

Missouri Law Review

Volume 11
Issue 1 *January 1946*

Article 4

1946

Index to Subjects

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



Part of the [Law Commons](#)

Recommended Citation

Index to Subjects, 11 MO. L. REV. (1946)

Available at: <https://scholarship.law.missouri.edu/mlr/vol11/iss1/4>

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

	Page		Page
ACTIONS			
See FEDERAL PROCEDURE:		records and briefs	354
Federal Procedure:		jurisdiction of the Supreme Court	349
counterclaims and cross-claim	10	Missouri Supreme Court decisions in	
injunctions	93	1945—the new general code for	
third party practice	12	civil procedure interpreted — ap-	
Tort—Liability of husband for torts of		peal	431
wife during coverture—"home" as		ATTORNEY AND CLIENT	
a joint enterprise	327	Conflict of interest — right to with-	
Tort—Liability for death of, or injury		draw	336
to, one seeking to effect a rescue	317	CODE—FEDERAL RULES OF	
		CIVIL PROCEDURE	
ADMINISTRATIVE LAW		See FEDERAL PROCEDURE	
See JURISDICTION; PUBLIC SERVICE		CODE—MISSOURI CIVIL	
COMMISSIONS		Evidence—discovery—scope of inter-	
Doctrine of precedents and public ser-		rogatories to party opponent un-	
vice commissions:	31-61	der Missouri Code	192
reference to stare decisis or to prece-		Missouri Supreme Court decisions in	
dents	38	1945—the new general code for	
technique of decision	45	civil procedure interpreted	417-439
Jurisdiction of the courts to decide		amendments to pleadings	422
questions arising out of collective		appeal	431
bargaining agreements	62	cases tried without a jury	426
ADMINISTRATIVE TRIBUNALS		consolidation of suits	425
See ADMINISTRATIVE LAW; JURISDIC-		exceptions to rulings of a court	430
TION; PUBLIC SERVICE COMMISS-		exhibits are parts of a pleading	421
IONS		extending the time for doing speci-	
Doctrine of precedents and public ser-		fied acts	418
vice commissions	31	filing of papers	418
Jurisdiction of the courts to decide		interrogatories	423
questions arising out of collective		motion for directed verdict under	
bargaining agreements	62	section 112 of the code	426
ADVERSE POSSESSION		motions for new trial	429
AND USER		motions to dismiss petition	421
Missouri Supreme Court decisions in		necessity of pleading negligence	421
1945 relative to property	383	new trial ordered by court on own	
APPELLATE PRACTICE		initiative	430
See APPELLATE PRACTICE; FEDERAL		objectives of code	417
PROCEDURE; CODE — MISSOURI		parties	420
CIVIL		place of conducting trials	424
APPEAL AND ERROR		pre-trial procedure	422
See FEDERAL PROCEDURE; PRACTICE		production of documentary evidence	
Federal procedure:	98-101	at taking of deposition	439
appeal to circuit court of appeals	98	proper method of attacking non-	
record on appeal to a circuit court of		joinder of parties	421
appeals	101	service of papers	418
Missouri Supreme Court decisions in		setting forth claims for relief	420
1945 relative to:	349-355	the granting of new trials	427
effect of decisions	353	waiver of objections by failure to	
		make motion	421

	Page
COMMERCE	
See CONSTITUTIONAL LAW	
Constitutional law cases in the United States Supreme Court: 1941-1946	
refresher materials for returned service men)—interstate commerce:	219-263
scope of national power	219
state regulation and taxation	236

CONSTITUTIONAL LAW	
See COMMERCE; CRIMINAL LAW; DUE PROCESS; LABOR; TAXATION; WAR POWERS OF NATIONAL GOVERNMENT	
Constitutional law cases in the United States Supreme Court: 1941-1946 (refresher materials for returned service men):	197-316
bills of attainder	275
citizenship, suffrage and related matters	293
due process and equal protection	263
federal state relations	199
fifth amendment—just compensation clause	274
freedom of speech, press and religion	209
interstate commerce	219
protection of persons accused of crime	278
separation of powers	205
thirteenth amendment: peonage cases	292
war powers of the national government	209
Missouri Supreme Court decisions in 1945 relative to taxation — tax statutes in conflict with constitutional provisions	391

CONTEMPT	
See CONSTITUTIONAL LAW	
Freedom of speech and press and contempt of court	299

CONTRIBUTORY NEGLIGENCE	
See NEGLIGENCE; TORTS	
Missouri Supreme Court decisions in 1945 relative to torts—defense in negligence cases	406

