirety 3:73

FUTURE INTERESTS
See PERSONAL PROPERTY and REAL PROPERTY

GOVERNMENT
See COUNTIES; FEDERAL GOVERNMENT; MUNICIPAL CORPORATIONS; STATES

HABEAS CORPUS
Missouri Supreme Court decisions relative to, in: 1937, 3:386; 1938, 4:399; 1939, 5:439; 1940, 6:441; 1941, 7:387; 1942, 8:252

HIGHWAYS
Limited access highway 13:19-44
abutting property owner’s right of access 13:31
compensation under eminent domain 13:27
evolution of Missouri’s major highway laws 13:42
legal rights which they affect 13:24

HISTORY
England 4:178-183
Engaging the law of Fifty years of the United States Circuit Court of Appeals 9:189
Law School history of at the University of Missouri 5:269-292
Value of law to historians 9:144

HOMESTEAD
See EXEMPTIONS; PROBATE AND ADMINISTRATION

HOMICIDE
See CRIMINAL LAW

HUMANITARIAN DOCTRINE
See NEGLIGENCE
Analysis of various situations
discovered mental obliviousness 5:63
discovered physical helplessness 5:65
undiscovered mental obliviousness 5:63
undiscovered physical helplessness 5:64
Antecedent negligence of defendant as affecting application of
Appraisal of the constructive notice aspect of the humanitarian doctrine as applied to a mentally oblivious plaintiff 5:82
Bases of humanitarian doctrine re-examination 5:56-92; 7:395
Confusion with contributory negligence 7:399
Confusion with primary negligence 7:400-402
Defenses of sole cause in cases of Davies v. Mann, doctrine of 10:21
Failure to warn of imminent peril 7:396-401
Imminent peril, position of 5:118, 230; 18:201
Instructions on contributory negligence under 3:324
Last clear chance, distinction between 17:32
Last clear chance, theory of 5:57
Object on railroad tracks 7:320
Origin of humanitarian doctrine 5:72
Pleading 1:73; 20:423
Restriction to public places 4:472
Sole cause instructions 7:399
Sole cause, defense in Missouri in humanitarian cases 10:21
Stopping car on highway without lights at night 4:227
The need for a new appraisal of social value 5:85
Zone of peril 7:185, 397-400
HUSBAND & WIFE
See DIVORCE; PARENT AND CHILD
Action by spouse against husband's employer for injuries caused by husband in scope of employment 2:232
Community property 19:201
Consortium of husband, wife's action for loss of 20:111
Imputing husband's negligence to wife 3:78
Injury to wife--husband's action under humanitarian negligence 17:363
Liability of husband for torts of wife during coverture; "home" as a joint enterprise 11:327; 12:231
Right of one spouse to sue other for personal tort 7:90
Separate maintenance in Missouri 12:138-188
amount of award 12:165
penal statutes 12:187
procedure 12:157
statutory provisions 12:139
construction and application of 12:141
Uniform reciprocal enforcement of support act 17:1; 19:191

INCOME TAXATION
See CONSTITUTIONAL LAW; TAXATION

INFANTS
See ADOPTION; CONFLICT OF LAWS; DOMICIL; NEGLIGENCE; PARENT AND CHILD
Action by infant for alienation of affections of parent 20:117
Action by infant for loss of consortium of parent 20:107
Action by infant to sue for interference with family relation and support 12:358; 15:58
Infant trespassers, see OWNERS AND OCCUPIERS OF LAND, this index
Tort actions between parent and unemancipated minor child 16:65
Unemancipated minor suing another unemancipated minor of the same family 4:330

INFANT TRESPASSERS
See ATTRACTIVE NUISANCE; OWNERS AND OCCUPIERS OF LAND

INJUNCTION
See EQUITY
Against unfair use of corporate name 4:321

https://scholarship.law.missouri.edu/mlr/vol21/iss4/8
| Federal court power to restrain state proceedings | 7:310 |
| Federal rules, injunctions under | 11:93 |
| Norris-La Guardia anti-injunction act | 2:1-27 |
| application of | 2:4-14 |
| constitutionality | 2:1, 27 |
| practice and procedure | 2:15-27 |
| Public nuisance, padlocking | 20:211 |

**INQUESTS**

**See CORONERS**

**INSTRUCTIONS**

See CIVIL CODE OF PROCEDURE

- Burden of proof in res ipsa case | 13:217 |
- Contributory negligence, instructions in humanitarian case | 3:324 |
- Failure to contest | 1:208 |
- Sole cause, instruction as defense of | 7:399; 10:29 |

**INSURANCE**

- Accidental death, Missouri Supreme Court decisions relative to | 1943, 9:325 |
- Accidental means, fall from table as | 1:97 |
- Amounts—regard to federal jurisdiction | 8:131 |
- Assignment, life insurance | 17:100 |
- Automatic premium loan policies and the non forfeiture | 5:331 |
- Breach of warranty against other insurance | 12:70 |
- Burial societies | |
- Missouri Supreme Court decisions relative to | 1940, 6:460 |
- Charitable institution, tort liability | |
- Missouri Supreme Court decisions relative to | 1954, 20:353 |
- Conflict rules, see FOREIGN LAW |
- Construction of policy |
- Missouri Supreme Court decisions relative to | 1938, 4:412; 1939, 5:454; 1940, 6:455; 1942, 8:269; 1943, 9:322 |
- Construction of words "evidence of insurability" in conversion clause of annuity policy | 12:210 |
- Delay in acting upon application as constituting an acceptance | 2:106 |
- Estoppel |
- Missouri Supreme Court decisions relative to | 1938, 4:416 |
- Excepted risks; injuries resulting from war | 12:212 |
- Existence of, as affecting right of one spouse to sue other for personal tort | 7:90 |
- Failure to comply with motor vehicle registration act as affecting purchasers insurable interest | 4:212 |
- Federal jurisdiction, amount involved | 8:131 |
- Foreign law |
- Missouri Supreme Court decisions relative to | 1938, 4:416; 1939, 5:456; 1940, 6:461; 1943, 9:320; 1941, 7:403 |
- "in loco parentis", meaning of | 12:355 |
- Insurable interest | 9:378 |
- Insurable interests of beneficiary of stipulated premium plan life insurance | 15:65 |
- Insurable interest in life-assignment of policy | 6:221 |
- Insurable interest |
- Missouri Supreme Court decisions relative to | 1940, 6:460 |
- Interpretation of clause barring recovery by insured from injuries suffered "while intoxicated" and "where violating the law" | 2:230 |
- Interpretation of clause providing for double indemnity where death resulted from "external, violent and accidental means" | 3:73 |
- Jurisdiction |
- Missouri Supreme Court decisions relative to | 1938, 4:410; 1939, 5:451; 1940, 6:453; 1942, 8:267 |
- Liability for loss occurring after termination of the policy | 5:252 |
- Liability of insurer to insured for refusal to settle claim | 1:198; 18:192 |
- Liquidation of insurance company |
- Missouri Supreme Court decisions relative to | 1940, 6:460 |
- Misrepresentation in application | 8:137 |
- Misrepresentation statute, applicability to delivery-in-sound-health clauses in life insurance contracts | 14:202 |
- Misrepresentation under Missouri statute | 6:338 |
- Misrepresentation |
- Missouri Supreme Court decisions relative to | 1939, 5:455; 1940, 6:456 |
- Missouri Supreme Court decisions | |
relative to:

Mutual benefit company issuance of policy in favor of beneficiary outside statutory category 5:511
Non-forfeiture provisions
Missouri Supreme Court decisions relative to 1938, 4:414; 1940, 6:458; 1941, 7:405; 1942, 8:269
Offer and acceptance
Missouri Supreme Court decisions relative to 1939, 5:453

Parties
Missouri Supreme Court decisions relative to 1954, 20:352
Personal property provision against encumbrances in fire and theft policies 7:67
Preliminary term insurance, special note 12:132
Premium date of a Missouri life insurance policy 12:95
Premiums
Missouri Supreme Court decisions relative to 1943, 9:324
Punitive damages, insurers liability for 14:17
Refusal to settle claim 18:192

Remedies
Missouri Supreme Court decisions relative to 1939, 5:458
Risks of loss as between vendor and purchaser 4:290
School districts, liability insurance for 14:90

Settlements
Missouri Supreme Court decisions relative to 1941, 8:275; 1942, 20:351
Stipulated premium life insurance regulation
Missouri Supreme Court decisions relative to 1954, 20:391
Subrogations, loss exceeding amount of insurance paid 1:285
Superintendent of Insurance--service on foreign insurance companies 5:336
Taxation of insurance company 7:420

Trial practice
Missouri Supreme Court decisions relative to 1938, 4:418; 1939, 5:458; 1941, 7:408; 1942, 8:275
Unemancipated minor suing another unemancipated minor of same family 4:330
Unlicensed foreign insurance companies 17:73-85

enforcement
jurisdiction
Unreasonable refusal to settle claim 1:198; 18:192
Validity of service upon superintendent of insurance in suits against foreign insurance companies 5:336
Vexations delay
Missouri Supreme Court decisions relative to 1941, 7:407
Waiver of delivery in good health clause 14:114
Waiver and estoppel 6:115

