

Louisiana Law Review

Volume 10 | Number 1
November 1949

Table of Contents: Subject Index, Louisiana Civil Code Articles, Louisiana Code of Practice Articles, Louisiana Code of Criminal Procedure Articles, Louisiana Constitutions, French Civil Code, Louisiana Criminal Code Articles, and Louisiana Statutes

Repository Citation

Table of Contents: Subject Index, Louisiana Civil Code Articles, Louisiana Code of Practice Articles, Louisiana Code of Criminal Procedure Articles, Louisiana Constitutions, French Civil Code, Louisiana Criminal Code Articles, and Louisiana Statutes, 10 La. L. Rev. (1949)
Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol10/iss1/6>

This Front Matter is brought to you for free and open access by the Law Reviews and Journals at LSU Law Digital Commons. It has been accepted for inclusion in Louisiana Law Review by an authorized editor of LSU Law Digital Commons. For more information, please contact kreed25@lsu.edu.

SUBJECT INDEX

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

A

	PAGE		PAGE
ADMINISTRATIVE LAW		poration's contractual obligations	†*172
Board of Education		ALIMONY	
—Allocation of school funds....	†*131	Alimony after divorce	
Public Service Commission		—When both spouses at fault..	†*166
—Constitutional powers	†*128	Alimony pendente lite	
School funds, allocation.....	†*131	—Increase or reduction.....	†*165
Teachers' contracts — require-		APPEAL AND ERROR	
ments for renewal.....	†*128	Insufficient charge to jury.....	†*225
ADOPTION		From municipal court judg-	
Succession and descent		ments	
—Effect of a foreign adoption. †	*399	—Suspension of sentence.....	†*226
AGENCY		ATTRACTIVE NUISANCE	
Corporate officials' authority		See <i>Torts</i>	
—Nonperformance of the cor-			

B

BILLS AND NOTES		Transactions involving foreign	
See also <i>Conflict of Laws</i>		trade	†290
Choice of law rules.....	†289	Uniform Commercial Code—	
Status of possessor of negoti-		choice of law under.....	†278
able paper	†357	BOARDS AND COMMISSIONS	
—Law determining		Board of Education	
— —Chattel rule	†362	—Allocation of school funds... †	*131
— —English rule	†361	Public Service Commission	
— —Louisiana	†364	—Constitutional powers	†*128

C

CIVIL LAW		Putative marriage affecting....	†*155
Civil Codes		Sale of property	
—French code	†108	—Effect of failure to record di-	
—German code	†265	vorce judgment	†*156
—Swiss code	†271	Separate property preserved	
—Louisiana Civil Code		—Community funds expended in	
— —Approach to revision.....	†* 59	separate property	†*157
— — —Form	†* 69	COMPARATIVE LAW	
— — —Objectives	†* 62	Civil law and common law....	†431
— — —Policy considerations. †	* 66	French Civil Code.....	†107
Common law compared	†431	German and Swiss Civil Codes. †	265
Roman law	† 3	International public law.....	†452
Spanish law	† 10	Isolation of state laws.....	†449
COMMON LAW		Law in the world.....	†449
Civil law compared	†431	Private laws of western civili-	
COMMUNITY PROPERTY		zation	†1, †107, †265, †431
Marital portion		Roman law significance.....	† 1
—Effect of separation prior to		Unification of laws.....	†454
death	*257	CONFLICT OF LAWS	
—Prerequisites	*258	Agreements in advance confer-	
Post-nuptial transfers of pre-		ring exclusive jurisdiction on	
nuptial investments	†*155	foreign courts.....	†293
Property settlement agreements		—Arbitration agreements	†300
—Fraudulent representations of		—English view	†295
husband	†*155	—Exceptions to invalidity of	
		such agreements	†300

