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INDEX DIGEST*

ADMINISTRATION
See Executors and Administrators

ADMINISTRATIVE LAW
Administrative Agencies
See also: Federal Communications Commission, Interstate Commerce Commission
National Labor Relations Board's blanket cease and desist order 554
S. E. C.—Investment Company Act of 1940 .................................. 303
Support of Applicant by Relative under Missouri's Social Security Act ......................................................... 374

Bibliography
Attorney General's Committee on Administrative Procedure: Monograph No. 22, Administration of Internal Revenue Law, a review 291

Discretion
Control of administrative discretion—refusal of liquor license........ 134

In General
Regulation of barbers, a case study 213

Judicial Control
Judicial review on issue of confiscation, extent of.............................. 265
Mandamus as control of administrative discretion in refusing liquor license........................................ 134
Res judicata, effect of judicial decision against one federal agency on administrative proceedings of another ........................................ 363

Licensing
Refusal of liquor license—control of administrative discretion.. 134

Powers of Agencies
Investigatory powers of Congress & administrative agencies......... 531
Regulation of barbers, a case study 213

Procedure
Administrative Procedure: a report and an evaluation..................... 493
Federal Communications Commission—appeal by "person aggrieved"—economic injury ...... 121

ADMINISTRATORS
See Executors and Administrators

ADMISSION

ADOPTIONS
Equitable adoptions in Missouri 669
Missouri 1917 adoption law........ 669

AGENCY
Principal's liability to third person
Statutory presumptions of liability of automobile owner for negligence of driver.............................. 578
Negligence of agent commandeered by police................................ 123
Scope of agent's authority
Scope of employment.................. 123

ANTI-TRUST LAWS
See Restraint of Trade

APPEAL AND ERROR
Decisions reviewable
Jurisdictional amount on appeal 125

ARBITRATION AND AWARD
Arbitration contracts and submission ........................................ 559
Agreement to arbitrate future disputes ..................................... 559

ASSIGNMENT
See also Insurance
Recovery where assignment of insurance policy is to one without an insurable interest.............. 277

BANKS AND BANKING
Deposits
Unqualified depository of public funds .................................... 127
Regulation
Investment Company Act of 1940 303

BANKRUPTCY
Corporate reorganization
Creditors in reorganization proceedings ..................................... 27

CERTIORARI
See Extraordinary Writs

CLASS SUIT
See Res Judicata

CONFLICT OF LAWS
Garnishment in Missouri in relation to .................................. 85
Procedure—burden of proof in federal conflict of laws situations 244

* Page numbers in bold face indicate leading articles; those in italics, notes; those in ordinary type, case comments or book reviews.

Washington University Open Scholarship
DESCENT AND DISTRIBUTION
Inheritance of adopted child from kindred of adoptive parents...569

DIRECTORS
See Corporations

DOMESTIC RELATIONS
Annulment
Concealment of venereal disease 274

DUE PROCESS
See Constitutional Law

EVIDENCE
In general
Admissibility of results of intoxication tests...........................435
Admissibility of telephone conversations ...............................433
Identification of calling party on telephone ............................433

EQUITY
See also: Adoption, Contracts (specific performance), Extraordinary Writs, Injunction, Labor Law, Trusts
Subjects of jurisdiction: contracts
Affirmative aspect of doctrine of mutuality ............................431
Oral contracts to convey land...275

EXECUTORS AND ADMINISTRATORS
Personal disqualification of administrators .............................106, 257

EXTRAORDINARY WRITS
See also: Injunction
Certiorari
Stipulations as part of the record 129
Mandamus
Control of administrative discretion where liquor license was refused 134
Issuance to legislative officer—nature of speaker's duty to declare election of governor............442

FAIR LABOR STANDARDS ACT
See Labor Law

FAMILY LAW
See Adoption, Domestic Relations

FEDERAL COMMUNICATIONS COMMISSION
Appeal by “person aggrieved” from order of commission.............121

FEDERAL COURTS
Jurisdiction
Appeal—diversity of citizenship—retrospective application of change in state law under Erie R. R. v. Tompkins...437
Avoiding federal jurisdiction—assignment to prevent diversity of citizenship .................................446
Diversity of citizenship—appeal 437
Jurisdiction of Supreme Court over suits by states....................61

Questions of state law
Retrospective application of change in state law under Erie R. R. v. Tompkins ............................437

Powers: justiciable controversies
Case or controversy in declaratory judgment proceedings...........128

Procedure
Pre-trial procedure.................................848

Suits between states
Original jurisdiction of supreme court over ............................61

Suits to which a state is a party
Suits by states within original jurisdiction of supreme court....61

GARNISHMENT
Missouri
Conflict of laws problems...........85

HISTORY OF LAW
See also: Legal Bibliography
In general
Scott: Law, the State and the International Community, a review 147
Shriver: The Judicial Opinions of Oliver Wendell Holmes, a review 593

HUMANITARIAN DOCTRINE
See Torts (contributory negligence)

INJUNCTIONS
Nature and scope
Under Sherman Act, effect of Norris-La Guardia Act.................280

INSTRUCTIONS
See Jury, Procedure

INSURANCE
Assignment
To one without insurable interest—extent of recovery....................277
INSURANCE—Continued

