

INDEX

ARTICLES

A MALAPROPIAN PROVISION OF STATE CONSTITUTIONS— <i>Thomas F. Green, Jr.</i>	359
GOVERNMENT-OWNED CORPORATIONS AND INTERGOVERNMENTAL TAX IMMUNITY— <i>Walter Freedman</i>	46
LITERATURE IN LAW BOOKS— <i>W. S. Holdsworth</i>	153
MURDER BY THE CLOCK— <i>James K. Knudson</i>	305
PASSENGER FOR CONSIDERATION IN AUTOMOBILE INSURANCE— <i>Robert L. Taylor</i>	497
PRESSURE-GROUP ACTION AND THE DEMOCRATIC PROCESS: A STUDY OF THE RAILROAD SITUATION— <i>Leslie Craven</i>	463
THE AUTO-FINANCE CONSENT DECREE: A NEW TECHNIQUE IN ENFORCING THE SHERMAN ACT— <i>Harold F. Birnbaum</i>	525
THE CHARITABLE CORPORATION AND THE CHARITABLE TRUST— <i>Thomas E. Blackwell</i>	1
THE LAW OF ZONING IN MISSOURI SINCE EUCLID V. AMBLER REALTY CO.— <i>J. B. Steiner</i>	193
THE LAW SCHOOL AS AN EDUCATIONAL INSTITUTION— <i>Brainerd Currie</i> ..	476
THE OBJECTIVES OF LEGAL AID CLINIC WORK— <i>John S. Bradway</i>	173

AUTHORS

BIRNBAUM, HAROLD F.— <i>The Auto-Finance Consent Decree: A New Technique in Enforcing the Sherman Act</i>	525
BLACKWELL, THOMAS E.— <i>The Charitable Corporation and the Charitable Trust</i>	1
BRADWAY, JOHN S.— <i>The Objectives of Legal Aid Clinic Work</i>	173
Craven, Leslie— <i>Pressure-Group Action and the Democratic Process: A Study of the Railroad Situation</i>	463
CURRIE, BRAINERD— <i>The Law School as an Educational Institution</i> ..	476
Freedman, Walter— <i>Government-Owned Corporations and Intergovernmental Tax Immunity</i>	46
GREEN, THOMAS F., JR.— <i>A Malapropian Provision of State Constitutions</i>	359
HOLDSWORTH, W. S.— <i>Literature in Law Books</i>	153
Knudson, James K.— <i>Murder by the Clock</i>	305
STEINER, J. B.— <i>The Law of Zoning in Missouri since Euclid v. Ambler Realty Co.</i>	193
Taylor, Robert L.— <i>Passenger for Consideration in Automobile Insurance</i>	497

NOTES

ADMISSIBILITY OF EVIDENCE OF INTERCEPTED COMMUNICATIONS	256
CONSTITUTIONALITY OF MUNICIPAL PERSONAL INCOME TAX, WITH PARTICULAR REFERENCE TO ST. LOUIS	217
EXEMPTED TRANSACTIONS UNDER THE SECURITIES ACT OF 1933	383
IMPROVEMENTS BY A TENANT AS REALIZED INCOME TO THE LANDLORD ..	563
NATURE OF INTERESTS CREATED BY OIL LEASES IN ILLINOIS	91
NOTICE AND HEARING IN MINIMUM WAGE REGULATION	233
REBUTTING THE PRESUMPTION OF REVOCATION OF LOST OR DESTROYED WILLS	105
REPUDIATION OF INTERGOVERNMENTAL TAX IMMUNITY IN ANGLO-AMERICAN FEDERATIONS	583
SELF-HELP IN THE COLLECTION OF DEBTS AS A DEFENSE TO CRIMINAL PROSECUTION	117

STATUTORY DAMAGES FOR COPYRIGHT INFRINGEMENT.....	400
THE NEGATIVE ORDER DOCTRINE: ROCHESTER TELEPHONE CORPORATION V. UNITED STATES.....	591
UNIFORMITY OF TAXATION IN MISSOURI.....	242

