**SUBJECT INDEX**

<table>
<thead>
<tr>
<th>A</th>
<th>Page</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>ADMINISTRATIVE INSPECTIONS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exceptions to warrant requirement</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Consent</td>
<td>324- 27</td>
<td></td>
</tr>
<tr>
<td>Emergency</td>
<td>330- 33</td>
<td></td>
</tr>
<tr>
<td>Licensing</td>
<td>327- 30</td>
<td></td>
</tr>
<tr>
<td>Fourth Amendment</td>
<td>313- 24, 335,</td>
<td></td>
</tr>
<tr>
<td></td>
<td>338, 345</td>
<td></td>
</tr>
<tr>
<td>Statutory provision for warrants</td>
<td>333- 38</td>
<td></td>
</tr>
<tr>
<td>Welfare home visit</td>
<td>338- 43</td>
<td></td>
</tr>
<tr>
<td><strong>ADMINISTRATIVE LAW</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Administrative Inspections Water Pollution</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ADOPTION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Adult Adoption</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ADULT ADOPTION</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Distinguished from child adoption</td>
<td>255- 60</td>
<td></td>
</tr>
<tr>
<td>Historical development</td>
<td>254- 55</td>
<td></td>
</tr>
<tr>
<td>Inheritance</td>
<td>256- 66</td>
<td></td>
</tr>
<tr>
<td>Merits</td>
<td>260- 66</td>
<td></td>
</tr>
<tr>
<td>Statutory requirements</td>
<td>266- 67</td>
<td></td>
</tr>
<tr>
<td><strong>ANTISOCIAL PERSONALITY DISORDER</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Psychiatry—Treatment of Antisocial Personality Disorder</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ANTITRUST</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Price fixing</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Tainted costs</td>
<td>239- 50</td>
<td></td>
</tr>
<tr>
<td><strong>ARBITRATIONAL DENERE BY THE NLRB</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Collyer Doctrine</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Further developments in deferring to arbitration procedures</td>
<td>566- 68</td>
<td></td>
</tr>
<tr>
<td>Future projections</td>
<td>568- 71</td>
<td></td>
</tr>
<tr>
<td>Exclusivity in arbitration cases</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Exclusivity Doctrine</td>
<td>559- 63</td>
<td></td>
</tr>
<tr>
<td><strong>ARREST WARRANTS—ISSUANCE BY NON-JUDICIAL OFFICIAL</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Delegation of warrant authority</td>
<td>780</td>
<td></td>
</tr>
<tr>
<td>Requirement of neutrality and detachment</td>
<td>779</td>
<td></td>
</tr>
<tr>
<td><strong>ART</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Flag Desecration Statutes</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>ATTORNEY'S FEES</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Allowing fees for non-pecuniary benefits</td>
<td>274- 77</td>
<td></td>
</tr>
<tr>
<td>Bad faith actions</td>
<td>272- 73</td>
<td></td>
</tr>
<tr>
<td>Civil Rights cases</td>
<td>287- 89</td>
<td></td>
</tr>
<tr>
<td>Securities cases</td>
<td>287- 89</td>
<td></td>
</tr>
<tr>
<td>Substantial benefit test</td>
<td>277- 81</td>
<td></td>
</tr>
<tr>
<td>Substantial service test</td>
<td>282- 86</td>
<td></td>
</tr>
<tr>
<td>Third party beneficiaries</td>
<td>273- 74</td>
<td></td>
</tr>
<tr>
<td><strong>C</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CIRCUMSTANTIAL EVIDENCE</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Strict Products Liability</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CIVIL RIGHTS</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Attorney's Fees Fourteenth Amendment Symposium Minimum Housing Codes Open-Housing Law Exemptions</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CIVIL RIGHTS ACT OF 1871</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>See: Segregated Confinement</td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>CIVIL RIGHTS ACT OF 1864</strong></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Partial factor test in Title VII Proof of Discrimination</td>
<td>368- 73</td>
<td></td>
</tr>
</tbody>
</table>

Washington University Open Scholarship
Legislative History 370-72
See: Federal Injunction to Stay State Proceedings

CLAYTON ACT §3
See: Antitrust

COERCIVE COLLECTION TACTICS
Credit associations and trade associations 13, 63-66
Deception 49-50
Garnishment 12, 54, 59-62
Interests in debt collection 7-15, 40-41, 56-58, 61-62, 67, 70
Recognition of interests under traditional tort theories
Abuse of process 30-33, 44
Assault and battery 33-34, 41-42
Defamation 15-19, 55-58, 63, 69
Extortion 34-35, 66
False imprisonment 33-34
Fraud 34-35
Intentional infliction of emotional distress 23-26, 72-73
Interference with contractual relations 26-30
Libel 55-56, 63-65, 70-71
Right of privacy 20-23, 46, 55-57, 63, 66, 69, 71
Skip tracing 49
Tactics 36-39
Contact of others 63-69
Debtor contact 40-53
Employer contact 54-63
Unreasonable collection efforts theory 70-79
Wage assignment 60-62