INTERNATIONAL LAW
Recognition of foreign governments:
U.S. policy toward, history of 1:312
effect of on standing of foreign government in United States courts 1:314, 316, 319
comity as basis of right to sue 1:315
effect of on validity of acts and decrees of foreign governments 1:318, 319
effect of on private rights 1:312, 316
by political branch of U.S. court, binding on U.S. courts 1:316
Soviet Russia, recognition by U.S. 1:319, 321
standing of Soviet government in U.S. courts, effect on recognition by European governments 1:320, 321
Unrecognized foreign governments 1:317
validity of acts and decrees of 1:317, 318
conflict of laws principles, applicability to question of public policy as affecting 1:324
nationality of parties as factor in determining 1:317
marriage contract 1:322
standing of in United States courts 1:314, 315
effect of recognition on status of Russian companies nationalized by Soviet Government 1:317
War criminals
their prosecution and punishment (Review) 10:237
World court, the U.S. and (Review) 10:145
## INTERPLEADER
See CODE OF PROCEDURE; FEDERAL PROCEDURE; PARTIES

## INTOXICATING LIQUOR
Interpretation of insurance policy clause barring recovery by insurer from injuries suffered while intoxicated 2:230 Twenty-first amendment and I.C.C. 2:292

## INVITEES
See OWNERS AND OCCUPIERS OF LAND

## JOINDER
See CIVIL CODE OF PROCEDURE; FEDERAL PROCEDURE; PARTIES

## JOINT ADVENTURE
See NEGLIGENCE; PRINCIPAL AND AGENT

## JUDGMENTS
See CONFLICT OF LAWS; FEDERAL PROCEDURE

Declaratory judgments under Federal Rules 5:18

## JURIES AND JURORS
See CONSTITUTIONAL LAW; CRIMINAL LAW; FEDERAL CRIMINAL PROCEDURE


## JURISDICTION
See ADMINISTRATIVE TRIBUNALS; APPEAL AND REVIEW; CONFLICTS OF LAWS; COURTS; DIVORCE; EQUITY; INSURANCE

<table>
<thead>
<tr>
<th>Diversity of citizenship cases</th>
<th>12:333</th>
</tr>
</thead>
<tbody>
<tr>
<td>Injunction--power of federal court to restrain state proceedings</td>
<td>7:310</td>
</tr>
<tr>
<td>Justice of peace courts, misdemeanor cases</td>
<td>10:128</td>
</tr>
<tr>
<td>Missouri Supreme Court, appeal from orders of Public Service Commission</td>
<td>2:397</td>
</tr>
<tr>
<td>Over persons</td>
<td>2:146-148</td>
</tr>
<tr>
<td>Personal service on domiciliary outside state</td>
<td>6:346</td>
</tr>
<tr>
<td>Problems in the enforcement of federal judgments</td>
<td>4:19-48</td>
</tr>
<tr>
<td>Removal jurisdiction--when federal question is involved</td>
<td>6:519</td>
</tr>
<tr>
<td>Under Federal Rules</td>
<td>5:21</td>
</tr>
<tr>
<td>Workman's compensation, see topic this index</td>
<td></td>
</tr>
</tbody>
</table>

**JURISPRUDENCE**

My philosophy of law (review) | 7:192 |

Stare decisis (as applied to jurisdiction to divorce) | 8:177-199 |

**JURISTS**

Mansfield and English Dissenters | 2:46-62 |

**LABOR LAW**

See ARBITRATION AND AWARD; CONSTITUTIONAL LAW; WORKMEN'S COMPENSATION

Child labor: federal control of, as suggested by convict labor cases | 2:341 |

Closed shop--agreements | 10:64 |

Collective bargaining, see also National Labor Relations Act agreements | 18:133 |

contracts | 9:256 |

improvements in | 12:1-10 |

Employer-employee relationship, minimum wage legislation effecting | 2:365 |


Individual Rights arising from collective labor contracts basis of | 3:253 |

defenses | 3:266 |

Missouri cases, the remedies of the individual employee | 3:269 |

Internal operations of unions | 17:112 |

Jurisdiction of the courts to decide questions arising out of collective bargaining agreements | 11:62 |

Jurisdiction of federal and state courts | 19:119; 20:353 |

Local activity affecting interstate commerce | 4:317 |

Labor disputes, jurisdiction of courts | 19:119; 20:353 |

Management's objectives in collective bargaining | 17:231 |

Missouri labor law survey | 18:93 |

"anti-truck" legislation | 18:93 |

boycotts | 18:107 |

conspiracy | 18:107 |

hours | 18:172 |

injury | 18:107 |

internal union disputes | 18:144 |

King Thompson Act | 18:154 |

labor unions | 18:93 |

miscellaneous cases | 18:172 |

picketing | 18:107 |

service letter cases | 18:103 |

union label, forged | 18:175 |

wages | 18:172 |

working conditions | 18:172 |

Missouri Supreme Court decisions in 1953 relative to 1951, 19:331; 1954, 20:353-361 displaying of union shop card | 20:358 |

employees right to service letter | 20:361 |

liability of employer during seizure by state under King Thompson Act | 20:359 |

National Labor Relations Act, collective bargaining: action to enforce rights created by NLRB agreements | 11:63 |

agreements | 11:62-72 |

bargaining representatives, the closed shop, and discrimination | 12:255 |

employee status and the proper bargaining unit | 12:250 |

prohibition of union solicitation on premises of the employer | 12:247 |

rights not dependent on
NLRA rights not dependent on NLRA (state) 11:67
refusal to bargain; contracts with the individual employees 12:247
voting and election of bargaining representatives 12:255
Norris-LaGuardia Anti-Injunction Act 2:1-27
application 2:4-14
cases between 1941-1947 12:263-277
constitutionality 2:1, 27
construction of 2:1
practice and procedure 2:15-27
Public control of labor relations (review) 8:219
Railway Labor Act, the 12:257-263
bargaining representatives, the closed shop, and discrimination 12:257
Reinstatement of sit down strikers by the NLRB 4:216
Sherman Anti-Trust Act, the 12:278-285
Selective Service and Training Act, the 12:286-292
Some recent labor cases: 1941-1947 12:235-309
anti-racketeering act, the 12:286
Fair Labor Standards Act, the 12:293-309
freedom of speech and press 12:235-247
for the employee 12:235
for the employer 12:241
Taft-Hartley Act, rights and obligations of strikers 13:1-18
discrimination against employee for participation in strike 13:7
employee misconduct and the purpose of the strike 13:10
employee status during strike 13:2
jurisdiction of state court over matter within 20:353
right to replace strikers 13:13

LAW

LAW SCHOOL
Law School, History of University of Missouri Law School 5:269-292
News 7:42, 468; 8:129

LAWYERS
See ATTORNEYS

LANDLORD AND TENANT
See CONDEMNATION; PROPERTY; STATUTE OF FRAUDS
Action by tenant excluded from possession 3:299
Acts of government as affecting landlord and tenant 5:239
alterations and improvements ordered 5:243
condemnation because unsafe or unsanitary 5:241
condemnation under eminent domain 5:239
relationship 5:239
requisition of use by governments 5:241
restriction of use by policy of power of state 5:242
Bailor-Bailee relation, analogy of to, landlord-tenant relation 1:121-122
Condemnation, effect on leased premises 3:203
Constructive eviction, relaxation of abandonment requirement during critical housing shortage 11:440
Contract by lessor, as basis of tort liability 3:322
Gold legislation, application of, to leases containing gold clauses 2:219
Lease, construction of as concerning assignments and subleases 18:34
Legal rights of tenant excluded from possession 3:299
Lessors duty to repair 2:42
Missouri Supreme Court decisions relative to in:
Parol reduction of rent under written lease 2:519
Periodic tenancy arising from occupancy under void lease, notice to terminate 13:324
Rent control laws, mixed accommodations under 13:277
Tort liability of lessor for disrepair 9:110

LARCENY
See CRIMES; CRIMINAL LAW

Law and the new liberties 4:105-113
On Englishing the law of England 4:178-183
Studying law 11:73

Published by University of Missouri School of Law Scholarship Repository, 1956
LIMITATION OF ACTIONS

Amendment of petition, effect of 15:312
Disability wrongfull confinement in insane asylum not a disability to toll statute requiring action for malpractice to be brought within two years after the cause of action arises 12:86
Disbarment 1:283
Federal rules with regard to 5:5, 23, 29, 37
Foreclosure effect on statute 9:331
20 year statute on foreclosure 19:186
Liability to dam owner for flooding caused by sedimentation; effect of 15:166
Malpractice 9:102; 12:86
Nonsuits, effect upon 5:156
Property MO Suarez Supreme Court decisions relative to 1951, 17:401
Rights of entry and possibility of reverter statute of limitations or latches as applied to 13:81
Tax deeds, three year statute 20:87
Third party beneficiaries, actions by 14:108
Thirty-one year statute in Missouri 13:83

MALPRACTICE

Statute of limitations 9:102
Missouri Supreme Court decisions relative to Torts in: 1942, 8:298; 1953, 19:358

MALICIOUS PROSECUTION

Missouri Supreme Court decisions relative to Torts 1937, 3:435; 1939, 5:489; 1947, 13:424; 1952, 18:405
Probable cause: acquittal, discharge and abandonment effecting 4:78
function of judge and jury in determining 4:80
inferred from conviction reversed on appeal 4:225
prior conviction of judgment as conclusive evidence of 12:486

MANDAMUS

Federal Rules concerning 5:21
Missouri Supreme Court decisions
MARRIAGE
See DIVORCE; HUSBAND AND WIFE
Restraint of marriage in teachers contracts 1:189