* LOUISIANA LAW	† ARTICLES	† COMMENTS	Italic figures indicate CASE NOTES
	PAGE		PAGE
—Origin of rule	†293	—Multistate libel suits	
—Res nova in Louisiana.....	†302	— — —Choice of law.....	†339
—Venue clause in insurance policy	†295	— — —Domicile approach	†343
Bills and notes		— — —“Last event” doctrine..	†343
—Applicable law	†289	— — —Louisiana	†346
—Transactions involving foreign trade	†290	— — —Place of wrong.....	†339
Choice of law		— — —Single publication rule.†	340
—Passage of title to chattels...†	286	— — —Unfair competition	†345
—To determine status of possessor of negotiable paper...†	357	— — —Where they should be localized	†342
—Transactions under federal regulation and control	†281	Proposed commercial code	
—Uniform Commercial Code ..	†278	—Section 1-105	†291
Contributory negligence		Requirement of substantial connection	
—As a defense.....	†367	—Insurance contracts	†351
— —Humanitarian rule	†367	— —Marine	†354
— —Last clear chance	†367	—Intention of the parties.....	†346
—Burden of proof	†371	—Louisiana view	†356
— —Procedural	†372	—Transportation cases	†350
—Civil law rule	†368	Student symposium	†276
—Function of court and jury...†	368	—Introduction	276
— —Louisiana	†371	Succession and descent	
—Substance or procedure.....	†365	—Children of a void marriage.†	395
Decisions of state courts		—Descent of immovables.....	†390
—Held to be substantive law..†	328	— —Louisiana view	†397
Descent and distribution		—Effect of a foreign adoption†	399
—Assets of estate in several states—computation of forced portion	†525	— —On movables	†404
Enforcement of foreign judgments in personam		—Inheritance of movables.....	†397
—Doctrine of reciprocity.....	†321	—Legitime—computation when estate assets in several states†	525
— —Limitation	†323	—Personal law of claimant...†	392
— —Louisiana view	†326	—Rights of one legitimated or adopted in another state...†	390
—Prima facie evidence.....	†319	— —Legitimation through subsequent marriage	†392
Forum non conveniens theory..†	294	Suits in foreign jurisdictions	
Inheritance		—Create added expense and inconvenience for the defendant†	310
—Computation of forced portion when assets in several states†	525	—Harassment purposes only...†	310
Limitation of actions		—Injunctive remedy	†302
—Borrowing statutes	†387	— —Grounds commonly urged†	305
— —Louisiana	†387	— —Louisiana approach	†313
—Law of forum	†376	— —Origin of	†304
—Majority rule	†383	—Procedural advantages	†306
—Statute of limitations	†374	—Substantive advantages	†307
— —General statutes	†377	— —Divorce proceedings	†307
— —Louisiana	†375	Unification of international public law	†454
— —Special statutes	†377	Uniform Commercial Code	
—Tolling statutes	†386	—Federal and state versions...†	283
Long distance torts		—Law of the place of contracting	†285
—Alienation of affections.....	†337	—Law of the place of performance	†285
—Applicable law	†329	—Obligations of parties to instruments	
—Conduct in one state causing harm in another	†330	— —Law applicable	†289
—Multiple contact torts		—Security interests	†287
— —Place of acting rule.....	†336		
—Place of harm theory.....	†331		
— —Exceptions	†332		

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE	PAGE
CONSTITUTIONAL LAW		
Amendments containing more than one purpose		
—Germane to one purpose....	†*227	
Conflicts among interests of states	†* 54	
Constitutional interpretation ..	†*133	
—Presumption of validity of statutes	†*136	
Due process	†*136	
—Court action in mental cases	†*137	
—Police power of state.....	†*136	
—Gambling devices	†*139	
—Requirements of notice and hearing	†*136	
—Summary seizure	†139	
Ex post facto doctrine		
—Negligent homicide	*539	
Free speech		
—Peaceful picketing as.....	541	
—Constitutionality of injunction against peaceful picketing	541	
Full faith and credit.....	* 55	
—Divorce decree	308	
Inheritance taxes—jurisdiction to levy	†*519	
Income tax (Louisiana)	†*144	
Jurisdiction to tax	†*519	
—Multiple taxation	†*520	
—Intangibles	†*520	
—Tangibles	†*520	
Power of states to prohibit combinations and agreements in restraint of trade.....	545	
Search and seizure		
—Incident of lawful arrest.....	546	
—Limitations	548	
—Reasonable or unreasonable	547	
Separation of powers.....	†114	
State school funds	†*131	
World War II bonuses.....	†*141	
CONTRACTS		
Conflict of laws		
—Passage of title to chattels..	†286	
Uniform Commercial Code application	†286	
CONTRIBUTORY NEGLIGENCE		
See <i>Conflict of Laws; Torts</i>		
CONVENTIONAL OBLIGATIONS		
Contract for annulment of a notarial partition between husband and wife		
—Whether a contingent fee gives a vested interest.....	†*174	
Contracts capable of performance		
—Costs greater than anticipated	†*173	
Deed conveying a mineral interest		
—Failure of a condition.....	†*173	
Lesion beyond moiety		
—As applied to a dation en paiement	†*172	
—Value of property enhanced by mineral development	†*172	
Potestative conditions	†*241	
CORPORATIONS		
Directors		
—Fiduciary relationship to corporation	† 86	
Dividends	†* 82	
Liability of directors		
—Illegally paid dividends.....	†* 77	
—Creditor's action	† 75	
—Suggested remedy	†* 76	
Liability of shareholders		
—Illegally paid dividends.....	†* 77	
—“Creditor's bill”	†* 77	
—Fraud theory	†* 78	
—Qualifications of shareholders' liability	†* 79	
—Trust fund doctrine.....	†* 77	
Nonprofit corporations		
—Articles of incorporation....	†*503	
—Form guide for incorporation.†	*505	
—Model articles of incorporation	†*505	
Officials' authority		
—In the event of corporation's non-performance of its contractual obligations	†*172	
Recovery of illegal dividends		
—Liability of directors.....	† 74	
—Statutory provisions	† 74	
—Liability of shareholders.....	†* 77	
—Fraud theory	†* 78	
—Suggested remedy	†* 82	
Shareholder ratification of directors' action		
—Ultra vires transactions.....	† 83	
—Voidable transactions	† 85	
Stockholder ratification of directors' action		
—Illegal transactions	† 87	
COURTS		
See also <i>Louisiana Supreme Court</i>		
Appellate courts		
—Ability to transfer cases.....	†*242	
Juvenile courts		
—Jurisdiction	†*167	
—Murder by fifteen year old	†*208	