COURTS	
See JURISDICTION	
Jurisdiction of the courts to decide questions arising out of collective bargaining agreements	62

	Page
CRIMINAL LAW	
See CONSTITUTIONAL LAW	
Protection of persons accused of crime:	278-292
exclusion from jury service	278
miscellaneous	291
right to counsel	284
search and seizure	287
use of confessions	280
waiver of jury trial	287

DUE PROCESS	
See CONSTITUTIONAL LAW	
Due process and equal protection	263-274
regulation	263
taxation	266

EMINENT DOMAIN	
See CONSTITUTIONAL LAW	
Fifth amendment—just compensation clause	274

EQUAL PROTECTION	
See CONSTITUTIONAL LAW	
Due process and equal protection	263-274
regulation	263
taxation	266

ETHICS	
See ATTORNEY AND CLIENT	

EVIDENCE	
See FEDERAL PROCEDURE; MEDICINE; PRACTICE	
Discovery—scope of interrogatories to party opponent under Missouri code	192
Federal procedure:	16-29
admission of facts and of genuineness of documents	25
depositions before action or pending appeal	18
depositions, persons before whom may be taken	19
depositions upon oral examination	19
discovery and production of documents and things for inspection, copying, or photographing	24
interrogatories to the parties	21
subpoena	22
exposure to x-rays and radioactive substances	137
Medico-legal aspects of spinal cord injuries	111

INDEX TO SUBJECTS

vii

	Page
Missouri Supreme Court decisions in 1945 relative to:	355-360
admissions	358
hearsay	358
impeachment	357
judicial notice	356
relevancy, materiality and competency	356
witnesses	357
Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted—production of documentary evidence at taking of deposition	439

EXTRAORDINARY LEGAL REMEDIES

See FEDERAL PROCEDURE	
Injunctions	93

FEDERAL PROCEDURE

See PLEADINGS; PRACTICE	
Proposed amendments to rules of civil procedure for the district courts of the United States and their significance to Missouri lawyers:	1-30; 77-110
admission of facts and or genuineness of documents	25
appeal to a circuit court of appeals	98
books and records kept by the clerks and entries therein	107
counterclaim and cross-claim	10
defenses and objections	4
depositions pending action	16
depositions, persons before whom may be taken	19
depositions upon oral examination	19
discovery and production of documents and things for inspection, copying, photographing	24
dismissal of actions	27
district courts and clerks	106
entry of judgment	89
findings by the court	82
injunctions	93
interrogatories to the parties	21
intervention	15
judgments; costs	85
motions for a directed verdict and for judgment	77
new trials; amendment of judgments	90
offer of judgment	97
parties plaintiff and defendant; capacity	14

	Page
pleadings allowed	4
receivers appointed by federal courts	94
record on appeal to a circuit court of appeals	101
relief from judgment or order	91
subpoena	29
summary judgment	87
third-party practice	12
time, enlargement of	1

HOMESTEADS

Missouri Supreme Court decisions in 1945 relative to property	388
---------------------------------------------------------------	-----

HUMANITARIAN DOCTRINE

See NEGLIGENCE; TORTS	
Missouri Supreme Court decisions in 1945 relative to:	360-369
court <i>en banc</i>	361
division number one	362
division number two	365

INJUNCTION

See EXTRAORDINARY LEGAL REMEDIES; FEDERAL PROCEDURE	
Federal procedure	93

INSURANCE

Missouri Supreme Court decisions in 1945 relative to	369
------------------------------------------------------	-----

JOINT ADVENTURE

See ACTIONS; NEGLIGENCE; TORTS	
Liability of husband for torts of wife during coverture—"home" as a joint enterprise	327

JOINT ENTERPRISE

See ACTIONS; NEGLIGENCE; TORTS	
Liability of husband for torts of wife during coverture—"home" as a joint enterprise	327

JUDGMENTS

See FEDERAL PROCEDURE; NEW TRIAL	
Federal procedure:	77-91
entry of judgment	89
findings by the court	82
judgments; costs	85
motions for a directed verdict and for judgment	
new trials; amendment of judgments	90
relief from judgment or order	91
Missouri Supreme Court decisions in 1945 relative to appellate practice—effect of decisions	353

