## INDEX

## ARTICLES

EXTRA-TERRITORIAL ENFORCEMENT OF REVENUE LAWS—John L. Freeze IS OUR CONSTITUTION ADEQUATE FOR PRESENT DAY NEEDS?—Robert L.	_
Howard	47
ERATIONS—Albert Salisbury Abel	459 1
Stix THE HANDMAID OF JUSTICE—Charles E. Clark. THE LAW OF HYBRID SECURITIES—Rudolf E. Uhlman.	156 297 182
AUTHORS	
ABEL, ALBERT SALISBURY—Price Control by Government Competition in Anglo-American Federations	459 297 321 1
Needs?	47
Needs? STIX, WILLIAM—The Appropriate Bargaining Unit under the Wagner Act	156
UHLMAN, RUDOLF E.—The Law of Hybrid Securities	182
NOTES	
A FAIR AND EQUITABLE PLAN UNDER 77B	543
CONTROL BOARD	238 399
CONFLICT OF JURISDICTION BETWEEN THE FEDERAL DISTRICT COURTS AND	
THE NATIONAL LABOR RELATIONS BOARD  DEFINITENESS OF CHARITABLE PURPOSE IN MISSOURI	425 556
ELECTION OF REMEDIES IN MISSOURI	527
MEN'S COMPENSATION COMMISSION	99 251
PRIORITIES IN MISSOURI BANK LIQUIDATIONS	209
RADIO DEFAMATION—LIBEL OR SLANDER?	262
St. Louis Procedure in Condemnation	90 412
TAXABILITY BY THE ISSUING GOVERNMENT OF BONDS WITH TAX-EXEMP-	
TION FEATURES	509 343
THE EFFECT OF FLUCTUATING RATES OF INTEREST ON THE NEGOTIABILITY	
OF AN INSTRUMENT THE INHERENT POWERS OF CORPORATION PRESIDENTS	385 117
BOOK REVIEWS	
AIGLER-Cases on the Law of Negotiable Paper and Banking-(Al-	
bert S. Abel)	147
S. Orman)	288
BRIGGS—The Law of Nations—Cases, Documents, and Notes—(Arnold J. Lien)	291