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE	PAGE
CRIMINAL LAW AND PROCEDURE		
Aggravated arson		—Appeal to racial prejudice...†*493
—Responsive verdicts†*222		—Comment on failure of defendant to testify†*487
Appeal		Indictments
—Insufficient charge to jury...†*225		—Name of victim†*211
Attempted aggravated criminal damage to property		Insanity as a defense
—By lying in wait with a dangerous weapon†*202		—Appointment of a lunacy commission†*215
Bill of particulars		Jurisdiction
—A restriction upon the charge.†*213		—Interstate crimes
—When granted†*212		— —Statutory provisions † 91
Continuance		—Interstate homicides†* 87
—Sound discretion of the trial judge†*217		— —Absence of statutory authority†* 89
Contributing to the delinquency of a juvenile†*200		— —Suggested amendment ...†* 93
Criminal conspiracy		Jury venires
—Overt act required.....†*204		—Exclusion of class as discrimination†*208
Criminal neglect of family....†*481		Juvenile court
—Desertion and non-support		—Jurisdiction of murder by fifteen year old†*208
— —Prosecution difficulties ...†*482		Keeping a disorderly house...†*200
—Procedural impediments ...†*481		Long form indictments
— —Legislative proposal†*482		—Necessary averments†*209
—Prosecution at domicile of person owing duty of support†*486		Motion for new trial
—Prosecution at domicile of person to whom duty of support is owed.....†*486		—Alleged insufficiency of evidence†*224
Dangerous weapon		—Newly discovered evidence...†*224
—Mowing machine blades.....†*203		Motion for severance
Definition of crimes—certainty required		—Defenses antagonistic†*217
—Immoral purposes†*200		—Discretion of trial judge.....†*217
—Indecent behavior with juvenile†*199		Murder
—Obscenity†*200		—Through medium of innocent agent † 90
—Reasonable man test.....†*198		Negligent homicide
District attorney's improper remarks†*486		—Ex post facto doctrine
—Appeals to racial prejudice.†*493		— —Application *539
—Comment on failure of defendant to testify†*487		Opening statement of district attorney
District attorney's opening statement		—Within control of trial judge †*220
—Trial judge controls.....†*220		Pleas
Extradition		—Former jeopardy†*213
—Requirements for†*205		Presence of accused during trial
Failure to produce witnesses, comment on†*220		—Burden of proof.....†*219
Failure to support one's minor child†*167		—Minutes of court must show that accused was present...†*219
Failure to testify, comments on†*220		Recusation of trial judge.....†*214
Illegal carrying of concealed weapons		Responsive verdicts
—Concealment of large knife		—Aggravated arson†*222
— —Intended use†*204		—Generic offense requirement †*221
Improper remarks of district attorney†*486		Short form indictments
		—Formal defects†*211
		Suspended misdemeanor sentences
		—Cumulative punishment†*223
		—Partial suspension of sentence†*223
		—Subsequent convictions†*223
		Theft
		—Basis for fixing penalty.....†*499

* LOUISIANA LAW † ARTICLES † COMMENTS *Italic figures indicate CASE NOTES*

	PAGE		PAGE
—Effect of inflation upon value-penalty ratio	†*498	—Penalty for grades of.....	†*498
—Gradation for punishment.....	†*502	Time of commission of crime..	*540
—Grades of	†*501	Venue	
—Obtaining money by false pretenses	†*206	—Interparish crimes	†* 89
—Venue	†*206	CUSTODY OF CHILDREN	
—Penalty clauses	†*502	See <i>Divorce—Separation from Bed and Board</i>	
		D	
DAMAGES		—Possibility of wife establishing a separate domicile.....	†*163
Quantum meruit		Jurisdiction and recognition	
—Effect of clients' terminating action	†*174	—Policy considerations	†* 54
When claim liquidated.....	†*174	Migratory divorces	†* 54
DIVORCE—SEPARATION FROM BED AND BOARD		—Efforts to discourage	†* 55
Alimony after divorce		—Full faith and credit device..	†* 55
—When both spouses at fault..	†*166	Separation in fact	
Custody of children after divorce		—Fault not an issue	†*164
—Divided custody	†*171	—Voluntary at inception.....	†*164
—Habeas corpus proceeding....	†*169	Suits in foreign jurisdiction	
Evidence of reconciliation		—To gain substantive advantage	†307
—Cohabitation	†*165	DONATIONS	
Intrastate jurisdiction or venue		Remunerative donations	
—Matrimonial domicile	†*163	—Services of a child.....	†*151
		E	
EVIDENCE		tract	†*183
Burden of proof		EXTRADITION	
—Outstanding good title.....	†*181	Requirements	
Rescission for nonperformance		—Requisition papers	†*206
—Testimony outside of con-			
		H	
HOMESTEAD		See <i>Property</i>	
		I	
ILLEGITIMATES		—Substantive advantages	†307
Acknowledgment of miscellaneous illegitimates	†*152	—That create added expense and inconvenience for the defendant	†310
Paternal authority		INSURANCE	
—Over adulterous illegitimates	†*168	Builder's risk policies.....	†*240
INHERITANCE		Defense of lack of coverage	
Forced portion		—Despite an incontestability clause	†*196
—Computation when estate assets in several states	†525	Extended insurance	
INJUNCTION		—In default of payments.....	†352
Against peaceful picketing....	541	Fire policy	
Against suits in foreign jurisdictions	†302	—Withholding of material facts	†*198
—Louisiana's approach	†*313	Permanent disability	
—Procedural advantages	†306	—Of planter or farm manager..	†*198
—Recognition by other states..	†317	Policy dividends	
—Solely for harassment purposes	†310	—Conditioned upon payment of premiums	†*196