COLLECTIVE BARGAINING
See: Arbirtrational Deference by the NLRB

CONFINEMENT
See: Segregated Confinement

CONSPIRACY
See: Antitrust

CONSTITUTIONAL LAW
See: Administrative Inspections
Arrest Warrants—Issuance by Non-Judicial Official
Death Penalty—Non-Aggravated Rape

Electronic Eavesdropping
Flag Desecration Statutes
Fourteenth Amendment Symposium
Open-Housing Law Exemptions
Psychiatry—Treatment of Antisocial Personality Disorder
Right to Appoint Counsel
Segregated Confinement

CONTRACTS
See: Coercive Collection Tactics

CORPORATIONS

CRIMINAL LAW
See: Arrest Warrants—Issuance by Non-Judicial Official
Death Penalty—Non-Aggravated Rape
Electronic Eavesdropping
Flag Desecration Statutes
Halfway House as Private Nuisance
Indecent Exposure
Intoxicated Criminal Offender
Jury Instructions—Addict Informants
Public Trial—Petition
Right to Appointed Counsel
Segregated Confinement

DEATH PENALTY—NON-AGGRAVATED RAPE
Cruel and unusual punishment 170-78
Current public opinion standard 173-74
Doctrine of proportionality 172

DECEDEANTS ESTATES
See: Estate Planning
DEBTOR-CREDITOR
See: Coercive Collection Tactics
Uniform Commercial Code—
Article 9, Notice

DEFAULT
See: Uniform Commercial Code—
Article 9, Notice

DESEGREGATION
See: Fourteenth Amendment
Symposium

DISCRIMINATION
See: Civil Rights
Open-Housing Law Exemptions

ECONOMICS
See: Antitrust

EDUCATION
See: Fourteenth Amendment
Symposium

ELECTRONIC EAVESDROPPING
Unreasonable searches and seizures
Cominion of electronic eavesdropping and informers .140- 44
Eavesdropping 138- 39
Informers 139- 40
Trespass 138- 39

ESTATE PLANNING
Absolute Power to dispose
359- 67
Test for absolute power to dispose .363- 67
Test for limited power to dispose .362- 63
Testamentary disposition
Class gifts—membership and other matters 673- 91
Closing of class membership 678- 91
Rule of convenience 680
Meaning of class gift 674- 78
Essentials 676- 77
Lapse 665- 73
Problems of construction 611- 22
Transmissibility—survivorship 622- 64

EVIDENCE
See: Administrative Inspections
Antitrust
Electronic Eavesdropping
Federal Government's Access to State-Compelled Testimony
Intoxicated Criminal Offender
Jury Instructions—Addict Informants
Right to Appointed Counsel
Strict Products Liability

EXTRAORDINARY WRITS IN MISSOURI

Mandamus
Clear duty, Compulsion to perform
Individuals 725- 27
Ministerial duty 724- 25
Private corporations 725- 27
Availability of books and records 726, 743
Duty of fair elections 726
Definition 719
Discretionary decisions, Control of Abuse, Correction of
Administrative decisions .731- 33
Arbitrary decision-making 730- 31
Erroneous but rational discretionary decision 731
Administrative decisions 728- 29
Compulsion to exercise
Administrative officers 730
Judicial officers 729- 30
Public officials 729
Presence of another adequate remedy
Exceptions 734- 35
"Other adequate remedy" 733- 34
Reason for bar 734
Present status and future applicability
Change and continuity 736
Corporate officers, retrenchment 742- 44
Effect of Knight, Keystone and Ralston Purina 744- 45
New doctrine on administrative discretion
Keystone Laundry 738- 42
Knight Oil 736- 38
Projections for future
Broadening of scope 747- 49
Corporations 745- 47
"Mistake of law" standard 747
Public duty doctrine 746
FAMILY LAW

See: Adult Adoption

FEDERAL ANTI-INJUNCTION STATUTE

See: Federal Injunction to Stay State Proceedings

FEDERAL GOVERNMENT'S ACCESS TO STATE-COMPELLED TESTIMONY

Disclosure of testimony
Prosecutor misconduct _______357- 58
Self-incrimination __________354- 58
Transactional immunity rule _355- 57
Use rule __________________355- 57

