

# Louisiana Law Review

---

Volume 20 | Number 1  
*December 1959*

---

## Table of Contents: Subject Index

---

### Repository Citation

*Table of Contents: Subject Index*, 20 La. L. Rev. (1959)

Available at: <https://digitalcommons.law.lsu.edu/lalrev/vol20/iss1/8>

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 [kayla.reed@law.lsu.edu](mailto:kayla.reed@law.lsu.edu).

# SUBJECT INDEX

* LOUISIANA LAW	‡ ARTICLES	† COMMENTS	Italic figures indicate CASE NOTES
<b>ACTIONS</b>			
Real, under proposed code of civil procedure .....		*†92	
<b>ADMINISTRATIVE LAW</b>			
Civil Service Commission back pay .....		*†268	
Civil Service Commission, criteria for dismissal .....		*†272	
Civil Service Commission, discharge for political reasons.....		*†274	
Civil Service Commission reinstatement .....		*†269	
Judicial review .....		*†271	
School Board, full hearing on appeal to district court.....		*†275	
School Board, retroactive rules.....		*†276	
<b>ALIMONY</b>			
Due to children.....		*†215	
<b>APPEALS</b>			
Appellate reorganization.....		*†201	
<b>ARBITRATION AND AWARD</b>			
Effect given award by NLRB in unfair labor practice hearing..		767	
<b>ATTORNEYS</b>			
Disbarment for pleading privilege against self-incrimination.....		743	
Fees, as element of damages.....		*†389	
Fees, workmen's compensation.....		*†253	
<b>BILLS AND NOTES</b>			
Payment in due course.....		*†266	
<b>COMMUNITY PROPERTY</b>			
Work of Supreme Court.....		*†221	
<b>CONSTITUTIONAL LAW</b>			
Congressional investigations .....		589	
Disbarment of attorney for pleading privilege against self-incrimination .....		743	
Discrimination in selection of juries .....		*†322	
Due process, questions on political association .....		589, 595	
Equal protection.....		*†278	
Freedom of association.....		589	
Immunity from prosecution.....		564	
Jurisdiction over military dependents and employees in foreign countries .....		†714	
Miscegenation .....		*†278	
Pre-emption and subversive activity .....		*†277	
Self-incrimination .....		564	
State power to tax interstate businesses .....		*†286	
Subversive activities, state investigation .....		595	
<b>CONSTITUTIONAL LAW — LOUISIANA</b>			
Delegation of legislative power to administrative tribunals .....		*†284	
Ex parte expropriation.....		*†232	
Legislative limitations on judicial power to issue injunctions.....		*†286	
Sovereign immunity, waiver of....		*†449	
Validity of city ordinance where state statute defines offense....		*†318	
<b>CONTRACTS</b>			
See also <i>Obligations</i>			
Ambiguities .....		*†255	
Anticipatory breach .....		*†119	
Common law .....		*†119	
Louisiana .....		*†124	
<b>CORPORATIONS</b>			
Authority of corporate officers....		*†257	
Reduction of capital stock.....		*†263	
Sales of entire assets.....		*†259	
Taxation of foreign corporations*		†265	
Taxation of multiple corporations		761	
<b>COURTS</b>			
Appellate reorganization .....		*†201	
Brief opinions .....		‡559	
Influence of environment.....		‡548	
Policy in judicial decisions.....		*†62	
<b>CRIMINAL LAW AND PROCEDURE</b>			
See also <i>Federal Procedure</i>			
Appeal .....		*†697	
Appeal from city court.....		*†334	
Bills of exceptions.....		*†331	
Burden of proving insanity.....		*†749	
Charge to the jury.....		*†660	
Construction of statutes, strict....		*†600	
Control over jury verdict in Louisiana criminal law.....		*†657	
Directed verdict .....		*†689	
Discharge of jury before verdict.*		†679	
Discrimination in selection of juries .....		*†322	
Extradition .....		*†32	
Form of verdict.....		*†683	
Felony-manslaughter .....		*†752	
Habeas corpus .....		*†333	
Indictments .....		*†325	
Indictments, objections to.....		*†326	
Insanity .....		*†321	