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE
Venue clause	
—Invalidity	†295
“With permission of the named insured” covering uses of automobile	
—Vehicle removed for unauthorized purpose	†*197

	PAGE
Workmen’s compensation	
—Insurer’s right to indemnity..†*	43
INTERNATIONAL LAW	
International unification ...	†15, †454
Private laws of western civilization	†1, †107, †265, †431
Public law	†452

J

JUDGMENT

Foreign judgments in personam	
—Enforcement of	†319
— —Doctrine of reciprocity....	†321

JURISDICTION

See also *Conflict of Laws*

Agreements in advance conferring exclusive jurisdiction on foreign courts	†293
Appellate jurisdiction	
—Ability of appellate courts to transfer suits	†*242
—Amount involved	†*242
—Failure to show affirmatively ..	†*243
—From courts of limited jurisdiction	†*252
—Third party aggrieved.....	†*247

Choice of forum afforded to a plaintiff	
—Remedies against abuse.....	†303
Death taxes	†*519
Juvenile courts	
—Father’s obligation of alimony	
— —Liability to his children...†*	166
—Murder by fifteen year old...†*	208
Louisiana Supreme Court	
—Extent of jurisdiction	†*436
Ratione personae	
—U n d e r gambling abatement statute	†*237
Suits in personam	
—Possible places of instigating suits	†302
To levy inheritance taxes.....	†*159
Venue	
—Theft by obtaining money by false pretenses	†*206

L

LABOR LAW

Picketing—peaceful	541
—Constitutionality of injunction against	541
—For unlawful purpose.....	541
—Identification of free speech with	541
—In violation of state anti-trust law	541
—Power of states to regulate..	541

—Choice of law.....	†339
—Single publication theory....	†340

LIENS AND PRIVILEGES

Statutory liens	
—Conditions for its ranking priority	†*186

LIMITATION OF ACTIONS

Revival of an action	
—Subsequent acknowledgment. †	323
Tolling statutes	†386

LOCAL GOVERNMENT

Bond issue	
—Attorney’s fees	†*236
Municipal property	
—Sale of unused property.....	†*232
Organization and boundaries	
—Annexations	†*229
— —Country clubs	†*230
—Industrial districts	†*228
—Parochial tax rates.....	†*229
—Validity of city-parish government	†*226
Right to public office	
—Effect of civil service on the judiciary	†*235
State’s power over municipal corporations	

LEASE

Cancellation	
—Failure to pay rent promptly †*	185
Notice of renewal	
—Waiver of	†*185

LEGISLATION

See also *Conflict of Laws*

Aid to interpretation.....	†* 71
Criminal neglect of family	
—Legislative proposal to cure procedural defects	†*482
Uniform laws	
—Choice of law under the Uniform Commercial Code	†278