	Page
JURISDICTION	
See ADMINISTRATIVE TRIBUNALS; COURTS	
Jurisdiction of the courts to decide questions arising out of collective bargaining agreements	62-72
jurisdiction in actions to enforce right created by the National Lab- or Relations Act	63
jurisdiction of federal courts to en- force rights not dependent upon the National Labor Relations Act	67
jurisdiction of state courts to en- force rights not dependent upon the National Labor Relations Act	69
Missouri Supreme Court decisions in 1945 relative to appellate practice— jurisdiction of the Supreme Court	349
LABOR LAW	
See CONSTITUTIONAL LAW; JURISDIC- TION	
Freedom of speech, press and assembly in labor controversies	302
Jurisdiction of the courts to decide questions arising out of collective bargaining agreements	62
LANDLORD AND TENANT	
Relaxation of abandonment require- ment for constructive eviction, during critical housing shortage	440
LAW	
Studying law	73
LIBEL AND SLANDER	
See TORTS	
Missouri Supreme Court decisions in 1945 relative to torts	409
MEDICINE	
Medico-legal aspects of injuries from exposure to x-rays and radioactive substances:	137—191
character of radiation injuries in particular tissues	167
children of irradiated parents	186
cyclotron radiation and artificially radioactive substances	142
general principles of tissue responses radiation	162
hazards in the use of radiation	150
medical use of radiation	149
nature and hazards of non-medical uses of radiation	149

	Page
radium and radon: properties and dosage	140
summary and discussion	189
x-rays; nature, production physical properties and dosage	138
Medico-legal aspects of spinal cord injuries:	111—136
amyotrophic lateral sclerosis	131
anatomy and physiology	112
multiple sclerosis	127
spinal cord tumors	135
syphilis of the spinal cord	133
syringomyelia	135
the neurological examination and the significance of various findings	115
types of spinal cord injury	118
MISSOURI SUPREME COURT	
The work of the Missouri Supreme Court for the year 1945: 345—439	
appellate practice	349
evidence	355
humanitarian doctrine	360
insurance	369
property	378
statistical survey	345
taxation	391
the new code for civil procedure interpreted	417
torts	397
trust and wills	412
MORTGAGES	
Missouri Supreme Court decisions in 1945 relative to property	389
MOTIONS	
See CODE—MISSOURI CIVIL; FEDERAL PROCEDURE	
Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted:	421—426
motion for directed verdict under section 112 of the code	426
motions to dismiss petition	421
proper method of attacking non- joinder of parties	421
Motion for a directed verdict and for judgment	77
MUNICIPAL CORPORATIONS	
Missouri Supreme Court decisions in 1945 relative to taxation:	393—394
taxes levied by municipal corpora- tions	393
revenue bonds of municipal corp- orations	394

INDEX TO SUBJECTS

ix

	Page		Page
NATIONAL LABOR RELATIONS ACT			
See JURISDICTION		Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted: 420—422	
Jurisdiction of the courts to decide questions arising out of collective bargaining agreements	62	amendments to pleadings	422
		exhibits are parts of a pleading	421
		necessity of pleading negligence	421
		parties	420
		setting forth claims for relief	421
NATURALIZATION			
Statutory construction	339	PRACTICE	
NEGLIGENCE		See FEDERAL PROCEDURE; JUDGMENTS; NEW TRIAL	
See ACTION; TORTS		Evidence—discovery—scope of interrogatories to party opponent	
Humanitarian doctrine — Missouri Supreme Court decisions in 1945 relative to	360	Federal procedure:	16—107
Liability of husband for torts of wife during coverture—"home" as a joint enterprise	327	under Missouri code	192
Liability for death of, or injury to, one seeking to effect a rescue	317	admission of facts and of genuineness of documents	25
Missouri Supreme Court decisions in 1945 relatives to torts: 397—409		appeal to a circuit court of appeals	98
automobiles	400	books and records kept by the clerks and entries therein	107
burden of proof	409	depositions before action or pending appeal	18
defenses in negligence cases	406	deposition pending action	16
employer-employee relationship	404	depositions, persons before whom may be taken	19
imputed negligence	405	discovery and production of document and things for inspection, copying, or photographing	24
possessors of land, duty of	397	dismissal of actions	27
public accountants, duty of	402	district courts and clerks	106
railroads, duty of	400	entry of judgment	89
suppliers of a chattel, duty of	403	findings by the court	82
		interrogatories to the parties	21
		judgments; costs	85
		motions for a directed verdict and for judgment	77
		new trials; amendment of judgments	90
		offer of judgment	97
		record on appeals to a circuit court of appeals	101
		relief from judgment or order	91
		subpoena	29
		summary judgment	87
		Missouri Supreme Court decisions in 1945 relative to appellate practice—records and brief	354
		Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted:	
		extending the time for doing specified acts	418
		filing of papers	418
		service of papers	418
NEW TRIAL			
See FEDERAL PROCEDURE; JUDGMENTS			
Missouri Supreme Court decisions in 1945—the new general code for civil procedure interpreted:	427—430		
granting of new trials	427		
motions for new trial	429		
new trial ordered by court on own initiative	430		
New trials; amendment of judgment federal procedure	90		
PLEADINGS			
See FEDERAL PROCEDURE; PRACTICE			
Federal procedure	1—15		
counterclaim and crossclaim	10		
defenses and objections	4		
intervention	15		
parties plaintiff and defendant; capacity	14		
pleadings allowed	4		
third-party practice	12		
time, enlargement of	1		