CHAFEE—State House versus Pent House—Legal Problems of the Rhode	
Island Race-Track Row-(Albert S. Abel)	589
Dowling—Cases on Constitutional Law—(F. D. G. Ribble)	143
MAURER—Cases and Other Materials on Administrative Law—(Harry	110
W. Jones)	149
W. Jones) OSBORN—The Mind of the Juror—(Frank E. Atwood)	452
RIBBLE—State and National Power over Commerce—(Edward S. Cor-	404
win)	142
RIENOW-The Test of the Nationality of a Merchant Vessel-(Arnold	
J. Lien)	144
ROHLFING, CARTER, WEST, AND HERVEY—Business and Government—	
(Walter F. Gast)	587
RUTHERFORD—The Influence of the American Bar Association on Public	
Opinion and Legislation—(Albert J. Harno)	286
SCOTT AND JAEGER—Cases on International Law—(Arnold I Lien)	291
SHARFMAN—The Interstate Commerce Commission, Part IV—(Ralph	401
	449
STASON—Cases and Other Materials on Administrative Tribunals—	440
Jason—Cases and Other Materials on Auministrative 17tounals—	4 40
(Harry W. Jones)	149
SUNDERLAND—Judicial Administration—Its Scope and Methods—(Tyr-	
rell Williams)	145
rell Williams)	
man)	293
VERNIER—American Family Laws—(Stuart A. Queen)	592
VON REDLICH—The Law of Nations—(Stefan A. Riesenfeld)	289
(Marcellus von Redlich)	453
(Stefan A. Riesenfeld)	593
Zeller—Pressure Politics in New York—(Arnold J. Lien)	580
The state of the s	000
TABLE OF CASES COMMENTED ON	
Colby v. Riggs National Bank (App. D. C., 1937) 92 F. (2d) 183	271
Donnelly Garment Co. v. International Ladies' Garment Workers' Union	
(D. C. W. D. Mo. 1937) 21 F. Supp. 807 Erie R. Co. v. Tompkins (1938) 58 S. Ct. 817, 82 L. ed. 787	132
Erie R. Co. v. Tompkins (1938) 58 S. Ct. 817, 82 L. ed. 787	568
Evanc v Hilliard (Mo Ann 1022) 119 C W (24) 226	565
13 vans v. ainnaid (110. App. 1335) 112 5. W. (2d) 660	
Evans v. Hilliard (Mo. App. 1938) 112 S. W. (2d) 886	•••
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283 282
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347 Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631 Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735	575 283 282 136
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621  Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57  S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618	575 283 282
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283 282 136 437
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283 282 136 437 437
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621  Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618 Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127	575 283 282 136 437 437 580
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618 Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125	575 283 282 136 437 437
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347.  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621  Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57  S. Ct. 772, 81 L. ed. 735.  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127.  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5	575 283 282 136 437 437 580
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283 282 136 437 437 580
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283 282 136 437 437 580 280
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347	575 283 282 136 437 437 580 280 434
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618 Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125 Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5 U. S. Law Week 643  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176	575 283 282 136 437 437 580 280
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347.  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735.  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618.  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127.  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5  U. S. Law Week 643.  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176.  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d)	575 283 282 136 437 437 580 280 434
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618 Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125 Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5 U. S. Law Week 643  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176.  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d) 849	575 283 282 136 437 437 580 280 434 134
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621  Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5  U. S. Law Week 643  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176.  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d) 849  Morgan v. United States (1938) 58 S. Ct. 773, 82 L. ed. 757.	575 283 282 136 437 437 580 280 434 134 565 564
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347.  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631.  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735.  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618.  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607.  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127.  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125.  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5  U. S. Law Week 643.  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176.  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d) 849  Morgan v. United States (1938) 58 S. Ct. 773, 82 L. ed. 757.  National Biscuit Co. v. Kellogg Co. (C. C. A. 3, 1937) 91 F. (2d) 150.	575 283 282 136 437 437 580 280 434 134
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347.  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631.  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735.  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618.  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607.  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127.  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125.  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5  U. S. Law Week 643.  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176.  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d) 849  Morgan v. United States (1938) 58 S. Ct. 773, 82 L. ed. 757.  National Biscuit Co. v. Kellogg Co. (C. C. A. 3, 1937) 91 F. (2d) 150.	575 283 282 136 437 437 580 280 434 134 565 564 138
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5 U. S. Law Week 643  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d) 849  Morgan v. United States (1938) 58 S. Ct. 773, 82 L. ed. 757  National Biscuit Co. v. Kellogg Co. (C. C. A. 3, 1937) 91 F. (2d) 150  National Labor Relations Board v. Mackay Radio & Telegraph Co. (1938) 58 S. Ct. 905	575 283 282 136 437 437 580 280 434 134 565 564 138
Fitterling v. Johnson County Mutual Fire Ins. Co. (Mo. App. 1938) 112 S. W. (2d) 347.  Fred Waring v. WDAS Broadcasting Station, Inc., (Pa. 1937) 194 Atl. 631.  Gnekow v. Metropolitan Ins. Co. (Mo. App. 1937) 108 S. W. (2d) 621 Great Atlantic & Pacific Tea Co. v. Grosjean (1937) 301 U. S. 412, 57 S. Ct. 772, 81 L. ed. 735.  Helvering v. Bankline Oil Co. (1938) 58 S. Ct. 616, 82 L. ed. 618.  Helvering v. Mountain Producers Corp. (1938) 58 S. Ct. 623, 82 L. ed. 607.  Irwin v. Ashurst (Ore. 1938) 74 P. (2d) 1127.  James v. Dravo Contracting Co. (1937) 58 S. Ct. 208, 82 L. ed. 125.  Liberty Mutual Ins. Co. v. Clark (Boone Cty. Cct. Ct., Mo. 1938) 5  U. S. Law Week 643.  McKnight Keaton Grocery Co. v. McFadden (Mo. App. 1937) 107 S. W. (2d) 176.  McNicholas v. Continental Baking Co. (Mo. App. 1938) 112 S. W. (2d) 849  Morgan v. United States (1938) 58 S. Ct. 773, 82 L. ed. 757.  National Biscuit Co. v. Kellogg Co. (C. C. A. 3, 1937) 91 F. (2d) 150.	575 283 282 136 437 437 580 280 434 134 565 564 138