LIBEL AND SLANDER

Multistate libel suits	
------------------------	--

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE		PAGE
—Effect of fourteenth amend- ment	†*228	LOUISIANA STATE LAW IN- STITUTE	
Taxpayer's actions		Revision of the Civil Code.....	†* 59
—Failure of public officers to perform discretionary acts...†	*233	LOUISIANA SUPREME COURT	
Zoning		Process of decision	†*461
—Building permits	†*231	Statistical survey for the 1948- 1949 term	†*120
		Work of, for the 1948-1949 term	†*120
		M	
MARRIAGE		Doctrine of contiguous estates	
Celebration		—Royalty per se	†*158
—Three-day delay after issu- ance of license	†*159	Lease	
Distinguished from an ordinary contract	†*161	—Protection of mineral lessee's interests	†*159
Insane persons		Lesion	
—Capacity and freedom of con- sent distinguished	†*160	—Mineral value considered ...	†*159
—“Mistake respecting the per- son”	†*160	Mineral rights	
Putative marriage	†*155	—As applied in case of an ac- tion of lesion beyond moiety	†*172
—Test of good faith.....	†*162	Ownership of royalty interests	
		—Transfer to trustees	†*157
MINES AND MINERALS		MOTIONS	
Abandoned oil wells.....	†*158	For new trial	
		—Alleged insufficiency of evi- dence	†*224
		N	
NEGLIGENCE		NEGOTIABLE INSTRUMENTS	
See <i>Torts</i>		See <i>Bills and Notes</i>	
NEGLIGENT HOMICIDE		NONPROFIT CORPORATIONS	
See <i>Criminal Law and Proce- dure</i>		See <i>Corporations</i>	
		NUISANCE	
		See <i>Torts</i>	
		P	
PARENT AND CHILD		Provision for distribution upon death of a partner	
Custody after separation or di- vorce		—Effect upon good will.....	†*171
—Dividing custody of child....	†*171	PLEADING AND PRACTICE	
Filiation		Actions	
—Acknowledgment of illegiti- mates	†*167	—Possessory action	
—Presumption of legitimate fil- iation	†*168	— —Proof of possession.....	†*251
Maternal authority		Amendment of petition	†*237
—Lack of father's authority over incestuous and adulter- ous illegitimates	†*169	Appellate jurisdiction	
Paternal authority and tutor- ship		—Amount involved	†*242
—Illegitimate child not ac- knowledged by father	†*169	—Damages for physical injuries	†*244
—Over adulterous illegitimate.	†*168	—Duty to file transcript of ap- peal	†*245
PARTNERSHIP		— —Appellee's remedy upon failure	†*246
Family partnerships		—Execution of judgment upon the abandonment of appeal.	†*246
—“Original capital” test	96	—Failure to show affirmatively.	†*243
—“Vital services” test	97	—Moot questions	†*244
		—Plurality of points.....	†*243
		—Third party aggrieved.....	†*247
		—Transferral of suits between appellate courts and the su-	

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE		PAGE
preme court	†*241	Homestead exemptions	
Exceptions		—Rights to assert	†*249
—No cause of action		Homestead tax exemption	
—Raising contributory negligence	†*240	—Amendments to law	†*406
—No right and no cause of action	†*240	—Definition of terms	
—Res judicata	†*241	—Head of family or person having dependents	†*418
Homestead exemptions		—“Homestead, bona fide”	†*409
—Exemptions from seizure	†*249	—“Owned and occupied”	†*412
Inconsistent causes of actions		—Development of law	†*405
—How treated	†*239	—Forfeiture and redemption to state	†*426
Jurisdiction <i>ratione personae</i>		—Louisiana provisions compared with those of other states	†*406
—Under gambling abatement statute	†*237	—Municipal taxes not included	†*406
Supervisory procedure		—Provisions of law	†*406
—Writ of review	†*248	—Reimbursement to taxing agencies	†*406
—Time of filing	†*249	—Tax day problem	†*428
Taxpayers' actions		—Taxes subject to	†*428
—Failure of public officers to perform discretionary acts	†*233	Municipal property	
PRESCRIPTION		—Sale of unused property	†*232
See also <i>Conflict of Laws</i>		Occupancy	
Acquirendi causa		—After abandonment	†*177
—Entry on part of an estate	†*178	Partnership property	
—Possession—adverse or precarious	†*170	—Goodwill	†*171
Limitation of actions in the conflict of laws	†374	Proof of title	
Possession		—Admissions of defendant	†*251
—Adverse or precarious	†*179	Statutory dedication of a street	
—Change from precarious to adverse	†*179	—Revocation of dedication	†*176
—To whom it reverts	†*177	—To whom it reverts	†*177
PROPERTY		Timber contracts	
See also <i>Community Property</i>		—Effect of rights of way provision on the removal terms	†*176
Construction on river bank		—Time for removal	†*176
—Navigable rivers	†*175	Widow's homestead	
—Removal	†*175	—Granted in interest of society	†*249

R

RECORDS

Divorces	
—Failure to record	†*184

S

SALES

Adjudications to the state for lack of highest bidders at a tax sale	†*149	true value of property	†*183
Dation en paiement		Merchantable title	
—Lesion beyond moiety	†*172	—Public auction	†*181
Homestead associations		—Suggestive of serious litigation	
—Generous legislative policy	†*182	—Effect of vendee's refusal to accept title	†*180
International sales	† 19	—Title by acquisitive prescription	†*181
Lesion beyond moiety		Property description	
—As applied to a dation en paiement	†*183	—Omnibus description	†*180
—Effect of mineral values on		Public records	
		—Failure to record divorce	†*184