MEDICINE
Medico-legal aspects of injuries from exposure to X-rays and radioactive substances:
character of radiation injuries in particular tissues 11:167
children of irradiated parents 11:186
cyclotron radiation and artificially radioactive substances 11:142
general principles of tissue responses radiation 11:162
hazards in the use of radiation 11:150
medical use of radiation 11:149
nature and hazards of non-medical uses of radiation 11:149
radium and radon: properties and dosage 11:140
summary and discussion 11:189
X-rays; nature, production, physical properties and dosage 11:138
Medico-legal aspects of spinal cord injuries: 11:111-136
amyotrophic lateral sclerosis 11:131
anatomy and physiology 11:112
multiple sclerosis 11:127
spinal cord tumors 11:135
syphilis of the spinal cord 11:133
syringomyelia 11:135
the neurological examination and the significance of various findings 11:115
types of spinal cord injury 11:118

MASTER AND SERVANT
See LABOR LAW; PRINCIPAL AND AGENT; WORKMAN’S COMPENSATION
Action by spouse against husband’s employer for injuries caused by husband in scope of employment 2:232
Borrowed servant doctrine, concerning control 14:96
Federal Employers Liability Act 9:264, 283
Fellow servant rule and the master’s duty to maintain a safe place to work 13:327
Masters liability for assault committed by servant during seizure by state under King-Thompson Act 20:359
injury caused by horseplay committed by servant 8:71
negligence of borrowed servant 12:216
rescuer of negligent servant in peril 16:68
Ratification of servant’s tortious act 6:99
Scope of employment abandonment and re-entry 6:331
frolic and detour, tests of determining 2:351
Torts employer-employee relationship 9:283
Missouri Supreme Court decisions relative to in:

MILITARY LAW
See ARMED SERVICES

MISSOURI BAR ASSOCIATION
Committees recommend procedural rules to be made by Supreme Court 1:267

MISSOURI SUPREME COURT
Missouri Supreme Court decisions, see particular topics this index
Statistical Survey of decisions in the year,
The last 35 years under 1875 constitution 10:239

MONOPOLY AND ANTI-TRUST LAWS
Anti-trust legislation, historic origins of 18:215
Sherman Act—history of 18:215
MORTGAGES
See LIMITATION OF ACTIONS;
PERSONAL PROPERTY
Accession, tires to motor vehicles 13:314-319
mortgagee of accessory v. mortgagor of accessory 13:317
mortgagee of accessory v. pre-existing mortgage of vehicle 13:317
mortgagee of accessory v. subsequent encumbrancer or purchaser 13:318
mortgage of vehicle v. mortgagor of vehicle 13:317
Foreclosure:
deficiency judgment after, Missouri Supreme Court decisions relative to 1937, 3:339
impairment of mortgagee's rights by Frazier-Lemke Acts: See Bankruptcy
Missouri Supreme Court decisions relative to 1943, 9:328, 331
power of sale included in a deed of trust or: 4:186
Twenty year statute of limitations 19:186
Mortgage theory in Missouri, real estate 6:200

MOTIONS
See APPEAL AND REVIEW; CIVIL CODE OF PROCEDURE; FEDERAL PROCEDURE; PARTIES; PLEADING
Arrest of judgment function in appellate procedure 2:286
Directed verdict under section 112 of code 11:426
federal procedure 11:421
Dismiss petition 11:421
New trial function in appellate procedure 2:285
statement of grounds for 1:125
new code interpreted 11:429

MOTOR VEHICLE REGISTRATION ACT
Failure to comply with, as affecting purchaser's insurable interest 4:212

MOTOR VEHICLES
See AUTOMOBILES; CARRIERS;

NEGLIGENCE
Owner's liability to third parties where earth moving machine left unattended 18:205
Missouri Supreme Court decisions relative to Torts operator of motorcycle 1938, 4:441

MUNICIPAL CORPORATIONS
Municipal Councils compared with Legislatures 17:139-158
continuity 17:139
delegation of authority 17:145
extent of law making 17:149
judicial notice 17:144
judicial review 17:146
non-republican form 17:143
ordinances--force of law 17:155
separation of powers 17:145
Powers of:
generally 16:118-135
conflict with state law and policy 16:121
exercise of power 16:130
extraterritoriality 16:126
Taxes
Missouri Supreme Court decisions in 1945 relative to taxation 11:393-394
taxes levied by municipal corporations 11:393
revenue bonds of municipal corporations 11:394
Tort liability in Missouri dangerous streets because of snow and ice 2:108
governmental functions 3:280
liability irrespective of nature of the act 3:294
proprietary functions 3:286
statutory requirement of notice 3:296
Ultra vires contracts indefinite consideration 20:316
Violation of parking ordinance, presumption act was committed by owner 15:191

MURDER
See CRIMINAL LAW

NATIONAL LABOR RELATIONS ACT
See LABOR LAW
NATURALIZATION
Statutory construction 11:339

NAVIGABLE WATERS
See ACCRETION; WATERS AND WATER COURSES

NEGligence
See ATTRACTIVE NUISANCE; AUTOMOBILES; CARRIERS; HUMANITARIAN DOCTRINE; MALPRACTICE; MASTER AND SERVANT; OWNERS AND OCCUPIERS OF LAND; SUPPLIERS AND MAKERS OF CHATTELS; WRONGFUL DEATH
Act of God, Where defendant's act concours with 4:83
Administrative order violation of as negligence per se 8:216
Allegations of under Federal Rules 5:27
Antecedent negligence; see Humanitarian Doctrine, this index
"Assured clear distance" rule 18:79
Attractive nuisance; See Attractive Nuisance, this index

Causation
causation in fact differentiated from legal causation 6:124
concurrent causes 2:521
Missouri Supreme Court decisions relative to: 1936, 2:477; 1937, 3:430; 1938, 4:445; 1939, 5:485; 1940, 6:421; 1941, 7:439; 1943, 9:351

suicide as intervening cause 12:89
where defendant's act concurs with Act of God 4:83
Comparative negligence 9:264
Contracting against liability for negligent conduct 4:55
Contributory negligence
duty to look 18:323
failure to stop at railroad crossing 14:124
instructions upon under

humanitarian doctrine 3:324

speed 18:79
Dangerous third person 18:80
Defenses in cases of 19:363

Defenses

Husband's liability for torts of wife during coverture--"home" as a joint enterprise 11:327

Humanitarian Doctrine
See Humanitarian Doctrine, this index

Imputed negligence
imputing husband's negligence to wife 3:78

last clear chance
Humanitarian Doctrine, work of supreme court relative to, this index

Liability for death of, or injury to rescuer 11:317; 16:68

Liability for injuries from kite string coming in contact with electric wires 3:76

Liability for physical consequences resulting from emotional disturbance 2:36, 67, 251

Machinery left unattended 18:205

Malpractice
See Malpractice, this index

Pleadings
failure to plead negligence in due time 1:81
general allegations of negligence, advantages of with particular reference to highway cases 6:512
pleading and submitting case on double theory of ordinary negligence and the humanitarian doctrine 1:73
Possessor of premises
See Owners and Occupiers of Land, this index

Public accountants, duty of Missouri Supreme Court decisions
CUMULATIVE INDEX

reasonable to

1945, 11:402

Reasonable man, qualities

of

16:1-26

age

16:22

emotional characteristics

16:17

experience

16:5

judgment

16:4

knowledge

16:5

mental characteristics

16:17

perception of the risk

16:5

physical characteristics

16:17

sanity

16:22

Rescue
duty to aid third persons in

position of peril

8:205
duty of employer to rescuer of

negligent servant in peril

16:68

liability for death of, or

injury to, one seeking to

effect

11:317

Missouri Supreme Court decisions

relative to

1946, 12:471

Res Ipsa loquitur

action by employee against

employer

9:283

application to airplane in

flight

18:326

bottled beverages

16:76

Missouri Supreme Court decisions

relative to

1953, 15:361

effect of approved burden of

proof

13:217

effect of pleading specific

negligence

13:110

Missouri Supreme Court decisions

relative to

1936, 2:474; 1937, 3:429;

1938, 4:442; 1939, 5:483

Subsequent injuries, liability

for

2:44

Supplier of chattels, see topic

this index

Wanton and reckless misconduct

Missouri Supreme Court decisions

relative to

1949, 15:472

Wrongful death

See Wrongful Death, this index

NEGOTIABLE INSTRUMENTS

See BILLS AND NOTES

NEW TRIAL

See FEDERAL PROCEDURE; JUDGMENTS

Code

Missouri Supreme Court decisions

in 1954 relative to

20:397

Missouri Supreme Court decisions

in 1955--the new general code

interpreted:

11:427-430

granting of new trials

11:427

motions for new trial

11:429

new trial ordered by court

on own initiative

11:430

Under federal rules

5:16, 19, 52, 11:90

NUISANCE

-Continuing

1:199

Funeral home as

Missouri Supreme Court decisions

relative to

1940, 6:461

Pollution of surface waters

18:74

Public nuisance, padlocking

tavern

1:199

OFFICERS

See PUBLIC OFFICERS AND EMPLOYERS

OWNERS AND OCCUPIERS OF LAND

See ATTRACTIVE NUISANCE; LANDLORD

AND TENANT

Business visitor--invitee

acts of third person

16:189; 18:80

generally

1:58

on premises let for public

purpose

16:71

public bathing resort on

natural stream

20:320

waxed floors

2:374

Infant trespasser

dangerous trash dump

20:101

dynamite caps left

abandoned

19:94

generally

1:49

https://scholarship.law.missouri.edu/mlr/vol21/iss4/8
liability of electric power enterprises to 4:366
restatement annotation 2:39

Licensees
duty of look out 7:171
generally 1:51
government officials, duty owed to:
city water inspectors 2:111
federal sanitary inspectors 2:111
firemen 1:56; 2:112
police 1:56; 2:112
postmen 2:110
revenue agents 2:111