A. 7, 1938) 92 F. (2d) 15	578 445 127 129
Wood v. United States (D. C. W. D. Ark. 1937) 20 F. Supp. 197 2  INDEX DIGEST*	277
Administrative Law— Conflict of jurisdiction between Federal District Courts and National Labor Relations Board.  Declaratory judgment, availability to test propriety of administrative action.  Fair hearing.  Irreparable damage, effect of allegations on attempts to enjoin hearings by the National Labor Relations Board.  "Jurisdictional Facts," application to hearings by National Labor	431 564
Relations Board	426 238 260
Agency-	
Inherent powers of corporation presidents	117
Ratification of a proposed amendment after a prior rejection	129
Appeal and Error— Briefs, regulation by court rules	565
By state in criminal cases	439
Bailments— Insolvent banks as bailees of securities	230
Bankruptcy-	~ 70
Constitutionality of National Bankruptcy Act of 1937	
Banks and Banking—	
Constructive trust from failure to pay checks	221
Fraudulent sale of drafts during insolvency	224
Insolvency, Missouri procedure	209
Priorities in Missouri bank liquidations	
Priorities of the state in bank insolvencies	
Depositors for collection in insolvent bank	215
Deposits pending insolvency of bank	222
Fiduciary deposits	229
General depositors in insolvent bank	
Holders of drafts in insolvent bank	
Status of special depositors of insolvent bank	212
Trust funds, traced in insolvent bank	233
Bills of Lading— Use under Federal Motor Carriers Act	39
Bills and Notes—	
Liability of trustee signing in representative capacity	127

<sup>\*</sup> Page numbers in black face type indicate articles; those in italics, notes; and those in ordinary type, case comments.

Bonds	
As preferred stock	188
Bases for exemption from taxation of state and national govern-	
ment securities	508
Bulk Sales Act—	40
Status of creditors under	134
Carriers—	٠.
Regulation of carriers under Federal Motor Carrier Act	11
Chain Stores—	400
State tax on chain stores according to number of stores	130
Charitable Trusts—	
Definiteness of charitable purpose in Missouri	550
Collective Bargaining under the Wagner Act—	158
Craft as a unit for	168
ractors affecting determination of a pargaining unit	164
Inclusion or exclusion of particular employees as a unit for	174
Multiple units in	
Compensation—	100
Condemnation proceedings	98
Competition—	01
Price control by government competition in Anglo-American Feder-	
ations	459
Condemnation—	100
Procedure in St. Louis	90
Conflict of Laws—	•
Enforcement of revenue laws of one state by another	274
Extraterritorial enforcement of revenue laws	
Consolidation—	
Motor carriers under Federal Motor Carrier Act	24
Constitutional Law-	
Constitutionality of doctrine of Swift v. Tyson	568
Constitutionality of National Bankruptcy Act of 1937	578
Constitution and present needs, The	47
Federal taxation, immunity of state agency	437
Powers of Congress, controversies	51
Price control by government competition in Anglo-American Feder-	
ations	459
Statute permitting appeal by state in criminal cases	439
Taxability by the issuing government of bonds with tax-exemption	
features	508
Construction—	
Missouri "Dead Man's Statute"	340
Contracts-	
Collective labor agreements, rights of nonunion employees	570
Inadmissibility of indirect proof of contract under Missouri "Dead	
Man's Statute"	
Corporations-	
"Bonds" as preferred stock	188
Character and nature of Tontine Insurance Policies	187
Character of corporate trade certificates	187
Character of Participating Operation Certificates	188
Definition of a hybrid security	183
Inherent powers of corporation presidents	117
Law of hybrid securities	182
Taxation of hybrid securities	203
Court Rules—	<b>~</b> ~ ~
Briefs as regulated by	565
Possibility of changes in Missouri Civil Procedure by	421