* LOUISIANA LAW	‡ ARTICLES	† COMMENTS	Italic figures indicate CASE NOTES
Intoxication, murder .....	*‡316		Hearsay .....
Judge's right to comment on facts .....	*‡667		Hospital records .....
Judge's right to comment on failure of accused to testify.....	*‡673		Impeachments, of own witness.....
Judge's right to comment on punishment .....	*‡674		Impeachment, prior arrests and convictions .....
Judgment notwithstanding the verdict .....	*‡692		Judicial notice .....
Jury charge, verdicts.....	*606		Rehabilitation of witness.....
Miscegenation .....	*‡278, *‡316		Relevancy .....
Motion for new trial.....	*‡693		Parol evidence, deeds.....
Motions in arrest.....	*‡331		Photographs .....
Murder, intoxication .....	*‡316		Police report .....
Prescription .....	*‡318, *‡426		Privilege, doctor-patient .....
Public intimidation .....	*‡317, *600		Privilege, self-incrimination .....
Qualification of jurors.....	*‡325		Proof of lost document.....
Rape, simple .....	*‡315, *606		
Recusation of district attorney.....	*‡321		EXPROPRIATION
Responsive verdicts .....	*‡327, *606		Work of Supreme Court.....
Rules of evidence.....	*‡659		
Selection of jury.....	*‡658		EXTRADITION
Suspension of sentence.....	*‡696		Discretionary .....
Theft, thing of value.....	*‡315		Mandatory .....
Unanimity of verdict.....	*‡680		Persons subject to .....
Validity of city ordinance where state statute defines offense.....	*‡318		Procedure .....
Venue .....	*‡319, *756		Uniform Act, comparison of.....
DAMAGES			FEDERAL PROCEDURE
Attorney's fees, as an element of.....	*‡389		Arraignment in criminal cases....
Generally .....	‡50		Arraignment, proposals .....
Intangible losses .....	‡56		Equitable abstention .....
Death cases .....	‡56		Rule 10, history of .....
Personal injury cases.....	‡56		Rule 10, interpretation of .....
Labor arbitration, in.....	619		Rule 10, procedure prior to.....
Origin of damage law.....	‡51		
Peaceful picketing .....	159		FEDERAL-STATE RELATIONS
Public policy .....	‡53		Subversive activities, rights of state to investigate.....
Recommendations .....	‡58		
Wrongful death .....	*‡357		FORUM JURIDICUM
Elements .....	*‡358		Ideal relationship between bench and bar .....
Control .....	*‡367		Influence of environment on litigation process .....
			Opinion on brief opinions.....
DONATIONS			Tribute to Henry George
Ability to read.....	*610		McMahon .....
<i>Inter vivos</i> .....	*‡218		
<i>Mortis causa</i> .....	*‡220, *610		INCOME TAXATION
New wills act.....	*610		See <i>Taxation</i>
Onerous .....	*‡219, *‡225		
			INSURANCE
EDITORIAL			Ambiguities in policy.....
The Law School.....	350		Insurable interest .....
			Intervention in direct action.....
EVIDENCE			Loss by windstorm.....
Best evidence .....	*‡348		Reductions clause .....
Character .....	*‡335		"Use of other automobiles" clause .....
Declarations by co-conspirators.....	*‡347		
Doctor-patient privilege .....	*‡418		INTERNATIONAL LAW
Failure of defendant to take stand .....	*‡344		Legal status of continental shelf. ‡646
Former testimony .....	*‡146		JUDICIAL FUNCTION
Elements for admissibility.....	*‡148		Policy in judicial decisions.....