MISSOURI LAW REVIEW

	Page
PRECEDENTS	
See PUBLIC SERVICE COMMISSIONS	
Doctrine of precedents and public service commissions:	31—61
reference to stare decisis or to precedents	38
technique of decision	45

PROCEDURE	
See CODE—MISSOURI CIVIL; FEDERAL PROCEDURE	

PROPERTY	
See EMINENT DOMAIN; LANDLORD AND TENANT	
Fifth ammendment—just compensation clause	274
Relaxation of abandonment for constructive eviction, during critical housing shortage	440
Missouri Supreme Court decisions in 1945 relative to:	378—391
adverse possession and user	383
bona fide purchaser	388
boundaries	387
concurrent ownership	379
mortgages	389
statute of frauds	386
statute of wills	387

PUBLIC SERVICE COMMISSIONS	
Doctrine of precedents and public sevice commissions:	31—61
reference to stare decisis or to precedents	38
technique of decesion	45

SEPARATION OF POWERS	
See CONSTITUTIONAL LAW	
STATUTE OF FRAUDS	
Missouri Supreme Court decisions in 1945 relative to property	386

STATUTE OF WILLS	
Missouri Supreme Court decisions in 1945 relative to property	387

STATUTES	
Naturalization—statutory construction	339

TAXATION	
See CONSTITUTIONAL LAW; MISSOURI SUPREME COURT	
Constitutional law cases in the United States Supreme Court: 1941-1946 (refresher materials for returned service men):	

	Page
due process and equal protection —taxation	266
federal state relations—taxation	199
interstate commerce—state regulation and taxation	236
Missouri Supreme Court decisions in 1945 relative to:	391-397
drainage and sewer taxes	394
exemption from taxation	396
fire districts	393
income taxes	393
revenue bonds of municipal corporations	394
school districts	394
tax sales and titles	395
tax statutes in conflict with constitutional provisions	391
taxes levied by municipal corporations	393
unemployment compensation taxes	392

TRIAL	
See CODE—MISSOURI CIVIL; FEDERAL PROCEDURE; PRACTICE	
Evidence—discovery—scope of interrogatories to party opponent under Missouri code	192

TORTS	
See ACTIONS; HUMANITARIAN DOCTRINE; NEGLIGENCE	
Humanitarian doctrine—Missouri Supreme Court decisions in 1945 relative to	360
Liability of husband for torts of wife during coverture —“home” as a joint enterprise	327
Liability for death of, or injury to, one seeking to effect a rescue	317
Missouri Supreme Court decisions in 1945 relative to:	397-411
burden of proof	409
defenses in negligence cases	406
imputed negligence	
libel and slander	409
negligence:	
automobiles	400
employer-employee relationship	404
possessors of land, duty of	397
public accountants, duty of	402
railroads, duty of	400
supplier of a chattel, duty of	403

INDEX TO SUBJECTS

	Page		Page
TRUSTS			
Missouri Supreme Court decisions in 1945 to trusts, wills and administration:	412-416	Executive control applied to citizens of Japanese ancestry	210
cases involving the administration of estates	412	Selective training and service act of 1940	210
construction of wills and trusts	413	Standing of enemy aliens in United States courts	209
mental incapacity and undue influence	413	Use of military tribunals	209
miscellaneous cases involving trusts	416	WILLS AND ADMINISTRATION	
miscellaneous cases involving wills	415	Missouri Supreme Court decisions in 1945 relative to trusts, wills and administration:	412-416
UNEMPLOYMENT COMPENSATION		cases involving the administration of estates	412
Missouri Supreme Court decisions in 1945 relative to taxation—unemployment compensation taxes	392	constructions of wills and trusts	413
WAR POWERS OF NATIONAL GOVERNMENT		mental incapacity and undue influence	413
See CONSTITUTIONAL LAW		miscellaneous cases involving trusts	416
Emergency price and rent control	213	miscellaneous cases involving wills	415
		WITNESSES	
		See EVIDENCE; FEDERAL PROCEDURE	
		Missouri Supreme Court decisions in 1945 relative to evidence	357