FEDERAL INJECTION TO STAY STATE PROCEEDINGS

Federal anti-injunction statute _______783
Action under Civil Rights Act, 42
As express exception to federal anti-injunction statute 782- 88
Comity ______________________786
Equity ______________________786

FEDERAL RULES OF CIVIL PROCEDURE

Class action under 23(b)(3)—preliminary hearing _______588

FEDERAL WATER POLLUTION ACT

See: Water Pollution

FLAG DESECRATION STATUTES

Advertising __________198-208
State power to prohibit 202- 03, 207
Constitutionality
Art ______________219- 23
Expression __________214- 19
Obscenity __________220- 22
Property right __________200- 01
Selective enforcement __226- 27
Speech, non-speech and symbolic speech __________230- 33
Vagueness doctrine __________227- 30
Criminal enforcement __________207
Definition of flag __________236- 37
Desecration—public and private __________________212- 14
Intent, criminal or political __223- 27
Patriotism, national welfare and public order __________208- 12
Procedure __________233- 36

https://openscholarship.wustl.edu/law_lawreview/vol1972/iss1/4
FOURTEENTH AMENDMENT SYMPOSIUM

Equal Educational Opportunity

Busing .......................... 488- 90
Community control .......... 505- 06
Equal educational opportunity in the North
Early application of Brown 501- 02
Neighborhood school policy 497- 98
Recent application .......... 502- 03
School district .......... 499- 96
Socio-economic factors .... 499- 50
Faculty integration .......... 490- 96
Implications for future ...... 506- 08
Metropolitanism .... 488- 90, 506- 08
Pace of desegregation .... 486- 90
Problems arising in wake of desegregation .... 490- 96
Redistricting ........ 488- 90
Resistance to Brown v. Board of Education .......... 486
State funding formula for public education .......... 503- 05

Equal Protection—History

Civil Rights Act ................. 440- 43, 446- 48, 452- 56, 462- 65, 469- 76, 476- 77
Civil-social distinction .... 450- 51
Enforcement acts ........ 468- 70
Interpretation during Reconstruction
Equality in Courts and Commerce .......... 444- 48
Black Codes .......... 444- 47
Jury Service .......... 447- 48
Segregation
Education .. 456- 67, 473- 74
Hotels and theaters .......... 456
Miscegenation .......... 467
Transportation .......... 452- 56
Ku Klux Act .......... 468- 70
Origin of “Equal Protection” .. 432- 43
Place in history .......... 472- 76
Second American Constitution .......... 432, 472- 73
Second American Revolution .......... 422- 26, 432
Section 1, Fourteenth Amendment .......... 428- 31
State action .......... 468- 72
Voting .......... 433- 34

National Application of the Fourteenth Amendment

Legislative districting .......... 385- 97
Multi-member districts .......... 399-403
Requirement of racial motive .......... 401- 02
School segregation cases .......... 385- 97
Burden of proof on desegregation plaintiffs .......... 395
Busing .......... 385, 388
Freedom of choice plan .......... 390
Optional transfer zone .......... 392
Reasonableness test .......... 392
Redistricting .......... 390- 92

Privileges or Immunities

Future developments .......... 418- 20
History .......... 406- 14
Incorporation .......... 414- 15
Reasons for failure .......... 414- 15
Right to travel .......... 415- 18
Derivative right on basis of right to travel .......... 417