Courts— Constitutionality of doctrine of Swift v. Tyson	568
Criminal Law— Constitutionality of statute permitting appeal by state	439
Effect of pardoned prior offense upon the status of an habitual criminal	
Forgery by countersigning	573
Penal provisions of the Securities Act of 1933	252
Measure in condemnation proceedings	93
Declaratory Judgments— Availability to test propriety of administrative action	431
Defamation—	
Analogies resorted to in radio cases	
By radioPrivilege of judicial proceedings broadcast by radio	202 580
Election of Remedies—	000
Application of doctrine to an election between continuation and	
termination of contractual relations	534
Application of doctrine to problems growing out of land transactions	510
Application of doctrine to remedies against agent or trustee and	
recipient of converted funds	536 508
Establishment of doctrine in Missouri	529
Finality of election as a limitation on the doctrine of	532
Inconsistency as a limitation on the doctrine of	531
Limitations on	531
Mistake as a limitation on the doctrine of	533
Missouri's application of doctrine of	527
Necessity of choice as a limitation on doctrine of	<i>531</i>
Relationship to the law of security transactions	<i>539</i>
Extraordinary Legal Remedies— Use in Workmen's Compensation cases	114
Evidence	•
Admissibility of testimony of interested witnesses under the Mis-	
souri "Dead Man's Statute"	343
Statute"	354
Competency of Co-defendants of Co-plaintiffs to testify under Mis-	370
Competency of a guardian ad litem to testify under Missouri "Dead	070
Man's Statute"	352
Competency of husband and wife to testify against each other under Missouri "Dead Man's Statute"	353
Competency of officer of corporation to testify under Missouri "Dead Man's Statute"	
Competency of partner to testify under Missouri "Dead Man's	
Statute"	354
testify	
Competency of stockholder to testify under Missouri "Dead Man's Statute"	354
Competency of a surviving party to a cause of action to testify under Missouri "Dead Man's Statute"	950
Competency of a surviving party to a contract to testify under Missouri "Dead Man's Statute"	000
Missouri "Dead Man's Statute"	353
Competency of a trustee to testify under Missouri "Dead Man's Statute"	352

Competency of witnesses not parties to the record, under Missouri	
"Dead Man's Statute"	362
"Dead Man's Statute".  Inadmissibility of indirect proof of contract or cause of action under Missouri "Dead Man's Statute	
Missouri Workmen's Compensation Commission, reception of evi-	366
dence	110
Waiver of incompetency of witnesses	367
Federal Courts—	•••
Conflict of jurisdiction between the National Labor Relations Board	
and	425
Federal Motor Carrier Act—	
Bills of lading under	39 31
Consolidation and merger under	24
Criminal penalty for violation of	43
Purpose of	2
Regulation by Interstate Commerce Commission	15
Regulation of rates under	29
Requirement of reports of motor carriers under	42
State regulation of Motor Carriers under	5
State taxation, affected by	3 34
Fraudulent Conveyances—	34
Status of creditors under Bulk Sales Law	134
Future Interests—	
Claim of remainderman under policy of fire insurance to life tenant	
as absolute owner	575
Grandfather Clause—	-
As found in Federal Motor Carrier Act	20
Competency of husband and wife to testify against each other under	
Missouri "Dead Man's Statute"	353
Injunction—	
Injunctive provisions of the Securities Act of 1933	
Use to protect performer's interest in his recorded performance	283
Insolvency—	001
Estoppel of claimants for priorities in case of bank insolvencies  Missouri procedure on bank insolvencies	
Status of holders of drafts when bank insolvent	218
Tracing trust funds through an insolvent bank	
Insurance—	
Character and nature of Tontine Insurance Policies	187
Right to proceeds, claim of remainderman under policy to life	~~~
tenant as absolute owner	9.19
Interest→ Effect of fluctuating ratio of interest on negotiability of an in-	
strument	385
Interstate Commerce—	
Limitations on federal marketing programs	466
Necessity of motor carriers to obtain a permit under Federal Motor	
Carrier Act	20
Regulation of rates of motor carriers under Federal Motor Car-	00
rier Act	29
Interstate Commerce Act— Motor carriers subject to the security provisions under Federal	
Motor Carrier Act provisions under rederar	26
Interstate Commerce Commission—	
Hearings and investigations under Federal Motor Carrier Act	31
Reports under Federal Motor Carrier Act	42

