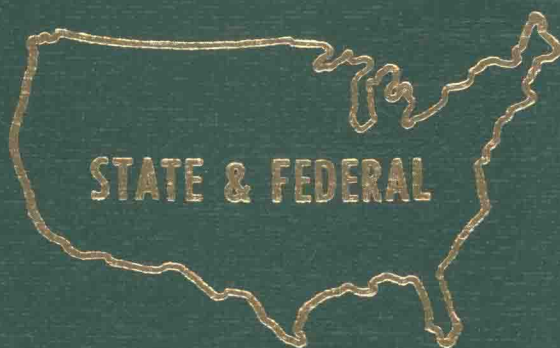


AMERICAN
JURISPRUDENCE
2d



INSURRECTION

IRRIGATION

AMERICAN JURISPRUDENCE

SECOND EDITION

A MODERN COMPREHENSIVE TEXT STATEMENT
OF AMERICAN LAW

STATE AND FEDERAL

COMPLETELY REVISED AND REWRITTEN
IN THE LIGHT OF MODERN AUTHORITIES AND DEVELOPMENTS
BY THE EDITORIAL STAFF OF THE PUBLISHERS

VOLUME 45

INSURRECTION
TO
IRRIGATION

THE LAWYERS CO-OPERATIVE PUBLISHING COMPANY, ROCHESTER, N. Y.
BANCROFT-WHITNEY COMPANY, SAN FRANCISCO, CALIF.

1969

Copyright © 1969
by
Jurisprudence Publishers, Inc.

The paper used in this publication meets the minimum requirements of American National Standard for Information Sciences—Permanence of Paper for Printed Library Materials, ANSI Z39.48-1984.



Managing Editor

OSCAR C. SATTINGER

Consulting Editors

ROBERT D. HURSH
JOHN E. KEEFE

ALLEN R. SOLIE
TROWBRIDGE C. WILLIAMS

Editors

CARL T. DRECHSLER
JOHN P. LUDINGTON
ERNEST H. SCHOPLER

WILLIAM E. SHIPLEY
ANTHONY M. SWARTHOUT
HARRY A. WOOD

LLOYD A. WRIGHT

Contributors to This Volume

DONALD C. BARRETT
J. ALAN BOCK
HERBERT B. CHERMSIDE
OTTO KLAUSHOFER

SIDNEY LORVAN
LOUIS R. MORRISON
LEONARD I. REISER
JOHN A. VAN ASSENDERP

HIGBEE WILLIAMS

*

TABLE OF PARALLEL REFERENCES

This table shows where the subject matter of the various sections of articles in the first edition of American Jurisprudence is treated in American Jurisprudence 2d. It enables one to translate references in the Am Jur General Index, in the AM JUR FORMS books and in AM JUR PROOF OF FACTS as well as the many references to "Am Jur" in the reported cases in other legal publications, into references to Am Jur 2d.

When a particular subject matter is treated in another topic the title of the other topic is indicated.

The reader should always consult the volume index for detail and for matter not appearing in the first edition.

INSURRECTION

AM JUR	AM JUR 2d	AM JUR	AM JUR 2d	AM JUR	AM JUR 2d
§§	§§	§§	§§	§§	§§
1	Scope note	2	1	3	2, 3

INTEREST AND USURY

AM JUR (INTEREST)	AM JUR 2d	AM JUR (INTEREST)	AM JUR 2d	AM JUR (USURY)	AM JUR 2d
§§	§§	§§	§§	§§	§§
1	Scope note	37	10	1	Scope note
2	1, 2	38	11	2	2
3	3	39	12	3	4
4	13, 34	40	87, 88	4	5, 6
5	35, 37	41	89	5	8, 9
6	38	42	90	6	10, 16
7	34, 36	43	51, 91	7	37
8	4	44	93	7.1	19, 23-29
9	39	45	94, 95	7.2	20-24, 26, 31, 32
10	40	46	96, 106, 108	7.3	19, 32, 33
11	41	47	97	7.4	30, 31
12	42	48	98	8	14
13	43	49	99	9	15, 16
14	47-50	50	100	10	14, 16
15	44	51	101	11	17
16	45	52	102	12	111, 116
17	52	53	103-105	13	9
18	53	54	105	14	112
19	54	55	109	15	113, 114
20	46	56	110	16	219, 223
21	55	57	76	17	115, 170, 217
22	56	58	77	18	117, 142, 143
23	57, 58	59	78, 79	19	118
24	59, 60	60	80-82	20	121
25	62	61	83	21	122, 123
26	5	62	84	22	126
27	7	63	85	23	127, 128
28	20, 64	64	86	24	129, 130
29	65, 66	65	339	25	131
30	67	66	340	25.1	136
31	26, 68	67	341	26	138, 147, 148, 152
32	69	68	342, 343	27	136, 145
33	70	69	344	28	143
34	71	70	344, 345	29	140, 141
35	72	71	346	30	129, 132
36	73-75	72	347	31	133
		73	348	32	156