Missouri Supreme Court decisions relative to torts in:
1936, 2:467; 1937, 3:421;
1938, 4:438; 1939, 5:467;
1940, 6:485; 1941, 7:426;
1942, 8:282; 1943, 9:541; 1944, 10:282;
1945, 11:1397; 1946, 12:422;
1947, 13:382; 1948, 15:405;
1949, 16:397; 1950, 17:414;
1951, 18:387; 1952, 20:372

Persons off the premises openings in sidewalk of abutting owner 6:122
Rylands v. Fletcher in Missouri 18:53-60
damage caused by blasting 18:56
escape of fire 18:53
explosion of stored explosives 18:57
water from dam 18:59

Social guests
generally 1:58
Missouri Supreme Court decisions relative to torts 1936, 2:467
unsafe approach to premises 4:470

Trespassers
duty of lookout 7:171
generally 1:46

PARENT AND CHILD
Alienation of parent's affections from child 20:117
Child's action for loss of consortium of parent 20:107
Custody of children in artificial insemination cases 15:153
Interference with family relation and support, right of children to sue for 12:358; 15:58
Parent's action for loss of child's services 20:120
Tort actions between parent and unemancipated minor child 16:65

Class suits under the Federal Rules 5:10
Civil Disability when does it begin? 16:136
Constitutionality of statute, who may challenge 2:442
Naming corporation as defendant 15:311
Real party in interest 1:285
Unincorporated association as suitable entity 1:99

PARTNERSHIPS
Liabilities of partners in Missouri 15:176
Partner's immunity from suit 20:214
Reduction of corporate taxes by the use of separate partnerships 15:138
Rights of separate creditors against partnership assets 17:185
Uniform Partnership Act of Missouri 14:133-146

PATENTS
See COPYRIGHTS; UNFAIR COMPETITION
Legal protection of ideas as property at common law 4:240
by contract 13:91
by patent 4:246

PERSONAL PROPERTY
See REAL PROPERTY
Accession, see MORTGAGEES, this index
Automobiles, necessity of registration of title 9:334
Book reviews of casebook 7:324
Chattel mortgages--automobiles--notation on certificate of title 16:156
Community property--income taxation 10:312
Delivery of gifts
Missouri Supreme Court decisions relative to 1942, 8:280
Deposit of grain in elevator as bailment of sale 16:62
Emblements, replevin of growing crops upon conveyed land 8:124
Estates by entirety in joint bank accounts 8:213
Expectancy: possibility of transfer of 2:215
Finding lost goods 16:31
Factor's Lien Act 17:66
Future interests in chattels, real and personal 1:119-144
bailment and landlord and tenant relationships 1:121

Published by University of Missouri School of Law Scholarship Repository, 1956
<table>
<thead>
<tr>
<th>Development, in United States</th>
<th>1:143</th>
</tr>
</thead>
<tbody>
<tr>
<td>chattels personal</td>
<td>1:142</td>
</tr>
<tr>
<td>term for years</td>
<td>1:141</td>
</tr>
<tr>
<td>traditional technique</td>
<td>1:141</td>
</tr>
<tr>
<td>executory devise</td>
<td>1:137</td>
</tr>
<tr>
<td>development of</td>
<td>1:137</td>
</tr>
<tr>
<td>present status of, in England</td>
<td>1:139</td>
</tr>
<tr>
<td>importance of trust and</td>
<td>1:119</td>
</tr>
<tr>
<td>will in</td>
<td>1:119</td>
</tr>
<tr>
<td>inter vivos creation of</td>
<td>1:133</td>
</tr>
<tr>
<td>interesse termini, abrogation</td>
<td>1:137</td>
</tr>
<tr>
<td>of in England</td>
<td>1:137</td>
</tr>
<tr>
<td>use and occupation</td>
<td>1:131</td>
</tr>
<tr>
<td>abandoned as to chattels</td>
<td>1:131</td>
</tr>
<tr>
<td>real</td>
<td>1:131</td>
</tr>
<tr>
<td>applied to chattels, real</td>
<td>1:127</td>
</tr>
<tr>
<td>or personal</td>
<td>1:127</td>
</tr>
<tr>
<td>retained as to chattels</td>
<td>1:131</td>
</tr>
<tr>
<td>personal</td>
<td>1:131</td>
</tr>
<tr>
<td>Gift of registered bonds</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1943, 9:334</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1942, 8:276-282; 1943, 9:325-335</td>
<td></td>
</tr>
<tr>
<td>Tax, avoidance of</td>
<td>10:138</td>
</tr>
<tr>
<td>Taxation</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1943, 9:337</td>
<td></td>
</tr>
<tr>
<td>Trusts, sustaining imperfect gifts as</td>
<td>7:81</td>
</tr>
</tbody>
</table>

### PHYSICIANS AND SURGEONS

See MALPRACTICE

#### PLEADINGS

See CODE OF CIVIL PROCEDURE; CODE OF CRIMINAL PROCEDURE; FEDERAL PROCEDURE; PARTIES; PRACTICE

Amendment of pleading after running of Statute of Limitations 4:49

Counterclaim mutual libel as arising out of the same transaction 1:201

under the Federal Rules 5:34

Defamation in pleadings, liability for 9:177

Departure 5:90

Federal procedure 11:1-15

counterclaim and crossclaim 11:10

defenses and objections 11:4

intervention 11:15

parties—plaintiff and defendant; capacity 11:14

pleadings allowed 11:14

third-party practice 11:12

time, enlargement of 11:1

General allegations of negligence, advantages of with particular reference to highway 7:81

Cases 6:512

General denial evidence admissible under 6:522

Humanitarian Doctrine

abandonment of primary negligence and submission under Humanitarian Doctrine 20:423

submission of case of ordinary negligence and humanitarian doctrine 1:73

Interpleader act of 1936 5:250

diversity of citizenship 5:249

under Federal Rules 5:10, 40

Joinder under the Federal Rules 5:9, 29

Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted 11:420-422

amendments to pleadings 11:422

exhibits are parts of a pleading 11:421

necessity of pleading negligence 11:421

parties 11:420

setting forth claims for relief 11:421

Motions

Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted: 11:421-426

motion for directed verdict under section 112 of the code 11:426

motions to dismiss petition 11:421

proper method of attacking non-joinder of parties 11:421

Naming corporation as defendant 15:311

Negligence

failure to plead in due time 1:81

Non-joinder of co-obligees—waived by failure to demurrer 6:364

Objecting to pleadings and obtaining summary judgment 4:144-177

Connecticut 4:139

Delaware 4:155

Massachusetts 4:151

New Jersey 4:128

New York 4:115

Pennsylvania 4:145

Pleading and submitting case on double theory of ordinary negligence and the humanitarian doctrine 1:73

Proof of essential matter as affecting failure to state cause of action 2:357

[https://scholarship.law.missouri.edu/mlr/vol21/iss4/8](https://scholarship.law.missouri.edu/mlr/vol21/iss4/8)
Res ipsa loquitur, effect of pleading specific negligence 20:220, n. 22
Splitting of causes of action 1:199
Third party practice under the Federal Rules 5:11, 35, 54
Unconstitutionality of statute as defense when raised 1:101
Voluntary and involuntary nonsuits in Missouri 5:131-165
conclusions 5:159
effect of counterclaim on plaintiff's right to take nonsuit 5:141
involuntary nonsuits 5:142
statute of limitations 5:156
time for taking nonsuits 5:138
Workman's Compensation, see topic this index

PRACTICE
See CODE OF CIVIL PROCEDURE; CODE OF CRIMINAL PROCEDURE;
EVIDENCE; FEDERAL PROCEDURE; INSURANCE; JUDGMENTS; NEW TRIAL; PLEADING; TRIAL
Abolition of writs of error 8:330-335
Alternate jurors 5:118
Attachment and execution 5:19-20
Attachment of real estate under Federal Rules 5:19-20
Depositions
documentary evidence 9:42
under federal rules 5:14-41
Domicile as a basis of jurisdiction--service required in actions in personam 6:346
Erie Railroad v. Tompkins as applicable to 5:212
Execution, satisfaction of judgment out of property on debtor's person 1:272
Forum non conveniens--Federal Employers' Liability Act 16:174
Interrogatories to party opponent, scope of 11:192
Issuance of Process 3:5, 28, 31
Joint tort-feasors, contribution in Missouri between, how affected by third party practice, cross-claims, and consolidation of actions 13:223
Missouri Supreme Court decisions in 1945--the new general code for civil procedure interpreted 11:417
extending the time for doing specified acts 11:418
filling of papers 11:418
service of papers 11:418
Nonsuits, voluntary and involuntary in Missouri 5:131-163
Undated summons, validity of 2:112
Validity of service upon superintendent of insurance in suits against foreign insurance companies 5:336

PRINCIPAL AND AGENT
See EVIDENCE; MASTER AND SERVANT; WORKMEN'S COMPENSATION
Agent acting without authority--implied warranty 16:59
Agent's wife, liability of principal to when injured by agent in scope of employment 2:232
Apparent authority of agent of undisclosed principal 1:343
Automobile salesman, extent of authority to exchange 5:324
Conversion: liability of livestock commission merchant for sale of livestock consigned by one not the owner 12:65
Death of principal as terminating agent's power to act 12:50
Presumption of agency from name of principal on motor vehicle 2:213
Ratification 15:178
Ratification of agent's act by undisclosed principal 1:343
Scope of permission under omnibus clause 16:458
Undisclosed principal--apparent authority of agent of ratification by 1:343