Investigations—	
By Interstate Commerce Commission under Federal Motor Carrier Act	31
Irreparable Damage—	٠.
Effect of allegations of, to enjoin hearings by the National Labor	
Relations Board	429
Judgments— Extraterritorial enforcement of revenue laws with respect to suits	
on tax judgments	335
Jurisdiction—	-
Conflict of jurisdiction between Federal District Courts and the	
National Labor Relations Board	425
Doctrine of "jurisdictional facts," application to hearings by Na-	
tional Labor Relations Board	426
Labor— Appropriate bargaining unit under the Wagner Act	156
Collective labor agreements, rights of nonunion employee	570
Craft as a unit for collective bargaining under the Wagner Act,	0.0
The	158
Decisions as to what are and what are not appropriate units for	
collective bargaining	160
Factors affecting the determination of a bargaining unit under the	100
Wagner Act Immunities of the Norris-LaGuardia Act not granted when no labor	168
dispute	131
Inclusion or exclusion of particular employees as a unit for col-	
lective bargaining	164
Liability of trade unions for violence	442
Multiple units in collective bargaining under the Wagner Act	
Plant as a unit for collective bargaining under the Wagner Act  Validity of a closed shop agreement	
Labor Unions—	770
Appropriate bargaining unit under the Wagner Act	156
Craft as a unit for collective bargaining under the Wagner Act	158
Factors affecting the determination of a bargaining unit under the	400
Wagner Act	168
tive bargaining	164
tive bargaining	174
Plant as a unit for collective bargaining under the Wagner Act	159
Legislation—	
Construction of the Missouri "Dead Man's Statute"	346
Legislative modifications of "Dead Man's Statutes"	383
Possibility of changes in Missouri Civil Procedure by legislation  Validity of the Minnesota Mortgage Moratorium	420 49
Liability—	43
Of trustee signing note in representative capacity	127
Libel—	
Radio defamation	262
Mortality Tables—	
Use for deductions from Federal Estate Tax	277
Motor Carriers—	
Consolidation and merger under Federal Motor Carrier Act  Exemptions of motor carriers under Federal Motor Carrier Act	24 10
Investigatory power of Commission into business management of	10
motor carriers under Federal Motor Carrier Act	19
Issuance of bills of lading under Federal Motor Carrier Act	39
Maximum hours of service of employees under Federal Motor Car-	
rier Act	18

Motor carriers regulated under Federal Motor Carrier Act	6
Necessity of obtaining permit under Federal Motor Carrier Act Penalty for violation of Federal Motor Carrier Act	20 43
Provision against undue discrimination under Federal Motor Carrier Act	29
Purpose of Federal Motor Carrier Act	2
Purpose of Federal Motor Carrier ActQualifications of employees under Federal Motor Carrier Act  Regulation of rates under Federal Motor Carrier Act	17 29
Requirements of continuous and adequate service under Federal Motor Carrier Act	16
Requirement of reports to Interstate Commerce Commission  Requirement to keep accounts under Federal Motor Carrier Act  Safety of equipment under Federal Motor Carrier Act	42 16 19
Municipal Corporations— Constitutionality of National Bankruptcy Act of 1937	578
Negligence— Liability of automobile dealer for defects in demonstration car	579
Negotiable Instruments—	
Tests used to determine the effect of fluctuating rates of interest on	127
Patent— Right to use trade name with secondary meaning	138
Penalties-	
Penal provisions of the Securities Act of 1933	252
Presumptions— Presumed that the bill of exceptions was signed by the judge try-	
ing the cause  Presumption of authority of the corporate president to act for the	282
corporationPrices—	110
Price control by government competition in Anglo-American Fed-	459
Procedure—	
	534
Condemnation procedure in St. Louis	90 528
Election of remedies in Missouri Establishment of doctrine of election of remedies in Missouri	527
Establishment of doctrine of election of remedies in Missouri  Fair hearing in administrative procedure  Final action on review of an award by Missouri Workmen's Com-	564
pensation Commission	113
Limitations on the doctrine of election of remedies	531
Missouri procedure on bank insolvencies	209
Prerequisite steps necessary to obtain an award from the Work-	440
men's Compensation Commission in Missouri	101
Use of extraordinary legal remedies in Workmen's Compensation cases	111.
Property—	444
Claim of remainderman under fire insurance policy to life tenant as absolute owner	575
St. Louis procedure in condemnation	90
Right of Privacy— Performer's interest in his recorded performance	283