BOOK REVIEWS

BABBITT— <i>The New Federal Rules of Civil Procedure</i> —(Tyrrell Williams)	619
BACKMAN— <i>Government Price Fixing</i> —(Albert S. Abel).....	449
BROWN— <i>Lawyers and the Promotion of Justice</i> —(R. Allan Stephens)	433
CLARK— <i>The Rise of a New Federalism</i> —(W. Willard Wirtz).....	141
CORWIN— <i>Court over Constitution</i> —(Maurice H. Merrill).....	612
FRANKFURTER— <i>Mr. Justice Holmes and the Supreme Court</i> —(Merrill E. Otis)	289
FRYER— <i>Readings on Personal Property</i> —(Orrin B. Evans).....	145
GOODRICH— <i>Goodrich on the Conflict of Laws</i> —(Raymond J. Heilman)	444
HUBACHEK— <i>Annotations on Small Loan Laws</i> —(R. Forder Buckley) ..	148
KIRSH AND SHAPIRO— <i>Trade Associations in Law and Business</i> —(Breck P. McAllister)	291
LANDIS— <i>The Administrative Process</i> —(Ralph F. Fuchs).....	300
LAUNE— <i>Predicting Criminality</i> —(Paul E. Raymond).....	150
LE BUFFE AND HAYES— <i>Jurisprudence</i> —(David M. Feild).....	436
LOCKMILLER— <i>Sir William Blackstone</i> —(Roland G. Usher).....	622
MASON— <i>The Brandeis Way</i> —(Harry Willmer Jones).....	293
POUND— <i>The Formative Era of American Law</i> —(Tyrrell Williams) ..	297
READ— <i>The Constitution Reconsidered</i> —(Frank R. Strong).....	438
ROTTSCHAEFER— <i>Handbook of American Constitutional Law</i> —(Hugh E. Willis)	615
ROTWEIN AND ROTWEIN— <i>Labor Law</i> —(Tyrrell Williams).....	625
SEARS AND WEIHOFEN— <i>May's Law of Crimes</i> —(Wendell Carnahan) ..	295
UMBREIT— <i>Our Eleven Chief Justices</i> —(Charles Fairman).....	430
WEINTRAUB— <i>Government Corporations and State Law</i> —(Walter Freedman)	621
WILKIN— <i>Spirit of the Legal Profession</i> —(Ronald J. Foulis).....	146

TABLE OF CASES COMMENTED UPON

Ahmann v. Kemper (Mo. 1938) 119 S. W. (2d) 256.....	185
California-Western States Life Ins. Co. v. Williams (Tex. Civ. App. 1938) 120 S. W. (2d) 844.....	279
Champion Spark Plug Co. v. Reich (D. C. W. D. Mo. 1938) 24 F. Supp. 945	283
Clark and Wilson Lumber Co. v. McAllister (C. C. A. 9, 1939) 101 F. (2d) 709	604
Cook v. Cook (Mo. App. 1939) 124 S. W. (2d) 675.....	606
Davis v. Davis (1938) 59 S. Ct. 3	271
Eisenhardt v. Seigel (Mo. 1938) 119 S. W. (2d) 810.....	277
Erie R. R. v. Tompkins (1938) 304 U. S. 64.....	132
Federal Reserve Bank v. Algar (C. C. A. 3, 1939) 100 F. (2d) 941....	598
Gardner v. Stout (Mo. 1938) 119 S. W. (2d) 790.....	287
General Credit, Inc. v. Universal Credit Co. (App. D. C. 1938) 99 F. (2d) 115	282
Hart v. Emery, Bird, Thayer Dry Goods Co. (Mo. App. 1938) 118 S. W. (2d) 509	139
Hoggard v. Richmond (Va. 1939) 200 S. E. 610.....	425
Holloway v. Parker (Ark. 1938) 122 S. W. (2d) 563.....	428
In re Times-Mirror Co. (Cal. Super. Ct. for Los Angeles Cty., 1938) 5 U. S. L. Week 1530.....	128