PRIVACY
Invasion of right of privacy publication of photograph 15:104
generally 5:343
publication of news item 6:233
television as 15:48
Limiting defense of "public interest" 8:74
Missouri Supreme Court decisions relative to in: 1942, 8:304

PROBATE AND ADMINISTRATION
See WILLS: DESCENT AND DISTRIBUTION
Administration of intangibles 19:1
Advancements generally 18:249-279
intention of donor 1:79
presumption of 1:78
right of retainer 18:249
Administrators and rights of heirs 2:497
Ancillary Administration,
Article IV, Sec. 2 U.S. Constitution as applied to extra-state claims 2:103

Assets
right to sue on unadministered assets after administration 1:284

Costs, will contests 3:330

Claims
establishment of exhibits of claims for classification 3:06
Missouri Supreme Court decisions relative to 1943, 9:361
non-claim statute, extra-territorial effect of in action against heirs 1:357
payment by representative proof of extra-state claims in ancillary administration 2:103

Domicile
conflicting adjudications of domicile as affecting jurisdiction to grant letters 1:192

Election of spouse
effect of failure of guardian of insane widow to renounce will within time specified by statute 13:120

Missouri Supreme Court decisions relative to 1943, 9:364; 1944, 10:304

Executors and Administrators
Missouri Supreme Court decisions relative to 1942, 8:318

Fees of Attorneys
Missouri Supreme Court decisions relative to 1952, 18:419

will contests 3:330

Inventory
personalty passing to surviving spouse under statutory allowance 18:84

Jurisdiction of circuit court in suit for expenses of administration 13:89

Missouri Supreme Court decisions relative to Probate and Administration

Probate Code 1955
allowances to spouse and minor children 20:123
claims 20:134
descent and distribution 20:137
descendants estates 20:128

dispensing with administration 20:130
executors and administrators 20:130

granting letters 20:128
guardianship 20:139
inventory, collections, and management 20:132
partnership estates 20:132
settlements and distribution 20:135
wills 20:138

Statutory allowances
Missouri provision compared to Model Code 17:348
Missouri Supreme Court decisions relative to 1939, 5:500; 1947, 13:430

surviving spouse 18:84

Tenancy by the entirety, disposition of property where one co-tenant murders the other 13:463

Uniform simultaneous death act in Missouri 13:230

PROCEDURE
See ADMINISTRATIVE PROCEDURE; APPEAL AND REVIEW; CIVIL CODE OF PROCEDURE; CRIMINAL CODE OF PROCEDURE; FEDERAL PROCEDURE; PRACTICE; TRIAL

PROHIBITION
Missouri Supreme Court decisions relating to 1936, 2:419; 1937, 3:388; 1938, 4:403; 1939, 5:442; 1940, 6:444; 1941, 7:392; 1942, 8:256

PROPERTY
See PERSONAL PROPERTY; REAL PROPERTY

PUBLIC OFFICERS AND EMPLOYEES
See OWNERS AND OCCUPIERS OF LAND; SEARCH AND SEIZURE

County agent and Missouri budget law 1:275

PUBLIC SERVICE COMMISSIONS
See ADMINISTRATIVE LAW; PUBLIC UTILITIES

Doctrine of precedents and public service commissions: 11:31-61
reference to stare decisis or to precedents 11:38

technique of decision 11:45

Jurisdiction of Missouri Supreme Court on appeal from orders of Public Service Commission 2:397

Legislative or judicial in nature 2:331
Missouri Supreme Court decisions for 1936 relative to jurisdiction of supreme court 2:397
orders exceeding statutory authority of commission 2:405
orders relating to interstate commerce 2:401
orders relating to railroad building and improvement 2:403
rate fixing in relation to prior existing contracts 2:399
Missouri Supreme Court decisions relative to 1943, 9:303
Practice by laymen before court may punish for contempt 2:314, 336

PUBLIC UTILITIES

See TAXATION
Federal Power Commissions
Powers Act 1:256
Interstate commerce, regulation of public utilities in
1:245-249
Motor Carrier Act of 1935 1:249
Communications Act of 1934 1:252
Public Utility Act of 1935 1:255
Federal Power Act 1:255
Public Utility Holding Co. Act of 1935 1:258
Missouri Supreme Court decisions relative to 1936: 2:457-460; 1937, 3:403-410; 1938, 4:429-431; 1939, 5:473-475; 1940, 6:472-475
Public Utility Act of 1935 1:255
Federal Power Commission Act 1:255
Federal Utility Holding Company Act 1:258
Securities and Exchange Commission, powers of 1:258, 259
Rate fixing, depreciation as an element in 1:145
amount of percentage allowed 1:158
depreciation base 1:155
depreciation defined 1:186
depreciation reserve 1:158
kinds of depreciation 1:147-148
methods of computing depreciation 1:149
purpose of allowing depreciation 1:154
Regulation of federal regulation, effect on state power 1:245
state and federal jurisdiction to regulate 1:246, 247
cooperation between federal and state commissions 1:248-249
Securities and Exchange Commission, powers of 1:258, 259
Taxes as operation costs 17:52

QUASI-CONTRACT

See EQUITY; FRAUD; UNJUST ENRICHMENT
Action at remedy for 1:229, 232-233
Constructive trusts; see TRUSTS
Duress as basis of 1:233
Distinguished from constructive trusts 1:232
Distinguished from tort 1:227-228
Fraud as basis of 1:234
History of 1:226
Litigation over small amounts 1:233
Misrepresentations as basis of 1:234
Mistake as basis of 1:228, 234-235

QUO WARRANTO

Missouri Supreme Court decisions relative to:
1937, 3:391; 1938, 4:406; 1939, 5:442; 1940, 6:446;
1941, 7:394; 1942, 8:259
Procedure as applied against public utilities 2:457

RAILROADS

See CARRIERS; PUBLIC SERVICE COMMISSION; PUBLIC UTILITIES
Liability for delaying fire trucks 16:74
No duty owed to persons sitting on pier of railroad bridge 14:209
Torts by and negligence of 1:229
Missouri Supreme Court decisions relative to in:
1940, 6:487; 1941, 7:432;
1942, 6:296; 1943, 9:345;
1944, 10:284; 1945, 11:400;
1946, 12:427; 1947, 13:404;
1948, 14:387; 1949, 15:408;
1950, 16:400; 1951, 17:514;
1952, 18:399; 1953, 19:352;
1954, 20:374

REAL PROPERTY

See ACCRETION; ADVERSE POSSESSION; CONVEYANCES; COVENANTS;
DEDICATION; EASEMENTS; EMINENT
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page Numbers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adoption and related problems</td>
<td>Missouri Supreme Court decisions relative to 1948, 14:372; 1953, 19:336</td>
</tr>
<tr>
<td>Alienability</td>
<td>Missouri Supreme Court decisions relative to 1945, 11:387; 1946, 12:407</td>
</tr>
<tr>
<td>Chattel real, distinction from realty</td>
<td>18:61</td>
</tr>
<tr>
<td>Common law, and statute law of England</td>
<td>Missouri Supreme Court decisions relative to 1951, 17:398</td>
</tr>
<tr>
<td>Community property</td>
<td>10:312</td>
</tr>
<tr>
<td>Condemnation</td>
<td>theory of 19:201</td>
</tr>
<tr>
<td>Contingent remainders alienability</td>
<td>Missouri Supreme Court decisions relative to 1937, 3:400</td>
</tr>
<tr>
<td>Destructibility of in Missouri</td>
<td>common law doctrine 6:268-296</td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1937, 3:499</td>
<td>6:268</td>
</tr>
<tr>
<td>Missouri authorities</td>
<td>6:276</td>
</tr>
<tr>
<td>Reform in England</td>
<td>6:273</td>
</tr>
<tr>
<td>Reform in Illinois</td>
<td>6:274</td>
</tr>
<tr>
<td>Contract to sell, effect on insurance</td>
<td>Missouri Supreme Court decisions relative to 1937, 3:399</td>
</tr>
<tr>
<td>Contracts for sale of real estate</td>
<td>Missouri Supreme Court decisions relative to 1952, 18:371</td>
</tr>
<tr>
<td>Co-tenant, right to open mine</td>
<td>10:234</td>
</tr>
<tr>
<td>Covenants, also see topic this index</td>
<td>damages where breach of covenant for title 4:194</td>
</tr>
<tr>
<td>damages for breach of racial restrictive covenants 15:313</td>
<td>Missouri Supreme Court decisions relative to 1940, 6:466; 1942, 8:276; 1946, 12:413; 1948, 14:371; 1952, 18:373, 372; 1954, 20:367</td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1940, 6:466; 1942, 8:276; 1946, 12:413; 1948, 14:371; 1952, 18:373, 372; 1954, 20:367</td>
<td>racial restrictive covenants 19:58</td>
</tr>
<tr>
<td>Deficiency Judgment after mortgage foreclosure</td>
<td>Missouri Supreme Court decisions relative to 1937, 3:339</td>
</tr>
<tr>
<td>Descriptions</td>
<td>Missouri Supreme Court decisions relative to 1937, 3:401</td>
</tr>
<tr>
<td>Dower in estate by the entireties</td>
<td>13:321</td>
</tr>
<tr>
<td>Dumpor's case in Missouri</td>
<td>18:34</td>
</tr>
<tr>
<td>Effective date of laws</td>
<td>Missouri Supreme Court decisions relative to 1952, 18:366</td>
</tr>
<tr>
<td>Ejectment</td>
<td>Missouri Supreme Court decisions relative to 1937, 3:402; 1944, 10:270; 1949, 15:379</td>
</tr>
<tr>
<td>Emblements--replevin of growing crops upon conveyed land 8:124</td>
<td>Escrow Missouri Supreme Court decisions relative to 1951, 17:404</td>
</tr>
<tr>
<td>Estates by the entirety, see tenants by infra</td>
<td>17:177</td>
</tr>
<tr>
<td>Executory limitations following power of disposal</td>
<td>11:274</td>
</tr>
<tr>
<td>Fifth amendment--just compensation clause</td>
<td>11:274</td>
</tr>
<tr>
<td>Foreclosure</td>
<td>Missouri Supreme Court decisions relative to 1943, 9:328, 331</td>
</tr>
<tr>
<td>Future interest accumulations</td>
<td>6:111</td>
</tr>
<tr>
<td>duration</td>
<td>6:111</td>
</tr>
<tr>
<td>Missouri law of limitations to the grantor's or devisors' heirs</td>
<td>5:232</td>
</tr>
<tr>
<td>Homestead exemptions, see EXEMPTIONS</td>
<td>Intent, determination of Missouri Supreme Court decisions relative to 1941, 7:412, 413, 415, 416, 417</td>
</tr>
<tr>
<td>Judgments, as to title--set aside for fraud</td>
<td>Missouri Supreme Court decisions relative to 1949, 15:395</td>
</tr>
<tr>
<td>Jurisdictional problems</td>
<td>Missouri Supreme Court decisions relative to 1938, 4:428; 1948, 14:375</td>
</tr>
<tr>
<td>Lease</td>
<td>40</td>
</tr>
</tbody>
</table>