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE		PAGE
Rescission for non-performance		—Used to force non-union men	
—Testimony outside of contract	†*183	to join union.....	541
Tax sales		SUCCESSIONS AND DESCENT	
—Certificates of redemption...	†*150	Conflict of laws	
—Delinquent taxes	†*148	—Forced portion computation	
—Real property	†*148	when estate assets in several	
—Redemption	†*148	states	†525
Warranty		—Inheritance of movables.....	†397
—Against eviction		Effect of a foreign adoption....	†*399
— —An outstanding good title.†	*181	Forced portion	
SCHOOLS AND SCHOOL DISTRICTS		—Computation when assets in	
School funds allocation	†*131	several states	†525
Teachers' contracts—requirements for renewal	†*128	Heirs	
SEARCH AND SEIZURE		—Beneficiary heir	†*151
Incident of lawful arrest.....	546	—Time heirs become co-owners.†	*154
—Extension of search.....	550	Legitimate	
—Limitations	548	—Computation when assets in	
—Reasonable or unreasonable.	547	several states	†525
—Without warrant	547	Marital portion	
Secondary boycotts		—Effect of voluntary separation	
		of spouses	†*154
		Rights of children of a void	
		marriage	†395
		Rights of one legitimated or	
		adopted in another state.....	†*390
		T	
TAXATION		—Installment payments	†144
Death taxes	†519	—Premiums on sale of bonds..	†145
—Jurisdiction to levy.....	†519	Inheritance taxes	
Homestead tax exemption		—Jurisdiction to levy.....	†*519
—Amendments to law	†*406	—Multiple taxation	†*520
—Definition of terms		Severance taxes (Louisiana)....	†* 33
— —Head of family or person		Tax planning for estates (book	
having dependents	†*418	rev.)	563
— —“Homestead, bona fide” ..	†*409	Tax sales (Louisiana)	
— —“Owned and occupied” ..	†*412	—Redemption	†*148
—Development of law	†*405	—To state	
—Forfeiture and redemption of		— —Certificates of redemption.†	*150
property	†*423	TORTS	
—Louisiana provisions compared to those of other states.†	*406	Attractive nuisance	†* 67
—Municipal taxes not included	†*406	—Applied to trespassing children	†*188
—Origin	†*405	—Bodies of water within eye-	
—Parish tax assessors, political		shot of property line	†*189
considerations	†*408	—Factors constituting	†*473
—Provisions of law.....	†*406	— —Age of child	†*480
—Reimbursement to taxing		— —Burden on landowner....	†*478
agencies	†*406	— —Children's presence anticipated	†*474
—Surviving spouse	†*423	— —Danger great and unusual.†	*473
—Tax day problem.....	†*428	— —Usefulness compared to	
—Taxes subject to.....	†*428	danger	†*477
Horsepower tax	†*147	—Contributory negligence	†*480
Income tax (Louisiana).....	†*143	—Electrical equipment	†*478
—Deduction for federal taxes.†	*143	—Highway users	†*475
—Family partnerships	96	—History	†469
— —“Donee partner”	99	—Ponds	†*473
— —Tax deductibility	†*145	—Railroad property	†*477
Income tax (United States)			

* LOUISIANA LAW † ARTICLES ‡ COMMENTS *Italic figures indicate CASE NOTES*

	PAGE		PAGE
—Trespass upon land	†*472	—Personal fault	555
—Turntable cases	†470	—Statutory extensions	557
Visibility of attractive nuisance	†*476	Liability of owner of stolen automobile	555
Automobile stolen—liability of owner	554	Long distance torts	
Conduct in one state causing harm in another		—Place of harm theory	†331
—Which law determines liability	†330	Multistate libel suits	
Contributory negligence		—Choice of law	†339
—As a defense	†367	Proposed code provision	†253
—Burden of proof	†371	Range of lights rule	†*192
—Discovered peril	†*193	Res ipsa loquitur	†* 67
—Function of court and jury ..	†369	Unfair competition	
—Substance or procedure	†365	—Essential elements	†345
Defamation		Wrongful death	
—Interests protected	†343	—Attempts to localize the impact	†334
Federal Tort Claims Act		—Rights of one legitimated elsewhere	†394
—Jurisdiction	94		
—Members of armed forces	94	TRANSPORTATION	
—Sovereignty immunity waived ..	94	Motor vehicles	
Inducing breach of contract		—Duty to drive within range of lights	†*192
—Not a recognized wrong in Louisiana	†*191		
Invasions of the right of privacy		TRUSTS	
—Interests protected	†343	Legal parent of modern trust device	
Landowner's liability		—Fidei commissa	†* 45
—To trespassing children	†*188	Louisiana trust act	
Last clear chance	† 67	—Efforts to introduce act	†* 49
Liability of car owner		—Maximum allowable period	†* 51
—Agency doctrine	556	—Restrictions	†* 47
—Dangerous instrumentality doctrine	558	—Titles and subtitles	†* 50
—“Family purpose” doctrine ..	557	Need for trusts in civil law	†* 45
—For injuries to third persons	554	Rights of beneficiary	†* 49
—Extension of liability to injuries by thief	554	Substitutions (entail)	†* 45
—Insolvency of non-owner drivers	554		
—Protection of owner through insurance	554	TUTORS AND TUTORSHIP	
—Louisiana view	*560	Custody of adulterous illegitimates	†*168