Insurable interest
Extent of recovery where assignment made to one without insurable interest

Rights of beneficiary
Rights of beneficiary and transferee as affected by assignment of life insurance policy

INTERSTATE COMMERCE COMMISSION
In general
Lay practice before I. C. C.—unauthorized practice of law

INTERNATIONAL LAW
Bibliography
McMahon: Conquest and Modern International Law—Its Legal Limitations on the Acquisition of Territory by Conquest, a review

INVESTMENT
Investment Company Act of 1940

JURISDICTION
See Federal Courts

JURISPRUDENCE
Bibliography
Gillian: Legal Realism and Justice, a review

In general
Scott: Law, the State and the International Community, a review
Shriver: The Judicial Opinions of Oliver Wendell Holmes, a review

JURY
Instructions to juries
Right to jury trial in criminal contempt (Mo.)

LABOR LAW
Bibliography
Teller: The Law Governing Labor Disputes and Collective Bargaining

Conspiracy
Hutcheson case

In general
Blanket cease and desist order of the N. L. R. B.
Hutcheson case
Tips as wages under Fair Labor Standards Act

Statutes and interpretation
Fair Labor Standards Act, tips as wages under
Injunction under Sherman Act—effect of Norris-LaGuardia Act

LEGAL BIOGRAPHY
Holmes, Oliver Wendell
Howe: Holmes-Pollock Letters: The Correspondence of Mr. Justice Holmes and Sir Frederick Pollock, 1874-1932, a review

Nagel, Charles
A foreword
A sketch of his professional life
In public life
United States Chamber of Commerce
Taft, William Howard
Pringle: The Life and Times of William Howard Taft, a review

LIBEL AND SLANDER
Publication
Liability of advertising company for publication of client’s circular

MANDAMUS
See Extraordinary Writs

NAGEL, CHARLES
See Legal Biography

NATIONAL LABOR RELATIONS BOARD
See Administrative Law, Labor Law

PARENT AND CHILD
See Adoption

PLEADING
See also: Federal Courts, Procedure
General denial in Missouri

PRACTICE OF LAW
Lay practice before I. C. C.

PRINCIPAL AND AGENT
See Agency

PRIVACY, RIGHT OF
Liability for violating retirement of public figure

PROCEDURE
See also: Administrative Law, Courts, Extraordinary Writs, Federal Courts, Jury, Pleading
In general
Burden of proof in federal conflict of laws situations
Certiﬁrari, stipulations as part of the record
Declaratory Judgment Act
General denial in Missouri
PROCEDURE—Continued
Instructions
To juries ....................................... 455
Jurisdictional amount on appeal
(Missouri) ...................................... 125
Pre-trial procedure ........................... 348
QUASI CONTRACTS
Bibliography
Thurston: Cases on Restitution, a review .... 448

RES JUDICATA
Persons concluded
Class suits ........................................ 422
RESTITUTION
See Quasi Contracts

RESTRAINT OF TRADE
Anti-trust legislation
Different sanctions applied to agriculture and industry .................. 132
Hutcheson case, an interpretation of the Sherman Act after the Norris-La Guardia Act . 375
Reach after new weapons ..................... 1
Bibliography
Arnold: The Bottle-necks of Business, a review ....................... 294
Hamilton: The Pattern of Competition, a review ........................ 591
Sherman Act
Hutcheson case .................................. 375
Injunction under Sherman Act—effect of Norris-La Guardia Act 280

SALES
Conditional sales—in general
Tripartite credit transactions .................. 282
In general
Carrying charge as usury ........................ 282
SHERMAN ACT
See Labor Law, Restraint of Trade
SOCIAL SECURITY COMMISSION
See Administrative Law, Statutes
SPECIFIC PERFORMANCE
See Contracts, Equity, Injunction

STATUTES
In general
Internal revenue laws, administration of .................................. 291
Investment Company Act of 1940 ........... 303
Missouri 1917 adoption law ............. 569
Presumptions of agency—liability of automobile owner for negligence of driver ............................. 578
Uniform Declaratory Judgment Act .... 469

Interpretation
Missouri Social Security Act—support of applicant by relative ............................ 574
Power of federal courts to punish summarily for contempt geographically limited ................ 566

STATUTE OF FRAUDS
Oral contract to convey land ............. 275

TAXATION
Attorney General’s Committee on Administrative Procedure, Monograph No. 22, Administration of Internal Revenue Laws, a review 291

TORTS
See also: Admiralty, Contributory Negligence, Libel and Slander, Privacy, Right of. For torts in particular relations, see Agency, Labor Law, Trusts

Contributory negligence
Humanitarian rule—a position of peril doctrine .................................. 612
Negligence
Principal’s liability for negligence of agent commanded by police 123
Statutory presumption of agency and consent—liability of automobile owner for negligence of driver .................................. 578

TRUSTS
In general
Trust relationship between bank and depositor ................................ 127
Powers and obligations of trustees
Investment of stock of private corporations (Missouri) ................ 580
Investment of trust estate funds .................................. 125
Tentative trusts
Joint bank account payable to either or survivor ........................ 286

USURY
See Sales

WAGES
See Labor Law