https://scholarship.law.missouri.edu/mlr/vol21/iss4/8
see CONVEYANCES AND LANDLORD AND TENANT, this index

mining 18:61

Legacy
Missouri Supreme Court decisions relative to 1937, 3:402
Licenses to enter land 18:62
Licenses, revocability of--theatre tickets 7:181
Lien see LIENS, this index
Life Estate
reserving life estates in favor of third persons 10:134
Minerals, fee therein 18:66
Mining leases 18:61
Mortgages see MORTGAGES, this index
Nuisance, see topic this index
Option for profit a prendre 18:61
Options to control occupancy of land 15:77
Original titles
Missouri Supreme Court decisions relative to 1951, 17:400
Partition in Missouri 6:87
Partitions
Missouri Supreme Court decisions relative to 1937, 3:402; 1944, 10:270;
1950, 16:386, 387
Party walls 15:259
Possession as notice under Missouri Recording Act 16:142
Possessory and future interests
Missouri Supreme Court decisions relative to 1938, 4:419; 1939, 5:459;
1951, 17:408; 1952, 18:374; 376; 1954, 20:367
Profit a prendre 18:65
Provisions against encumbrances in fire and theft policies 7:67
Railroad right of way
Missouri Supreme Court decisions relative to 1941, 7:414
Recording Acts
Missouri Supreme Court decisions relative to 1951, 17:403
Remainders--class gifts 16:328
Rent control
see LANDLORD AND TENANT, this index
Restrictive covenants, see COVENANTS, supra
Rights of entry and possibility of reverter 13:76-83
alienability in Missouri 13:79
statute of limitation or laches 13:81
Riparian rights see WATERS AND WATERCOURSES

Rule against perpetuities:
Missouri Supreme Court decisions relative to 1954, 20:367
remoteness of interest vesting 13:239
Statute of frauds, see topic this index
Statute of limitations, see topic this index
Statute of wills
Missouri Supreme Court decisions relative to 1945, 11:378
Surveys 19:234
Tax problems
Missouri Supreme Court decisions relative to 1947, 13:386, 387; 1949,
Tenancy by entireties
conveying free of income tax lien against husband 16:183
disposition of property where one co-tenant murders the other 13:463
effect of discharge of one tenant by the entireties on bankruptcy 6:207
Missouri Supreme Court decisions relative to 1939, 3:399; 1941, 7:447
suit brought by only one tenant 17:107
Testamentary character of deeds in Missouri 5:350; 11:387
Thirty-one year statute of limitations in Missouri 13:83
Title under unrecorded deed--soldiers' and sailors' civil relief act 17:471
Unlawful practice of law in real estate transactions
Missouri Supreme Court decisions relative to 1952, 18:368
Vendor's remedies, see VENDOR-PURCHASER, this index
Watercourses, see topic this index
Zoning ordinances, suit by adjoining property owners, showing special damage, to enjoin violation thereof 13:124

RECEIVERSHIP
See EQUITY
Distribution of fees and cost between applicant and receiver 5:118
Suit for, under Federal Rules 5:52

RESCISSION
See CONTRACTS; CORPORATIONS; EQUITY
REFORMATION AND INSTRUMENTS

See EQUITY

RESTATEMENT OF THE LAW

Conflicts 2:193, 193, 200
recent Missouri decisions 3:143
Restatement and Rylands v. 
Fletcher Doctrine 18:55
Restitution and unjust 
enrichment 1:223-236; 2:117
Torts, Missouri Annotations 
to 2:28
Trusts 1:228

RESTITUTION AND UNJUST 
ENRICHMENT

See QUASI-CONTRACT; EQUITY
Basis for action against 
underground trespasser 2:115
Measure of the legal benefit 
unjustly retained under the 
Statute of Frauds 15:1
Scope of 1:223-236

ROBBERY

See CRIMES; CRIMINAL LAW AND 
PROCEDURE

SALES

See FOODS; SUPPLIERS AND MAKERS 
OF CHATELLES
Estoppel of seller in cash sale 
to assert title 5:256
Implied warranty of fitness to 
a donee consumer 4:328
Implied warranty of fitness when 
goods purchased for 
"particular" purpose, breach of 
10:147
Manufacturer's liability to 
consumer, not a purchaser, 
for injuries from unwholesome 
food and beverages 2:528
Manufacturer's liability to 
consumer-purchaser for 
injuries from unwholesome 
food and beverages 2:73
Missouri Supreme Court decisions 
relative to 1937, 3:410-413
sales distinguished from other 
transactions 3:412
Protection of purchaser from one 
who acquires goods by giving 
bad check, Missouri law 13:211
Retailer's liability to consumer 
for food sold in sealed 
containers 2:370
Transfer of property 6:368
What is a sales--price--distinction 
between sale and exchange 6:225
Wholesaler's liability to 
consumer for food sold in 
sealed containers 2:235

SCHOOLS AND SCHOOL DISTRICTS

See CONSTITUTIONAL LAW
Segregation 19:64
Liability insurance for Missouri 
school districts 14:90
Regional school, constitutionality of 
13:286
State aid to sectarian schools 
and 14th amendment 12:465

SEARCH AND SEIZURE

Incident of lawful arrest 13:302
Incident to arrest 14:111
Search and seizure: scope of 
officer's authority without a 
warrant 2:238
Wire-tapping evidence in 
state court 18:185
Without warrant as incident of 
lawful arrest 16:319

SECURITY DEVICES

See BANKRUPTCY

SEPARATION OF POWERS

See CONSTITUTIONAL LAW

SEWERS AND DRAINS

St. Louis County sewer 
litigation 3:187

SMALL LOANS

(Special Review Symposium)
Economics of Fair Charges 16:274
Illegal Lending in Missouri 16:251
Introduction to Problem 16:195
Legal and Historical 
Background 16:207
Legislative Remedies Possible 
under the Missouri Constitu-
tion of 1945 16:292
Operations of Lenders from 
1939 to Present 16:234
Social and Economic 
Background 16:197

SOCIAL SECURITY

Distinction between employee and 
independent contractor in 
application of social security 
act to orchestra 12:203

STATE

Tort claims against 4:1-18
SUBROGATION

See INSURANCE

SUMMARY JUDGMENTS

See JUDGMENTS

SUPPLIERS AND MAKERS OF CHATTELS

See SALES

Implied warranty of fitness to a donee consumer 4:328

Liability for chattels manufactured by third persons 4:85

Liability on grounds of negligence for injuries to users 3:477

Liability to others than persons supplied 4:91

Liability where one connecting carrier delivers to another 4:87

Liability for injuries sustained by unusual use of things supplied 10:75

Manufacturer's liability to consumer, not a purchaser, for injuries from impure food and beverages 2:528

Manuf1acturer's liability to consumer-purchaser for injuries from impure food and beverages 2:37

Manufacturer's liability for negligently made articles 2:47


Retailer's liability for food sold in sealed containers 2:370

Wholesaler's liability for food sold in sealed containers 2:235

SURVIVAL OF ACTIONS

See ABATEMENT AND REVIVAL

TAXATION

See CONSTITUTIONAL LAW; REAL PROPERTY

Avoidance of personal property taxes through the holding of tax-exempt securities 10:138