W

WORKMEN'S COMPENSATION

Dependency upon deceased worker	
—Wife and minor children	†*194
Expectation or hope of future contribution	†*195
Hazardous nature of business of principal or contractor	†* 40
Judgment against principal and contractor—right to indemnity	†* 42
Liability for specific injury	
—Loss of fingers	†*195
Principal's liability	

—Contractor distinguished from lessor	†* 34
—Independent contractor distinguished from seller or buyer	†* 29
—Liability of a municipality	†* 28
—Public body	†* 42
—Public corporation	†* 41
—Statutory employer	†* 25
—Work which is a part of principal's business	
—Custom prevailing in locality	†* 36
—Section six	†* 27
Public corporation as principal	†* 39

* LOUISIANA LAW ‡ ARTICLES † COMMENTS *Italic figures indicate CASE NOTES*

	PAGE		PAGE
Regular business of principal		—Lumbering industry	†* 37
—Clerical staff	†* 41	—Specialty contractors	†* 37
—Construction of buildings for sale	†* 37	—Welding	†* 39
—Development or severance of natural resources	†* 37	Total disability	
		—Specific injuries	†*196

LOUISIANA CIVIL CODE ARTICLES

ART. NO.		PAGE	ART. NO.	PAGE
	CODE OF 1808		1497	566
1.7.23, p. 48		390	1503	566
	CODE OF 1825		1504	565
221		167	1520	45
274		170	1522	566
	CODE OF 1870		1560	566
8		168	1562	566
21	80, 314,	436	1573	566
39		164	1705	398
74		166	1749	565
75		166	1779	160
86		161	1788	161
90		160	1791	161
92		159	1794	161
94		168	1861	158, 172
99		159	1863	173
110		161	2045	158
142		163	2046	158
157		171	2047	158
160	164,	166	2097	379
184		168	2276	183
198		169	2312	158
199		390	2313	158
203		167	2382	153, 257 et seq.
204	152,	167	2408	155
214		399	2444	153
215-226		170	2446	155
219		390	2480	153
238		169	2505	182
245		169	2589	183
256		169	2659	183
337		169	2808	171
340		109	2809	171
403		161	3000	172
455		175	3183	80
861		175	3252	153, 261
862		175	3412	177
916		53	3421	178
923		153	3436	179
940		537	3437	178
941		537	3441	179
1135		152	3487	179
1227-1241		566	3489	179
1467-1755		565	3490	179
1492		537	3498	179
1493	525,	537	3500	179
1494		525	3532	387 et seq.
			3544	152
			3547	387 et seq.

LOUISIANA CODE OF PRACTICE
ARTICLES

References in italics are discussed; references in plain type are cited

ART. NO.	PAGE	ART. NO.	PAGE
13	375, 383	303	314
139	263	571	247
152	239	588-590	246
162	162	746	326

LOUISIANA CODE OF CRIMINAL
PROCEDURE ARTICLES

ART. NO.	PAGE	ART. NO.	PAGE
13	89, 206	320	217
16	93, 483	322	218
160-167	205	333	220
168	206	381	486
202	209	382	220
227	209	386	221
230	211	391	225
235	210, 211	461	490
253	218	516	224
267	216	517	225
279	214	536	226
288	212	545	225
303	214	560	225
309	214		

LOUISIANA CONSTITUTIONS

ART. NO.	PAGE	ART. NO.	PAGE
CONSTITUTION OF 1921			
I		§ 4	405
§ 2	26, 136	§ 11	148, 181
§ 10	199	XI	409
III		§§ 1-4	249
§ 16	26, 227	XII	
IV		§ 14	131 et seq.
§ 1(a)	141	XIV	
§ 15	26	§ 3a	227
§ 16	46, 52	§ 8	229
VI		§ 26	232
§ 4	128	§ 28	232
VII		§ 29	229
§ 10	224, 371, 465	XVI	
§ 11	249	§ 8	140
§ 29	371	§ 14(f)	140
§ 52	208	XVIII	
§ 96	208, 235	§ 10	141
VIII		XIX	
§ 12	142	§ 19	186
X		XXI	
§ 1	144	§ 1	227

FRENCH CIVIL CODE

References in italics are discussed; references in plain type are cited

ART. NO.	PAGE	ART. NO.	PAGE
8	109	333	390
151	112	896	45
214	112	1382	112
331	112	1384	112

LOUISIANA CRIMINAL CODE ARTICLES

ART. NO.	PAGE	ART. NO.	PAGE
2	203	74	481
26	204	81	199
27	<i>202</i> , 221	90	<i>138</i> , 199
30	210	92	200
30(1)	210	§ 7	200
32 14:32	539	95(1)	<i>204</i> , 209
33	221	95(2)	205
36	221	104	200
45(1)	221	106(2)	200
67	<i>199</i> , 500		