Iles v. Walker (Tex. 1938) 120 S. W. (2d) 418	267
Kurfiss v. Cowherd (Mo. 1938) 121 S. W. (2d) 282.....	418
Moore v. State Social Security Comm. (Mo. App. 1938) 122 S. W. (2d) 391	416
Oliver Bros., Inc. v. Federal Trade Comm. (C. C. A. 4, 1939) 6 U. S. L. Week 1068	607
Peery v. Hill (Ky. 1938) 120 S. W. (2d) 762.....	275
Pictorial Paper Package Corp. v. Swamp & Dixie Laboratories, Inc. (Ark. 1938) 122 S. W. (2d) 529.....	426
Priest v. State Social Security Comm. (Mo. App. 1938) 121 S. W. (2d) 298	416
Proctor v. American Security & Trust Co. (App. D. C. 1938) 98 F. (2d) 599	285
Raub v. Rowe (Tex. Civ. App. 1938) 119 S. W. (2d) 190.....	137
Ray Realty Co. v. Holtzman (Mo. App. 1938) 119 S. W. (2d) 981....	281
Smith v. Doyle (App. D. C. 1938) 98 F. (2d) 341.....	130
State ex rel. Metropolitan Life Ins. Co. v. Shain (Mo. 1938) 121 S. W. (2d) 789	273
Truck Parts Inc. v. Briggs Clarifer Co. (D. C. D. Minn. 1938) 25 F. Supp. 602	601
Washingtonian Publishing Co. v. Pearson (1939) 59 S. Ct. 397.....	420
Welch v. Henry (1938) 59 S. Ct. 121.....	269
Wheeler v. Lientz Manufacturing Co. (D. C. W. D. Mo. 1939) 25 F. Supp. 939	422
Wilson v. People (Colo. 1939) 87 P. (2d) 5.....	599

INDEX DIGEST*

Administrative Law—	
Appeals from negative orders of administrative agencies	591
Finality of administrative orders.....	595
Negative orders, appeals from	591
Notice and hearing in minimum wage regulation.....	253
Old age assistance, basis for disqualification of	416
Automobile Insurance—	
Passenger for consideration in.....	497
Prohibition of carrying passengers for compensation in	499
Bills and Notes—	
Discharge, payment to payee not having possession or title as.....	598
Burden of Proof—	
Rebuttal of presumption of revocation of lost or destroyed wills...	109
Burglary—	
Participation in overt act as basis for conviction of decoy.....	599
Copyright—	
Loss of common-law copyright by publication.....	418
Registration procedure	420
Statutory damages for copyright infringement.....	400
Charitable Corporations—	
Merger of funds by.....	34
Charitable Trusts—	
In Missouri	21
New York doctrine	13
Virginia-Maryland doctrine	7
Conflict of Laws—	
Decree against non-resident wife as entitled to full faith and credit in state of wife's residence.....	271
Jurisdiction of state over foreign corporations.....	601
Service of process, state jurisdiction over foreign corporations....	601

* Page numbers in black face type indicate articles; those in italics, notes; and those in ordinary type, case comments.

Constitutional Law—	
Full faith and credit for divorce decree.....	271
Intergovernmental tax immunity, repudiation of	583
Local or special legislation.....	359
Malaproprian provision in state constitutions.....	359
Municipal personal income tax with particular reference to St. Louis	217
Retrospective abrogation of tax exemptions.....	269
Uniformity of taxation in Missouri.....	242
Vested right in nomination to public office.....	267
Contempt—	
Editorial comment on pending case as contempt of court.....	128
Corporations—	
Charitable	1
Conversion by unauthorized transfer of stock on corporation's rec- ords	604
"Doing business" within state for purposes of process.....	601
Government owned	46
Unauthorized transfer of stock by agent to wife as conversion....	604
Court—	
Editorial comment on pending cases as contempt of	128
Criminal Law—	
Decoy, participation of as basis for conviction.....	599
Defeasance of slayer's claim to property rights accruing at vic- tim's death	277
Embezzlement in the collection of debts by self-help.....	125
False pretenses in the collection of debts by self-help.....	124
Forgery in the collection of debts by self-help.....	123
Larceny in the collection of debts by self-help.....	117
Murder by the clock	305
Participation in overt act as basis for conviction of decoy.....	599
Premeditation	305
Robbery in the collection of debts by self-help.....	120
Self-help in the collection of debts as a defense to criminal prosecu- tion	117
Democracy—	
Pressure-group action and the democratic process.....	463
Domestic Relations—	
Decree against non-resident wife as basis for modifying separation decree in state of wife's residence.....	271
Estoppel—	
Of holder of trust receipt to claim against bona fide purchaser....	282
Evidence—	
Admissibility of intercepted communications.....	256
Admissibility of testator's declarations manifesting friendship....	427
Admissibility of testimony of accomplice.....	600
Admissibility of testimony of speed of automobile based on aural perceptions	130
Res gestae	273
Federal Procedure—	
Determination of applicable law in absence of state decision.....	132
Motion to secure costs	422
Gifts—	
Charitable institutions	30
Government Corporations—	
See Corporations	
Income Tax—	
Improvements by a tenant as realized income to landlord.....	563