FREE PRESS

See: Public Trial—Petition

FUTURE INTERESTS

See: Estate Planning

H

HALFWAY HOUSE AS PRIVATE NUISANCE

Nuisance, Definition of .......... 811- 14

INTERNAL REVENUE CODE

Fraud
Civil penalty .......... 798-803

Withholding Taxes—Third Party Liability

Net payroll financing .......... 767- 68
Uncertainties
“Actual” notice or knowledge .......... 774
Direct payment .......... 773
Due diligence requirement .......... 774
“Other persons” .......... 771- 72
“Specific purpose of paying wages” .......... 773- 75
Working capital loan .......... 772
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>INDECENT EXPOSURE</td>
<td>I</td>
</tr>
<tr>
<td>Lewd exposure, Definition of</td>
<td>817-18</td>
</tr>
<tr>
<td>Intent, Requirement of</td>
<td>823</td>
</tr>
<tr>
<td>Sexually motivated conduct</td>
<td>821-26</td>
</tr>
<tr>
<td>INDIENCE</td>
<td></td>
</tr>
<tr>
<td>See: Right to Appointed Counsel</td>
<td></td>
</tr>
<tr>
<td>INFORMANTS</td>
<td></td>
</tr>
<tr>
<td>See: Jury Instruction—Addict Informants</td>
<td></td>
</tr>
<tr>
<td>INHERITANCE</td>
<td></td>
</tr>
<tr>
<td>See: Adult Adoption Estate Planning</td>
<td></td>
</tr>
<tr>
<td>INJUNCTIONS</td>
<td></td>
</tr>
<tr>
<td>See: Federal Injunction to Stay State Proceedings</td>
<td></td>
</tr>
<tr>
<td>INSPECTIONS</td>
<td></td>
</tr>
<tr>
<td>See: Administrative Inspections</td>
<td></td>
</tr>
<tr>
<td>INTOXICATED CRIMINAL OFFENDER</td>
<td></td>
</tr>
<tr>
<td>Defense to general intent</td>
<td>162</td>
</tr>
<tr>
<td>Diminished capacity rule</td>
<td>163-64, 167-68</td>
</tr>
<tr>
<td>Exculpatory rule</td>
<td>163</td>
</tr>
<tr>
<td>JURY INSTRUCTIONS—ADDICT INFORMANTS</td>
<td></td>
</tr>
<tr>
<td>Reasons for special consideration of addict-informants</td>
<td>794-95</td>
</tr>
<tr>
<td>Usual evidence to determine credibility of witnesses</td>
<td>791-94</td>
</tr>
<tr>
<td>LABOR</td>
<td></td>
</tr>
<tr>
<td>See: Civil Rights Arbitralional Deference by the NLRB</td>
<td></td>
</tr>
<tr>
<td>LITIGATION EXPENSES</td>
<td></td>
</tr>
<tr>
<td>See: Attorney’s Fees</td>
<td></td>
</tr>
<tr>
<td>MINIMUM HOUSING CODES</td>
<td></td>
</tr>
<tr>
<td>Due process</td>
<td>374</td>
</tr>
<tr>
<td>NATIONAL ENVIRONMENTAL PROTECTION ACT</td>
<td></td>
</tr>
<tr>
<td>See: Water Pollution</td>
<td></td>
</tr>
<tr>
<td>NATIONAL LABOR RELATIONS ACT</td>
<td></td>
</tr>
<tr>
<td>See: Civil Rights Arbitralional Deference by the NLRB</td>
<td></td>
</tr>
<tr>
<td>NEGLIGENCE</td>
<td></td>
</tr>
<tr>
<td>See: Strict Products Liability</td>
<td></td>
</tr>
<tr>
<td>NOTICE</td>
<td></td>
</tr>
<tr>
<td>See: Federal Rules of Civil Procedure Uniform Commercial Code—Article 9, Notice</td>
<td></td>
</tr>
<tr>
<td>NUISANCE</td>
<td></td>
</tr>
<tr>
<td>See: Halfway House as Private Nuisance</td>
<td></td>
</tr>
<tr>
<td>OBSCENITY</td>
<td></td>
</tr>
<tr>
<td>See: Flag Desecration Statutes</td>
<td></td>
</tr>
<tr>
<td>OPEN-HOUSING LAW EXEMPTIONS</td>
<td></td>
</tr>
<tr>
<td>Arguments for constitutionality</td>
<td>149-50</td>
</tr>
<tr>
<td>Counterarguments against constitutionality</td>
<td>150-52</td>
</tr>
<tr>
<td>Equal protection</td>
<td>145-48</td>
</tr>
<tr>
<td>Legislative compromise</td>
<td>152-54</td>
</tr>
<tr>
<td>POLLUTION</td>
<td></td>
</tr>
<tr>
<td>See: Water Pollution</td>
<td></td>
</tr>
<tr>
<td>PRICE FIXING</td>
<td></td>
</tr>
<tr>
<td>See: Antitrust</td>
<td></td>
</tr>
<tr>
<td>PRIVATE PROSECUTORS</td>
<td></td>
</tr>
<tr>
<td>See: Qui Tam</td>
<td></td>
</tr>
</tbody>
</table>

https://openscholarship.wustl.edu/law_lawreview/vol1972/iss1/4
PROCEDURE

See: Extraordinary Writs in Missouri
Federal Rules of Civil Procedure
Flag Desecration Statutes
Qui Tam

PROHIBITION

See: Extraordinary Writs in Missouri

PROPERTY

See: Estate Planning

PSYCHIATRY—TREATMENT OF
ANTISOCIAL PERSONALITY
DISORDER

“Adequate treatment”
Definition __________________________ 693
Judicial review _______________________ 693-94

