## CONTENTS

### LEAD ARTICLES:

**Groundwater Pollution: Case Law Theories for Relief**

*Peter N. Davis* 117

**Statutes of Limitations Applicable to Private Actions Under SEC Rule 10b-5: Complexity in Need of Reform**

*Hal M. Bateman and Gerald P. Keith* 165

### COMMENTS:

**Bargaining Units for State and Local Employees**

*Ross Eshelman* 187

**Constitutional Restrictions on Termination of Services by Privately Owned Public Utilities**

*Gary L. Mayes* 205

**Waiver of the Missouri Dead Man's Statute**

*Howard S. Bishop Jr.* 218

### CASES NOTED:

**Constitutional Law—Equal Protection—United States Citizenship Requirement for Admission to the Bar**

*Charles D. Sindel* 241

**Criminal Law—Can Retrial of a Defendant Result in a Harsher Sentence Than That Imposed in First Trial?**

*Richard J. Collins* 245

**Criminal Law—Remarks by the Trial Judge to the Defense Attorney**

*Niles S. Corson* 252

**Estate Tax—Taxation of Life Insurance Held by the Insured as Trustee: The Other View of Skifter**

*Richard M. Waugh* 258

**Evidence—Silence as an Admission of Guilt—Admissibility Criticized**

*Arthur E. Fillmore II* 264

**Joint Bank Accounts—Right of Survivorship**

*Arthur S. Haseltine* 270

**Overbreath and Vagueness—Kansas City, Missouri, Revised Ordinance Section 26.10(c)(1967)**

*Richard D. Woods* 277

**Securities Regulation—Definition of a Security—Pyramid Promotion as an Investment Contract**

*Hugh R. Law* 283

**Tort—Survival Damages in Wrongful Death**

*John P. Weisenfels* 293

---

Subscription Price, $8.50 per annum  
Single Copies (Vol. 33-38), $2.50  
Foreign Subscriptions, $9.00  
Cumulative Index, Vols. 1-30, $3.00

Published Quarterly by the School of Law, University of Missouri-Columbia, Columbia, Missouri 65201. Entered as second class matter February 7, 1936, at the Post Office at Columbia, Missouri, under the act of March 3, 1879.

Copyright 1974 by The Curators of the University of Missouri
Big town trust service to Missouri towns. Big or small.

The Commerce Bancshares Family of banks offers statewide Trust services to help Missouri attorneys with their Trust and Estate problems. Working with 150 trust specialists brings a new concept in estate handling to lawyers through the state. It's a simple fact that most small banks simply cannot justify the expense of providing adequately trained personnel to handle trust matters for their customers. So, these customers must seek help from some big city trust department where they are unknown.

This is not the case with the banks in the Commerce Bancshares family. No matter how small. Now, each bank is backed by the full team of trust specialists from among all the affiliated banks, who are always ready to serve you and your clients.

The Commerce Bancshares family of banks brings big town assistance to your trust problems, big or small. To your town, big or small.

COMMERCE BANKS

of Bonne Terre
of Brunswick
of Columbia
of Excelsior Springs
of Fenton
of Hannibal
of Harrisonville
of Joplin
of Kansas City
of Kirksville
of Kirkwood
of Lebanon
of Mexico
of Moberly
of Poplar Bluff
of Springfield
of St. Charles
of St. Joseph
of St. Louis
of Tipton
of University City
Lexington Bank and Trust Company