Assessments Missouri Supreme Court decisions...
<table>
<thead>
<tr>
<th>Topic</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>ESTATE</td>
<td></td>
</tr>
<tr>
<td>Domicile</td>
<td></td>
</tr>
<tr>
<td>Defenses</td>
<td></td>
</tr>
<tr>
<td>Deductions</td>
<td></td>
</tr>
<tr>
<td>Construction</td>
<td></td>
</tr>
<tr>
<td>Constitutional</td>
<td></td>
</tr>
<tr>
<td>Collection of delinquent taxes</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1939, 6:56; 1954, 20:370</td>
<td></td>
</tr>
<tr>
<td>Community property federal income taxation</td>
<td>10:312</td>
</tr>
<tr>
<td>Comprise of disputed claim for sales tax</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1947, 13:394</td>
<td></td>
</tr>
<tr>
<td>Constitutional law cases in the United States Supreme Court: 1941-1946 (refreshers materials for returned service men):</td>
<td>11:197</td>
</tr>
<tr>
<td>due process and equal protection</td>
<td>11:266</td>
</tr>
<tr>
<td>federal state relations--taxation</td>
<td>11:199</td>
</tr>
<tr>
<td>interstate commerce--state regulation and taxation 11:236</td>
<td></td>
</tr>
<tr>
<td>Constitutionality of state tax on gross income</td>
<td>4:64</td>
</tr>
<tr>
<td>Construction, general rules of Missouri Supreme Court decisions</td>
<td></td>
</tr>
<tr>
<td>relative to 1941, 7:422; 1942, 8:287; 1943, 9:340; 1944, 10:281; 1946, 12:419</td>
<td></td>
</tr>
<tr>
<td>Corporate taxes</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1940, 6:476; 1941, 7:420; 1946, 12:417</td>
<td></td>
</tr>
<tr>
<td>Deductions</td>
<td></td>
</tr>
<tr>
<td>trustee's commissions as Missouri Supreme Court decisions relative to 1943, 9:335</td>
<td></td>
</tr>
<tr>
<td>Defenses to tax fraud</td>
<td>19:165</td>
</tr>
<tr>
<td>Domicile, conflicting adjudications of, as affecting inheritance taxation</td>
<td>2:142</td>
</tr>
<tr>
<td>Drainage and sewer taxes</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1942, 8:286; 1944, 10:279; 1945, 11:374; 1946, 12:417</td>
<td></td>
</tr>
<tr>
<td>Erie Railroad v. Tompkins applied to</td>
<td>5:208</td>
</tr>
<tr>
<td>Estate planning</td>
<td>14:1-14</td>
</tr>
<tr>
<td>gifts</td>
<td>14:6</td>
</tr>
<tr>
<td>insurance</td>
<td>14:8</td>
</tr>
<tr>
<td>powers of appointment</td>
<td>14:7</td>
</tr>
<tr>
<td>trusts</td>
<td>14:12</td>
</tr>
<tr>
<td>Excise taxes</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1953, 19:344</td>
<td></td>
</tr>
<tr>
<td>Exemptions of income derived by employees of a federal</td>
<td>2:372</td>
</tr>
<tr>
<td>instrumentality</td>
<td></td>
</tr>
<tr>
<td>Federal estate tax</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1954, 20:368</td>
<td></td>
</tr>
<tr>
<td>Federal income tax and contest prizes</td>
<td>17:360</td>
</tr>
<tr>
<td>Fire districts</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1945, 11:393; 1946, 12:419; 1948, 14:380</td>
<td></td>
</tr>
<tr>
<td>Franchise taxes</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1936, 2:461; 1937, 3:419; 1949, 15:402</td>
<td></td>
</tr>
<tr>
<td>Gross receipts tax affecting interstate commerce</td>
<td>6:57</td>
</tr>
<tr>
<td>Income tax</td>
<td></td>
</tr>
<tr>
<td>community property</td>
<td>10:312</td>
</tr>
<tr>
<td>compensation for services rendered</td>
<td>13:462</td>
</tr>
<tr>
<td>family partnerships</td>
<td>12:224</td>
</tr>
<tr>
<td>losses; sales and purchases by husband and wife through stock exchange</td>
<td>12:226</td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1942, 8:285; 1943, 9:337; 1944, 10:277; 1945, 11:393; 1948, 14:380</td>
<td></td>
</tr>
<tr>
<td>partnership with provision for continuation on death of partner</td>
<td>16:325</td>
</tr>
<tr>
<td>Inheritance taxes on intangibles of non-resident decedents</td>
<td>7:418</td>
</tr>
<tr>
<td>Inheritance tax</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1936, 2:461; 1939, 6:52; 1941, 7:418; 1942, 8:283</td>
<td></td>
</tr>
<tr>
<td>Injunctive relief</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1947, 13:397</td>
<td></td>
</tr>
<tr>
<td>Insurance company taxation</td>
<td></td>
</tr>
<tr>
<td>Missouri Supreme Court decisions relative to 1941, 7:420; 1944, 10:279</td>
<td></td>
</tr>
</tbody>
</table>

https://scholarship.law.missouri.edu/mlr/vol21/iss4/8
Real estate taxes
Missouri Supreme Court decisions relative to 1953, 19:345; 1954, 20:369
Recovery of tax paid on unauthorized bonus 13:334
Regulation through federal taxation 3:58
Reporting payments 19:175
Revenue bonds of municipal corporations
Missouri Supreme Court decisions relative to 1945, 11:394, 1946, 12:416; 1948, 14:379; 1949, 15:401
Road taxes
Missouri Supreme Court decisions relative to 1946, 12:419; 1948, 14:381
Sale of realty 17:117-138
character of gain or loss 17:124
exchange of realty 17:125
family transactions 17:129
form of transaction 17:126
losses 17:124
property taxes 17:135
reporting 17:119
residential property 17:132
tax-closing period 17:117
Sales taxes
Missouri Supreme Court decisions relative to 1942, 8:285; 1944, 10:276; 1946, 12:420; 1948, 14:381; 1949, 15:403
Saint Louis county sewer litigation 3:187
School taxes
Missouri Supreme Court decisions relative to 1941, 7:421; 1945, 11:394; 1947, 13:399; 1949, 15:403
Situs for inheritance tax purposes 19:19
Special taxes
State income tax on salary of employee of a federal corporation
Missouri Supreme Court decisions relative to 1938, 4:435
State jurisdiction to tax intangibles: a twelve year cycle 8:155
State tax on gross receipts of business engaged in interstate commerce 13:242
State taxation of airplanes in interstate commerce 10:195
Subjects and incidence of taxation
Missouri Supreme Court decisions relative to 1952, 18:382

Copyright depreciation and income 20:187
deductions, individual 20:60
income, individual 20:53
Intergovernmental immunities from 4:278
Intrastate and Interstate transactions, income derived from Missouri Supreme Court decisions relative to 1939, 6:50
Involuntary payment of tax Missouri Supreme Court decisions relative to 1947, 13:399
Library taxes Missouri Supreme Court decisions relative to 1949, 15:403
License taxes Missouri Supreme Court decisions relative to 1941, 7:422
Miscellaneous Missouri Supreme Court decisions relative to 1938, 4:436; 1940, 6:484; 1952, 18:388
Mortgage foreclosures; effect of redemption and deficiency judgments upon time for realizing income tax gains and losses 15:159
Motor vehicle fuel tax Missouri Supreme Court decisions relative to 1942, 8:285
Municipal taxation Missouri Supreme Court decisions relative to 1937, 3:413; 1941, 7:422; 1940, 6:479; 1944, 10:278; 1946, 12:419; 1945, 11:393; 1947, 13:397
Occupation taxes Missouri Supreme Court decisions relative to 1943, 9:336
Payment for dower, income to husband 13:331
Penalties Missouri Supreme Court decisions relative to 1937, 3:418
Personal property tax Missouri Supreme Court decisions relative to 1943, 9:337
Personal property taxes on conditional sales contracts Missouri Supreme Court decisions relative to 1938, 4:432
Priorities Missouri Supreme Court decisions relative to 1938, 4:435
Property subject to taxation Missouri Supreme Court decisions relative to 1951, 17:409
Public utilities Missouri Supreme Court decisions relative to 1936, 2:462; 1938, 4:433; 1940, 6:482

Published by University of Missouri School of Law Scholarship Repository, 1956
Tax deeds void on face 20:87
Tax liens, sales and titles
Missouri Supreme Court decisions relative to
Tax liens--time when lien attaches to real estate 12:228; 15:195
Tax sale of land subject to equitable restrictions 3:326
Tax statute in conflict with constitutional provisions
Missouri Supreme Court decisions relative to
1944, 10:276; 1945, 11:391
Taxation of income from land in another state 2:242
Taxing districts
Missouri Supreme Court decisions relative to
Unemployment compensation taxes
Missouri Supreme Court decisions relative to
1944, 7:419; 1942, 8:384; 1944, 10:277; 1945, 11:396; 1946, 12:421; 1947, 13:400
Use and storage taxes
Missouri Supreme Court decisions relative to
1943, 9:336
Use of funds raised by taxation
Missouri Supreme Court decisions relative to
1950, 16:394
Use tax--extrastate collection 7:86

TAX SALES
See PROPERTY; TAXATION

TEACHERS
See CONTRACTS

TORTS
See ARREST; ASSAULT AND BATTERY; ATTRACTIVE NUISANCE; AUTOMOBILES; CARRIERS; CONFLICT OF LAWS; CONVERSION; FALSE IMPRISONMENT; FEDERAL GOVERNMENT; FOODS; HUSBAND AND WIFE; HUMANITARIAN DOCTRINE; INFANTS; LANDLORD AND TENANT; LIBEL AND SLANDER; MALICIOUS PROSECUTION; MALPRACTICE; MASTER AND SERVANT; MOTOR VEHICLES; MUNICIPAL CORPORATIONS; NEGLIGENCE; NUISANCE; OWNERS AND OCCUPIERS OF LAND; PARENT AND CHILD; PRIVACY; RAILROADS; SALES; STATE; SUPPLIERS AND MAKERS OF CHAPTELS; TRESPASS; WATERS AND WATER COURSES; WRONGFUL DEATH

Blasting, see TRESPASS and OWNERS AND OCCUPIERS OF LAND

Burden of proof
Missouri Supreme Court decisions relative to, see NEGLIGENCE, this index