TABLE OF PARALLEL REFERENCES

INTEREST AND USURY—Continued

Am Jur (Usury) §§	Am Jur 2d §§	Am Jur (Usury) §§	Am Jur 2d §§	Am Jur (Usury) §§	Am Jur 2d §§
33	160, 169	81	231	129	299
34	161	82	232, 233	130	300
35	162	83	234	131	301
36	166, 167	84	235	132	302
37	157, 159	85	236, 237	133	303
38	168	86	237	134	304
39	169	87	238	135	305
40	170, 187	88	239	136	306
41	171, 173	89	240	137	308
42	173, 175	90	241, 242	138	308
43	179	91	202	139	309
44	180, 181	92	243	140	310
45	182	93	247	141	311
46	183	94	248	142	312
47	184	95	247, 249	143	313
48	185	96	250, 251	144	314, 315
49	186	97	252	145	331
50	188	98	253	146	328
51	189, 192	99	254	147	329
52	190	100	238, 255	148	324, 330
53	191	101	256	149	316
54	193	102	257-259	150	317
55	194, 200, 201	103	261	151	244
56	195	104	262-265	152	318
57	197	105	266, 267	153	327
58	198, 199	106	268	153.5, 154	332, 333
59	204	107	271	155	333
60	205, 206	108	272	156	334
61	207	109	244, 273	157	337, 338
62	208, 209	110	274	158	319
63	210	111	244, 275, 277	159	320-323
64	211	112	276	160	335
65	212	113	285	161	349
66	213	114	277, 278	162	270
67	214	115	279, 280	163	353
68	215	116	281, 282	164	350-352
69	216	117	246, 283	165	353, 354
70	217	118	285	166	355
71	218	119	286	167	356
72	220	120	287	168	353
73	221	121	288, 289	169	111, 112, 160, 349
74	222	122	289	170	349
75	223, 225, 226	123	290, 291	171	349
76	224	124	293	172	357, 359
77	228	125	295	173	358
78	229	126	296	174	361, 362
79	227	127	297	175	360
80	230	128	298		

INTERFERENCE

Am Jur §§	Am Jur 2d §§	Am Jur §§	Am Jur 2d §§	Am Jur §§	Am Jur 2d §§
1	Scope note	9	24	17	47
2	1	10	46	18	15
3	3	11	6	19	18
4	45, 46	12	30, 31	20	36
5	Deleted	13	47	21	39
6	46	14	24	22	7
7	46	15	3	23	8
8	10	16	20	24	9

INTERFERENCE—Continued

AM JUR	AM JUR 2d	AM JUR	AM JUR 2d	(USURY)	AM JUR 2d
§§	§§	§§	§§	§§	§§
25	11	38	40	52	19
26	24	39	40	53	52
27	4	40	14	54	53
28	5	41	31, 40	55	55
29	6	42	41	56	55
30	26	43-45	50	57	56
31	14, 16	46	14, 16	58	27
32	17	47	27, 50	59	12, 57
33	23	48	16, 31	60	58
34	27-29	49	33	61	59
35	28, 30, 32	50	37	62	60
36	21	51	23	63	61
37	54				

INTERNATIONAL LAW

AM JUR	AM JUR 2d	AM JUR	AM JUR 2d	AM JUR	AM JUR 2d
§§	§§	§§	§§	§§	§§
1	Scope note; 1, 2	19	36	37	77
2	3	20	37, 38	38	78, 79
3	4	21	40	39	38, 44
4	5	22	42, 46	40	26, 29
5	6	23	60	41	27
6	7	24	62	42	28
7	2, 8, 9	25	65	43	30
8	10	26	63, 64	44	31, 35
9	11, 12	27	67, 68	45	32
10	13	28	70	46	33
11	14	29	71	47	34
12	20	30	38, 72	48	83
13	15-18	31	74	49	85, 86
14	22	32	75	50	86
15	23	33	76	51	88
16	24	34	48, 49	52	89, 92
17	25	35	52	53	90
18	35	36	81, 82	54	91

INTERPLEADER

AM JUR	AM JUR 2d	AM JUR	AM JUR 2d	AM JUR	AM JUR 2d
§§	§§	§§	§§	§§	§§
1	Scope note	13	4, 10, 13, 15, 16	25	32, 33
2	1	14	17, 19	26	35
3	1, 2	15	18	27	38, 39
4	3	16	19	28	41, 42
5	4	17	19, 20	29	35, 40
6	6	18	21	30	37
7	3, 5, 7, 29, 35, 36	19	22	31	43
8	3, 8	20	24, 25	32	44, 45
9	9	21	27	33	46
10	6, 10-12	22	28	34	48
11	13	23	29, 30, 33, 34	35	47
12	14	24	31, 35		