* LOUISIANA LAW	† ARTICLES	† COMMENTS	Italic figures indicate CASE NOTES
<b>LABOR LAW</b>			
Arbitration, power to award damages .....	619		
Damages for peaceful picketing....	159		
Effect given to arbitration award by NLRB .....	767		
Labor Management Reporting and Disclosure Act.....		†400	
Picketing, minority .....		†400	
Pre-emption of state laws.....	159		
<b>LAW SCHOOL, THE.....</b>			
<b>LEASES</b>			
Assumption of responsibility.....		*†81	
Cancellation for structural defects .....		*†233	
Defects in premises.....		*†76	
Mineral lease, prescription.....		*†237	
Responsibility for defects.....		*†77	
<b>LOCAL GOVERNMENT</b>			
Collection of licenses.....		*†291	
Liability for defects in sidewalk		*806	
Municipal operation of utilities.....		*†292	
Officers .....		*†288	
Rate regulation .....		*†291	
Zoning .....		*†289	
<b>MARRIAGE</b>			
Community property .....		*†221	
Miscegenation .....		*†278	
Nullity of .....		*†563	
Absolute .....		*†570	
Relative .....		*†564	
Paternal authority .....		*†211	
Vices of consent.....		*†564	
<b>MILITARY LAW</b>			
Jurisdiction over civilians in foreign countries.....		†714	
<b>MINERAL RIGHTS</b>			
Delay rentals .....		*†239	
Lease			
Cancellation for failure to develop .....		*†239, *†240	
Personal rights .....		*†237	
Naked owner, rights of.....		*773	
Prescription, lease .....		*†237	
Reversionary royalty rights.....		*169	
Royalty per se			
Prescription of .....		*169, *†242	
Persons benefiting .....		*169	
Usufructuary, rights of.....		*773	
<b>MINORS</b>			
Alimony due children.....		*†215	
Paternal authority to compromise claims .....		*†211, *†313	
<b>OBLIGATIONS</b>			
Effect of fraud.....		*†226	
			Offer, revocation .....
			Potestative condition .....
			Quantum meruit .....
<b>PERSONS</b>			
			Alimony due children.....
			Filiation .....
			Partition of absentee's property .....
			Paternal authority .....
<b>PRESCRIPTION</b>			
			Accounts .....
			Claims under Louisiana Monopoly Act .....
			Crimes .....
			Illegal seizure .....
			Mineral leases .....
			Mineral royalty .....
			Prosecutions .....
			Revival of judgments.....
			Royalty per se.....
			Workmen's compensation claim....
<b>PROPERTY</b>			
			Immovables by nature.....
			Riparian rights .....
			Strict liability for use of.....
			Treasure .....
<b>PLEADING AND PRACTICE</b>			
			Appellate jurisdiction .....
			Appellate procedure .....
			Attachment .....
			Attorney's fees, as element of damages .....
			Demand against third party.....
			Discontinuance .....
			Enforcement of foreign judgment .....
			Exceptions .....
			Executory proceedings .....
			Habeas corpus .....
			Injunction .....
			Intervention .....
			Intervention in direct action.....
			Jactatory action, right to appeal..
			Parties .....
			Partition of absentee's property .....
			Paternal authority to compromise claim .....
			Real actions under proposed Code of Civil Procedure.....
			Reconventional demand .....
			Revival of judgments.....
			Common law .....
			Louisiana .....
			Proposed Code of Civil Procedure .....
			Third party practice.....
			Venue, third party practice.....

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

**PUBLIC UTILITIES**

Motor Carrier Act.....\*†294  
 Power to fix rates.....\*†296  
 Rate making power.....\*624  
 Station-closing application .....\*†295

**REAL ACTIONS**

Cumulation .....\*†104  
 Jactitory .....\*†100  
 Jactitory, right to appeal.....\*780  
 Petitory .....\*†93  
 Petitory, under proposed code.....\*†95  
 Possessory .....\*†98  
 Possessory, under proposed code..\*†102  
 To establish title.....\*†94

**RECORDATION**

Effect of fraud.....\*†219, \*†229

**RIPARIAN RIGHTS**

See *Property*

**SALES**

Action quanti minoris.....\*†230  
 Ambiguity in land description.....\*178  
 Correction deed .....\*178  
 Deposit by option holder.....\*†229  
 Earnest money .....\*†522  
 Litigious redemption .....\*787  
 Option .....\*†522  
 Parol evidence .....\*†229  
 Parol evidence, deeds.....\*178  
 Promise of sale .....\*†522  
 Redhibitory action .....\*†230  
 Redhibitory vices in automobiles..\*†231  
 Suspensive conditions .....\*†226

**SECURITY DEVICES**

Building contracts .....\*†235  
 Suretyship .....\*†234

**SEGREGATION**

See *Constitutional Law*

Carrier's duty to warn Negro  
 passengers ..... 437  
 Equitable abstention, civil rights  
 cases ..... 614

**SERVITUDES**

*Sic utere* .....\*†380  
 Use of property.....\*†380

**STATES**

Authorization to sue.....\*†449  
 Rate making power.....\*624  
 Sovereign immunity .....\*†449  
 Suits against .....\*†449

**STATISTICAL SURVEY**

Work of the Louisiana Supreme  
 Court for the 1958-1959 Term..\*†201

**SUCCESSIONS**

Partition in kind.....\*†218  
 Partition of absentee's  
 property .....\*†217, \*†312

**TAXATION**

Collection of municipal and state  
 licenses .....\*†291  
 Foreign corporations .....\*†265  
 Multiple corporations ..... 761

**TORTS**

Carrier's duty to passenger with  
 infirmity ..... 793  
 Carrier's duty to warn Negro  
 passengers ..... 437  
 Damages for wrongful seizure of  
 property .....\*†248  
 Damages in accident cases..... 150  
 Driver's duty to persons riding  
 horses .....\*†247  
 Firearms, liability for sale to  
 minors ..... 796  
 Loss of consortium, wife's cause  
 of action ..... †731  
 Municipal corporations, liability  
 for defects in sidewalks..... \*806  
 Negligence of automobile drivers..\*†247  
 Prenatal injuries ..... 810  
 Res ipsa loquitur.....\*†245  
 Strict liability for property use..\*†378  
 Suicide, cause of action for  
 inducing ..... 791  
 Tavern keepers, liability for in-  
 jurious consequences of illegal  
 sales of intoxicating liquors..... 800  
 Use of explosives.....\*†245  
 Wife's cause of action for loss of  
 consortium ..... †731  
 Wrongful death, damages.....\*†357  
 Wrongful death, funeral  
 expenses .....\*†248