Insurance—	
Automobile passenger for consideration in.....	497
Cancellation by mail	279
Labor Law—	
Notice and hearing in minimum wage regulation.....	233
Landlord and Tenant—	
Constructive eviction of tenant by presence of vermin.....	281
Improvements by a tenant as realized income to landlord.....	563
Law—	
Legal Aid clinic work, objectives of	173
Literature in law books	153
Law Schools—	
As an educational institution	476
Leases—	
Nature of interests created by	91
Legal Aid—	
Clinics, objectives of	173
Legal Education—	
Role of the university law school	476
Legislation—	
Local or special legislation	359
Monopolies—	
The consent decree as a new technique in enforcing the Sherman Act	525
Municipal Corporations—	
Personal income tax with particular reference to St. Louis, constitutionality of	217
Tort liability for maintenance of swimming pools.....	425
Negligence—	
Res ipsa loquitur, right of control without exclusive control.....	139
Oil—	
Nature of interests created by lease of	91
Royalties	98
Parent and Child—	
Liability of parent to child for personal injuries.....	606
Patents—	
Right of owner of patented article to repair and resell.....	283
Presumptions—	
Of revocation of lost or destroyed wills, circumstances rebutting..	110
Procedure—	
Determination of applicable law by federal courts in absence of state decision	132
Property—	
Constructive eviction of tenant by presence of vermin.....	281
Homestead rights in two persons in the same family.....	135
Nature of interests in oil leases.....	91
Right of access by private road against intervening land.....	275
Railroads—	
A study of the situation of	463
Restraint of Trade—	
The consent decree as a new technique in enforcing the Sherman Act	525
Sales—	
Construction of contract terms	426
Securities Regulation—	
Exempted transactions under the Securities Act of 1933.....	333

Statutes—	
Auto guest	137, 497
Compulsory liability insurance	497
Federal Farm Loan Act	131
Homestead Act	51
Married Woman's Act	135
Robinson-Patman Act	607
Securities Act of 1933	383
Sherman Act	525
Uses	4
Workmen's Compensation Act	287
Taxation—	
Constitutionality of municipal personal income tax with particular reference to St. Louis	217
Double taxation	253
Immunity of employees of governmental corporation from.....	63, 591
Immunity of governmental corporations from	46
Immunity of governmental securities from	69
Improvements by a tenant as realized income to landlord.....	563
Missouri, uniformity of	242
Repudiation of intergovernmental tax immunity	583
Retrospective abrogation of exemptions	269
Uniformity in Missouri	242
Torts—	
Liability of parent to child for personal injuries.....	606
Municipal corporations for maintenance of swimming pool.....	425
Res ipsa loquitur, right of control without exclusive control.....	139
Status of person who contributes toward travelling expenses..	137, 497
Trade Regulation—	
Robinson-Patman act, prohibition of payment of brokerage fees...	607
Trust Receipts—	
Estoppel of receptor to claim against bona fide purchaser.....	282
Unfair Competition—	
Limits of resale of patented or trademarked articles.....	283
Wills—	
Forgery of	427
Rebutting the presumption of revocation of lost or destroyed will..	105
Rights in net income arising during administration.....	285
Workmen's Compensation—	
Injuries arising out of and in course of employment.....	287
Who is employee	287
Zoning—	
Missouri law since Euclid v. Ambler Realty Co.	193