Controlled studies literature
Criteria for inclusion ________________ 703
Excluded treatment studies ____________ 703-05
Methodological deficiencies in studies _________________________________ 707-09
Results of studies _______________________ 705-07

Controlled studies of treatment of antisocial personality disorder
Essentials for controlled study of treatment
Comparable untreated group _______________________________ 700
Homogeneous group _________________ 699-700
Specific criteria for evaluating outcome ________________________ 701-02
Sufficient follow-up period ___________ 701

PUBLIC MORALS

See: Indecent Exposure

PUBLIC PROSECUTORS

See: Qui Tam

PUBLIC TRIAL—PETITION

Right of an individual other than criminally accused to petition __________________________ 580-87

PUNISHMENT

See: Segregated Confinement

QUI TAM

American adoption _________________ 91-97

R

REFUSE ACT

See: Water Pollution
Qui Tam

REHABILITATION

See: Halfway House as Private Nuisance

REMEDIES

See: Extraordinary Writs in Missouri

RIGHT TO ADEQUATE TREATMENT

See: Psychiatry—Treatment of Antisocial Personality Disorder

RIGHT TO APPOINTED COUNSEL

Definition of indigence __________ 125-26
Ex post facto inquiry ____________ 122-25
Footnote forty three _____________ 117-18
Harmless error _______________ 130-33
Police knowledge test __________ 118-22
Warning of right ______________ 117-35

RIGHT TO PUBLIC TRIAL

See: Public Trial—Petition
SECURITIES EXCHANGE ACT OF 1934

Purchase requirement for group filings
- Purposes of Disclosure — 573-74
- Rebuttable presumption of agreement to purchase additional securities — 574-75

See: Federal Rules of Civil Procedure

SECURED TRANSACTIONS

See: Uniform Commercial Code — Article 9, Notice

SEGREGATED CONFINEMENT

<table>
<thead>
<tr>
<th>Conditions</th>
<th>350-53</th>
</tr>
</thead>
<tbody>
<tr>
<td>Mental health</td>
<td>351-53</td>
</tr>
<tr>
<td>Cruel and unusual punishment</td>
<td>347-53</td>
</tr>
<tr>
<td>Prison discipline</td>
<td>349</td>
</tr>
</tbody>
</table>

SEX OFFENDER STATUTES

See: Indecent Exposure

SOCIOPATH

See: Psychiatry—Treatment of Antisocial Personality Disorder

STRICT PRODUCTS LIABILITY

Circumstantial evidence — 804-10
- Plaintiff's burden of proof — 808
- Defect, proof of — 807-08
- Consumer protection — 809
- Strict liability compared with negligence — 806
- Res ipsa loquitur — 809

SURVIVORSHIP

See: Estate Planning

TAX

See: Internal Revenue Code

THIRD PARTY BENEFICIARIES

See: Attorney's Fees

TITLE VII OF 1964 CIVIL RIGHTS ACT

See: Civil Rights

TORTS

See: Halfway House as Private Nuisance
- Strict Products Liability
- Water Pollution

TRANSACTIONAL IMMUNITY RULE

See: Federal Government's Access to State-Compelled Testimony

U

UNFAIR LABOR PRACTICES

See: Arbitrational Defenre by the NLRB

UNIFORM COMMERCIAL CODE—ARTICLE 9 NOTICE

Consequences of non-compliance with notice provisions — 550-52
- Default — 535-37
- Fuentes v. Shevin, Impact of — 537-40
- Property interest — 537-39, 541
- Self-help — 537-39
- Parties to whom notice is necessary — 540-43
- Reasonable notice — 544-50
- Retention of collateral in satisfaction of debt — 549-50
- Private Sale or other disposition — 544-47
- Public Sale — 547-49
- Remedies — 535-37
- When notice is excused — 543-44

UTILITIES

Total Energy System
- Public utility, definition of — 156-57
- Shopping center—public utility status — 155-60

W

WARRANTS

See: Administrative Inspections
- Arrest Warrants—Issuance by Non-Judicial Official

WATER POLLUTION

Federal Water Pollution Act — 303
- National Environmental Protection Act — 308-09
- Private party suits against polluters — 292-301

https://openscholarship.wustl.edu/law_lawreview/vol1972/iss1/4
Private suits against agencies 306-10
Public suits against polluters 301-06
Refuse Act 302-04
Torts 292-95

WELFARE

See: Administrative Inspections
Fourteenth Amendment Symposium

WILLIAMS ACT

See: Securities Exchange Act of 1934:
Purchase Requirement for Group Filings

WRITS

See: Extraordinary Writs in Missouri