Sales Tax—	
Applicability to particular transactions	399
Applicability to contractors	406
Securities—	
Bases for exemption from taxation of state and national govern-	509
ment securities	187
Character of Participating Operation Certificates	185
Character of Tontine Insurance Policies	187
Definition of a hybrid security	183
Fair plan under sec 77B as between junior and senior security holders	511
Preferred stock as corporate indebtedness	196
Preferred stock with bond features	190
Taxation of hybrid securities	203
Slander—	
Privilege of judicial proceedings broadcast by radio	580
Statutes—	
British North America Act	-462
Commonwealth of Australia Constitution	919
Federal Motor Carrier Act	
First Child Labor law passed by Congress	57
Judiciary Act of 1789	570
Missouri Workmen's Compensation Act	105
National Bankruptcy Act of 1937	
Neutrality Act	131
Packers and Stockvards Act	564
Securities Act of 1933, penal and injunctive provisions of the	251
Uniform Fiduciaries Act	
Taxation—	
Bases for exemption from taxation of state and national govern-	
ment securities Extraterritorial enforcement of revenue laws	
Graduated state tax on chain stores according to number of outlets	
Hybrid securities	203
Immunity of state agency from Federal taxation	280
Taxability by the issuing government of bonds with tax-exemption	
features	509
Sales tax, applicability to particular transactions	399
Torts— Radio defamation, privilege of judicial proceedings	EOU
Liability of automobile dealer for defects in demonstrator car	579
Trade names—	010
Right to use trade name with secondary meaning	138
Trade Unions—	
Liability for violence	442
Trial Practice—	
Competency of a party to testify who derives title or interest from	
deceased	363
Presumption that the bill of exceptions was signed by the judge trying the cause	222
Trusts—	
Constructive trust when refusal by bank to pay on checks	221
Definiteness of charitable purpose in Missouri	<i>556</i>
Liability of bank accepting fiduciary money in payment of loan or	054
overdraft	Z''1

Liability of trustee signing note in representative capacity	127
Status of deposits of fiduciary in bank insolvencies	229
Unauthorized Practice—	
By claims departments of Casualty Insurance Companies	434
Unfair Competition—	
The performer's interest in his recorded performance	283
Wagner Act—	
Appropriate bargaining unit under	156
Craft as a unit for collective bargaining under	158
Multiple units in collective bargaining under the	174
Plant as a unit for collective bargaining under	159
Waiver—	
Of incompetency of witnesses	367
Williams, Tyrrell—	
Tribute to	153
Witnesses-	
Basis of disqualification of witnesses under the Missouri "Dead	
Man's Statute"	
Waiver of incompetency of	367
Workmen's Compensation Act—	
Chart showing attitude of courts in reviewing awards made by	
Missouri Workmen's Compensation Commission	101
Grounds upon which an award made by Missouri Workmen's Com-	
pensation Commission may be set aside	
In Missouri	
Extraordinary legal remedies, use of in Workmen's Compensation	
cases	114
Workmen's Compensation Commission—	
Final action on review of an award by the Commission in Missouri	113
Procedural steps prerequisite to obtain an award from Missouri	
Commission	
Procedure on review of an award	
Reception of evidence by	110



TYRRELL WILLIAMS