**VENUE**

Criminal law .....\*†319, \*756

**WORKMEN'S COMPENSATION**

Accidents arising out of and in  
 the course of employment..... \*814  
 Attorney fees .....\*†253  
 Causal relation between strain  
 and ulcer .....\*†250  
 Compromises .....\*†511  
 Concurrent payments .....\*†115  
 Death benefits, right of  
 posthumous illegitimate ..... \*818  
 Disabilities, total and permanent..\*†109  
 Knispel formula .....\*†488  
 Deficiencies .....\*†506  
 Development .....\*†488  
 Present status .....\*†495

* LOUISIANA LAW	‡ ARTICLES	† COMMENTS	Italic figures indicate CASE NOTES
Modification of award.....	*‡516		Retained employee .....
Posthumous illegitimate child.....	*‡252		Total disability .....
Right to death benefit.....	*818		Successive injuries .....
Prematurity of suit .....	*‡373		Work not part of employer's
Prescription of claim.....	*‡374		trade .....

## LOUISIANA STATUTES

TITLE NO.	PAGE	TITLE NO.	PAGE
9:171 <i>et seq.</i> .....	217 <i>et seq.</i> , 312	15:386 .....	327 <i>et seq.</i> , 607 <i>et seq.</i> , 684 <i>et seq.</i>
9:1105 .....	237 <i>et seq.</i>	15:387 .....	664 <i>et seq.</i>
9:2442-2444 .....	612 <i>et seq.</i>	15:402.1 .....	691
9:3221 .....	76 <i>et seq.</i>	15:408 .....	686
13:3381 <i>et seq.</i> .....	433 <i>et seq.</i>	15:422 .....	349
13:3742 .....	151 <i>et seq.</i>	15:436 .....	348
13:3821 .....	150	15:480 .....	335 <i>et seq.</i>
13:4231-4246 .....	107	15:485 .....	345
13:4811-4817 .....	106	15:487 .....	342 <i>et seq.</i>
13:5062 .....	92 <i>et seq.</i>	15:488 .....	342 <i>et seq.</i>
14:3 .....	602 <i>et seq.</i>	15:490 .....	335
14:30 .....	316, 753 <i>et seq.</i>	15:492 .....	342
14:31 .....	753 <i>et seq.</i>	15:493 .....	343
14:43 .....	604 <i>et seq.</i>	15:495 .....	340 <i>et seq.</i>
14:44 .....	604 <i>et seq.</i>	15:509 .....	694
14:74 .....	213 <i>et seq.</i>	15:1331 .....	516
14:79 .....	278 <i>et seq.</i> , 316	22:613A .....	254 <i>et seq.</i>
14:91 .....	798	22:655 .....	167 <i>et seq.</i>
14:118 .....	320	23:844 .....	309
14:122 .....	317, 603 <i>et seq.</i>	23:1031 .....	814 <i>et seq.</i>
14:366-380 .....	277	23:1201 (2) .....	253
15:8 .....	319, 426 <i>et seq.</i>	23:1202 .....	117
15:13 .....	319 <i>et seq.</i> , 757 <i>et seq.</i>	23:1209 .....	374 <i>et seq.</i>
15:65 .....	38	23:1221 .....	109 <i>et seq.</i>
15:152 .....	149 <i>et seq.</i>	23:1221 (2) .....	486 <i>et seq.</i>
15:160 .....	34 <i>et seq.</i>	23:1222 .....	517 <i>et seq.</i>
15:164 .....	38	23:1231 .....	818 <i>et seq.</i>
15:165 .....	39	23:1251 .....	818 <i>et seq.</i>
15:166 .....	39	23:1252 .....	818 <i>et seq.</i>
15:167 .....	38 <i>et seq.</i>	23:1271 .....	515
15:168 .....	41	23:1273 .....	509
15:169 .....	42	23:1274 .....	509
15:170 .....	45	23:1314 .....	373 <i>et seq.</i>
15:171 .....	47	26:304 .....	286
15:202 .....	324	33:321-481 .....	288 <i>et seq.</i>
15:235 .....	325	38:2211-2217 .....	289
15:259 .....	682	40:159 .....	213 <i>et seq.</i>
15:267 .....	322	40:304 .....	214
15:337 .....	682	44:325 .....	348
15:351 .....	325	45:162 .....	294
15:383 .....	663	47:671-677 .....	288
15:384 .....	667 <i>et seq.</i>	47:2611 .....	265
15:385 .....	663	48:441-460 .....	232