LOUISIANA STATUTES

ART. NO.	R. S. SECTION	PAGE	ART. NO.	R. S. SECTION	PAGE
168 of 1855		387	229 of 1910	13:4443	245
253 of 1855			9 of 1912		
§ 1		46	§ 1		499
La. Rev. Stats of 1870			20 of 1914		
§ 809		499	§ 1	23:1034	30
§ 814		500	§ 1(2)	23:1035	40
§ 932		204	§ 2	23:1031	36
§ 2808		387	§ 6	23:1061	25
124 of 1874			§ 8	23:1221 et seq.	195
§ 8		500	§ 8(1)(E)	23:1251	194
124 of 1882	9:2271	46	§ 8(2)(A)	23:1251	194
70 of 1886			254 of 1914		503
§ 1	45:503	477	157 of 1916	13:3665	490
110 of 1886			269 of 1916	9:301	263
§ 3	45:504	477	45 of 1918		500
44 of 1890			154 of 1918		
§ 1		499	§ 1		499
54 of 1894		168	265 of 1918	13:4443	245
59 of 1896		499	107 of 1920		46
112 of 1898		204	§ 8		51
170 of 1898	47:1952	412	167 of 1920	9:2291 et seq.	46
61 of 1902		204	192 of 1920		237
107 of 1902			127 of 1921		
§ 5	<i>204</i> , 500		§ 2	42:342-42:343	523
120 of 1902		156	109 of 1921(E.S.)		
188 of 1904	38:217	176	§ 3		408
43 of 1906		204	127 of 1921(E.S.)	42:341 et seq.	523
88 of 1906		197	100 of 1922		
207 of 1906	13:3721	152	§ 17	17:51 et seq.	236
64 of 1910		500			

References in italics are discussed; references in plain type are cited

ART. NO.	R. S. SECTION	PAGE	ART. NO.	R. S. SECTION	PAGE
§ 20	17:81	129	382 of 1938	48:701	177
§ 48	17:441-17:444	128	430 of 1938		
190 of 1924		503	§ 1	9:301	164, 263
11 of 1926	13:3721	152	46 of 1940		
33 of 1926		499	§ 86	18:364	142
72 of 1928		427	95 of 1940	6:831 et seq.	156
102 of 1928	42:76 et seq.	235	100 of 1940		
231 of 1928		138	§ 2-B		186
250 of 1928	12:1 et seq.	504	120 of 1940		237
§ 12(I)	12:12	84, 87	122 of 1940		406
§ 26(I)	12:26	82	171 of 1940	33:2391	235
§ 27(I)		75	256 of 1940		150
§ 28(I)	12:28	74	384 of 1940		227
21 of 1932			11 of 1940(E.S.)		406
Rule 15		192	68 of 1942	9:4861 et seq.	157
65 of 1932	12:1 et seq.	504	§ 2-B		157, 186
77 of 1932		482	147 of 1942	15:8 et seq.	207
119 of 1932	47:2431 et seq.	524	187 of 1942	9:2351 et seq.	565
§ 4	47:2434	524	212 of 1942	38:1842 et seq.	236
140 of 1932	6:722 et seq.	156, 182	259 of 1942		410
209 of 1932	9:671 et seq.	180	304 of 1942	12:38	504
234 of 1932	13:4433	245	64 of 1944		406
15 of 1934			169 of 1944	13:1671 et seq.	208
§ 13	26:351 et seq.	209	290 of 1944	9:1923	50
21 of 1934			303 of 1944		
§ 9		143	§ 11		137
§ 10(a)(5)		143, 144, 145	§ 12		137
54 of 1934		406	§ 13		137
106 of 1934	47:2228	149, 181	§ 17		137
145 of 1934			203 of 1946		
§ 2		186	§ 1	47:33 et seq.	146
161 of 1934		150	315 of 1946	33:171 et seq.	229
212 of 1934	30:217	199	8 of 1948	23:241 et seq.	141
14 of 1934(4 E.S.)		150	155 of 1948	17:419 et seq.	132 et seq.
17 of 1935(1 E.S.)	26:241	209	§ 5		132
25 of 1935(2 E.S.)		147	181 of 1948	56:24	221
7 of 1935 (3 E.S.)		47	312 of 1948		195
§ 2		47	334 of 1948		399
5 of 1935(4 E.S.)		147	350 of 1948		
34 of 1935(4 E.S.)	12:38	504	Schedule 110, Item 6		132
146 of 1936		503	Schedule 110, Item 7		132
150 of 1936			Schedule 110, Item 8		132
§§ 1-3		500	353 of 1948	17:413	131
278 of 1936		388	377 of 1948		
49 of 1938		237	§ 2	9:4202	300
81 of 1938	9:1791 et seq.	47, 565	388 of 1948		200
§ 3	9:1793	52	389 of 1948		200
§ 4	9:1794	51	454 of 1948		399
§ 9	9:1815	51	455 of 1948	12:101 et seq.	503-519
§ 28	9:1923	50	475 of 1948	12:42	504
111 of 1938		427	482 of 1948		169
140 of 1938		196	512 of 1948		132
205 of 1938	9:1105	159	513 of 1948		208
337 of 1938	6:724 et seq.	156	530 of 1948		141
			539 of 1948		208