Book reviews
handbook 7:198
Restatement, Missouri annotations to 2:28
Causation, see NEGLIGENCE Consent in action of tort 3:44
Emotional disturbances liability for physical consequences resulting from 2:36, 67, 251

Fire, see OWNERS AND OCCUPIERS OF LAND

Inducing breach of contract
Missouri Supreme Court decisions relative to 1953, 19:366

Rylands v. Fletcher, see OWNERS AND OCCUPIERS OF LAND

TRADE MARKS
See COPYRIGHTS; UNFAIR COMPETITION
Personal names as trade symbols 3:93-119
greater efficiency of the injunction against denominative use 3:113
names of notables as trade-marks 3:110
personal names as trade names 3:103
personal names usually may not be trade-marks 3:94
right to use one's own name and the qualified injunction 3:108
trade name dichotomy and the qualified injunction 3:116

TRESPASS
Blasting, liability for in Missouri 18:57
Explosion, liability for in Missouri 18:57
Missouri Supreme Court decisions relative to 1948, 14:406; 1952, 18:403
Underground trespass
assumpsit for sue and occupation, as remedy for 2:115
ejection, as remedy for 2:115
trespass for mesne profits, as remedy for 2:115
**TRUSTS**

See EQUITY; WILLS

Action by beneficiary

Missouri Supreme Court decisions relative to 1938, 4:452

Administration of 13:255-273

Charitable trusts

bequest directly to charitable fund as creating 1:368

Construction

Missouri Supreme Court decisions relative to

1945, 11:413; 1946, 12:441;

1948, 14:415; 1949, 15:428;

1950, 16:415; 1951, 17:432;

1952, 18:410

Constructive trusts 1:224, 228, 235

Missouri Supreme Court decisions relative to

1937, 3:437; 1940, 6:499;

1941, 7:445; 1942, 8:309;

1943, 9:356; 1944, 10:299;

1946, 15:429; 1950, 16:422;

1951, 17:436; 1952, 18:414;

1953, 19:370

Creation

Missouri Supreme Court decisions relative to 1937, 3:436; 1943, 9:355

Duration of 5:361

Express Trusts

Missouri Supreme Court decisions relative to

1936, 2:483; 1937, 3:472;

1939, 5:490; 1940, 6:499;

1941, 7:444; 1942, 8:307

Implied trusts

Missouri Supreme Court decisions relative to

1936, 2:487; 1938, 4:450;

1939, 5:494; 1943, 9:356;

1944, 10:299

Insurance, life, proceeds of matured policies held on deferred payment plans, right of creditors of beneficiary 13:117

Investment and deposit of trust funds, see TRUSTES this index

Miscellaneous Missouri Supreme Court decisions relative to

1945, 11:416

Resulting trusts

Missouri Supreme Court decisions relative to

1937, 3:472, 437; 1940, 6:413, 456; 1941, 7:445;
1942, 8:311; 1943, 9:356; 1944, 10:300; 1949, 15:429; 1951, 17:436; 1952, 18:414
purchase-money resulting trusts in Missouri 6:354
Right to follow trust property
Missouri Supreme Court decisions relative to 1938, 4:452
Sustaining an imperfect gift as 7:81
Trustees, see topic this index
Validity
Missouri Supreme Court decisions relative to 1946, 12:442

UNEMPLOYMENT COMPENSATION
Administrative Law
Missouri Supreme Court decisions relative to 1943, 9:301
Taxation
Missouri Supreme Court decisions relative to 1941, 7:419; 1942, 8:284; 1944, 10:277; 1945, 11:392; 1946, 12:421; 1947, 13:400

UNFAIR COMPETITION
See COPYRIGHTS; FAIR TRADES ACT; PATENT; TRADE MARK
Basic concepts of 1:299
Origin of 1:21
history and development 1:301
Scope of non-statutory unfair competition 1:23
judicial determination of 1:306
Static and dynamic concepts of the law of 1:299
Statutory unfair competition 1:20
statutes against, construction 1:29
patent laws 1:309
copyright laws 1:310
statutes defining, effect of judicial determination on scope of 1:306, 309-310

UNIFORM LAWS
Status of in Missouri 15:274
Uniform Reciprocal Enforcement of Support Act 19:191
Uniform simultaneous death act in Missouri 13:230
Uniform Stock Transfer Act 19:27
Uniform act to secure witnesses from without the state in criminal cases 18:48

USURY
Distinction between sale and loan 8:144-150

VENDOR- PURCHASER
Contract for record title, affidavit of adverse possession to clear title 13:337
Missouri Supreme Court decisions relative to property
vendor's remedies 1954, 20:362
forfeiture of stated amount 20:367
liquidated damages, penalty or actual 20:365
specific performance in lieu of liquidated damages 20:365
Missouri Supreme Court decisions relative to Torts 1949
vendor's liability for defective condition in the premises 2:471; 15:416
Risk of loss as between 4:290
Title vendor is to furnish 13:246

VENUE
See CIVIL CODE OF PROCEDURE; CRIMINAL CODE OF PROCEDURE; PRACTICE
Change of judge 20:13
Change of venue 20:13
Corporation as a party 5:406

WAR POWERS OF NATIONAL GOVERNMENT
See CONSTITUTIONAL LAW
Emergency price and rent control 11:213
Executive control applied to citizens of Japanese ancestry 11:210
Selective training and service act of 1940 11:210
Standing of enemy aliens in United States courts 11:201
Use of military tribunals 11:209

WARRANTIES
See SALES; SUPPLIERS AND MAKERS OF CHATTELS

WATERS AND WATER COURSES
Backed up water, liability for 18:59
Construction of watercourses 18:57
Missouri Supreme Court decisions relative to 1952, 18:381; 1954, 20:368
Navigable streams in Missouri 19:401
Pollution of surface waters, nuisance 18:74
Riparian rights in artificial lakes and streams 16:93-117
apparent and quasi-easements 16:98
artificial v. natural condition | unincorporated association
---|---
diversion of water courses | 17:227
estoppel, reliance, reciprocal easements |
influence of running of period of limitations |
tended beneficiary diversion |
maintenance and abandonment |
removal of obstruction | 16:104
 Riparian rights: in Missouri | 19:138
obstruction of watercourse | 18:67
theories of | 18:71

WILLS
See DESCENT AND DISTRIBUTION; PROBATE AND ADMINISTRATION
Abatement and revival
action for libel in will | 14:206
Missouri Supreme Court decisions relative to | 1942, 8:322
Adoption and its effect | 1950, 16:419; 1953, 19:368
Contract to devise or bequeath generally | 20:1
Missouri Supreme Court decisions relative to | 1948, 14:414; 1953, 19:371
Contract not to revoke | 4:93; 17:227
Construction of "children" to include adopted children | 5:259
Construction of "children" to include illegitimates | 5:98
Construction of wills
Contest and validity of wills
Cy pres, application to will construction | 5:125
Deeds, testamentary character | 5:350; 11:387
Dependent relative revocation--partial invalidity of codicil | 5:123
Direct devise of realty to | Election of spouse
effect of failure of guardian of insane widow to renounce will within time specified by statute | 13:120
Missouri Supreme Court decisions relative to | 1943, 9:364; 1944, 10:304
Execution
Missouri Supreme Court decisions relative to | 1950, 16:413
position of testator's signature | 16:79
History of English testamentary jurisdiction | 8:107-128
Joint and mutual wills | 20:4
Lapse and abatement
Missouri Supreme Court decisions relative to | 1943, 9:366
Libel in will | 14:206
Mental incapacity
judicial tests in relation to | 6:152
Missouri Supreme Court decisions relative to | 1945, 11:933
Military testaments, two phases of the law of | 8:59
Probate Code 1955, Wills 20:138
see also PROBATE AND ADMINISTRATION, this index
Residuary clause, mention of specified articles in 6:215
Statutory allowances, see PROBATE AND ADMINISTRATION, this index
Substitutes for wills
Missouri Supreme Court decisions relative to | 1942, 8:317
Tenancy by the entireties | 1941, 7:447
Testamentary trusts, see TRUSTS this index
Undue influence presumption of and burden of proof | 7:188
Missouri Supreme Court decisions relative to | 1945, 11:413
Uniform Simultaneous Death Act in Missouri 13:230

Published by University of Missouri School of Law Scholarship Repository, 1956
WITNESSES

See CIVIL CODE OF PROCEDURE; EVIDENCE; FEDERAL PROCEDURE

Constitution of Missouri, witnesses 18:45
Court rules 18:42
Failure to call, inference from 1:91-95
Fees, payment of contingent 8:68
Impeachment of
by character evidence 20:142-186; 20:273-306
by showing religious belief 1:90
by showing reputation for general moral character 1:181
Immunity of witnesses in Missouri 18:38; 19:147
Insanity of court's expert witness 18:320
Material witnesses--securing attendance of 18:38
Missouri Supreme Court decisions relative to 1936, 2:406, 512
Missouri Supreme Court decisions relative to 1936, 2:407
Notice of employee's injury to employer excused 20:324
Occupational disease
Missouri Supreme Court decisions relative to 1937, 3:455; 1941, 7:459; 1944, 10:305
Particular Missouri Supreme Court decisions relative to 1937, 3:451; 1938, 4:462; 1942, 8:323; 1943, 9:373
Pleadings
Missouri Supreme Court decisions relative to 1939, 5:508

WRONGFUL DEATH

Action for death of unborn child 15:211-243; 19:81
case against right of action 15:230
case for right of action 15:212
Railroad employee riding on pass, applicability of federal or state law in action for damages 14:191
Survival of wrongful death action 15:315