INTOXICATING LIQUORS

AM JUR	AM JUR 2d	AM JUR	AM JUR 2d	AM JUR	AM JUR 2d
§§	§§	§§	§§	§§	§§
1	Scope note; 1	6	6	11	11
2	2	7	7	12	12
3	3	8	8	13	13
4	4	9	9	14	14
5	5	10	10	15	15

TABLE OF PARALLEL REFERENCES

INTOXICATING LIQUORS—Continued

AM JUR §§	AM JUR 2d §§	AM JUR §§	AM JUR 2d §§	AM JUR §§	AM JUR 2d §§
16	16	78	76	140	139
17	17	79	77	141	147, 152
18	18	80	78	142	148
19	19	81	79	143	149
20	20	82	80	144	150
21	21	83	81	145	151
22	22	84	82	146	156
23	23	85	83	147	157
24	24	86	84	148	158
25	25	87	85	149	153
26	27	88	86	150	154
27	27, 31	89	87	151	159
28	28	90	88	152	161, 162
29	29	91	89	153	160
30	30	92	90	154	163
31	30, 31	93	91	155	164
32	32	94	92	156	165
33	33	95	93	157	166
34	34	96	94	158	167
35	236	97	95	159	168
36	237	98	96	160	169
37	35	99	97	161	170
38	123	100	98	162	171
39	37	101	99	163	172
40	38	102	100	164	173
41	39	103	101	165	174
42	40, 43	104	102	166	175
43	41	105	103	167	177, 178
44	42	106	104	168	181
45	44	107	105	169	182
46	45	108	106	170	180
47	46	109	107	171	183, 184
48	47	110	108	172	185
49	48	111	109	173	186
50	49	112	110	174	183
51	56	113	111	175	187
52	50	114	112	176	188
53	51	115	113	177	189
54	52	116	114	178	190
55	53	117	115	179	191
56	54	118	116	180	192
57	55	119	117	181	194
58	57	120	118	182	195
59	58	121	119	183	196
60	59	122	120	184	197
61	60	123	121	185	198
62	61	124	122	186	199
63	62	125	124	187	203
64	63	126	125	188	204
65	64	127	126	189	205
66	65	128	127	190	206
67	66	129	128	191	207
68	67	130	129	192	208
69	68	131	130	193	209
70	68	132	131	194	210
71	69	133	132	195	211
72	70	134	133	196	212
73	71	135	134	197	213
74	72	136	135	198	214
75	73	137	136	199	215
76	74	138	137	200	216
77	75	139	138	201	217

TABLE OF PARALLEL REFERENCES

xi

INTOXICATING LIQUORS—Continued

AM JUR	AM JUR 2d	AM JUR	AM JUR 2d	AM JUR	AM JUR 2d
§§	§§	§§	§§	§§	§§
202	218	264	294	326	350
203	219	265	295	327	351
204	228, 229	266	140	328	352
205	230	267	141	329	353
206	231	268	142	330	354
207	232	269	144	331	355
208	233	270	145	332	356
209	235	271	146	333	357
210	239	272	297	334	358
211	240	273	297, 298	335	359
212	241	274	299	336	360
213	243	275	300	337	361
214	242	276	336	338	362
215	244	277	301	339	363
216	245	278	302	340	364
217	234	279	303	341	365
218	246	280	304	342	366
219	247	281	305	343	367
220	248	282	306	344	368
221	249	283	307	345	369
222	250	284	309	346	370
223	251	285	310	347	371
224	252	286	311	348	372
225	253	287	308	349	373
226	254	288	313	350	374, 382, 385, 388
227	255	289	314	351	383
228	256	290	314	352	374
229	257	291	315	353	375
230	258	292	316	354	376
231	259	293	317	355	377
232	260	294	318	356	378
233	261	295	319	357	379
234	262	296	320	358	387
235	263	297	321	359	387
236	264	298	322	360	387
237	265	299	323	361	380
238	266	300	324	362	380
239	267	301	325	363	381
240	268	302	326	364	380
241	269	303	327	365	382
242	270	304	328	366	383
243	271	305	329	367	384
244	271	306	330	368	385
245	272	307	331	369	386
246	273	308	332	370	389
247	275	309	333	371	390
248	276	310	334	372	394
249	277	311	335	373	391
250	278	312	336	374	392
251	279	313	337	375	393
252	279	314	338	376	394
253	280	315	339	377	395
254	281	316	340	378	396
255	282	317	341	379	396
256	283	318	342	380	397
257	285	319	343	381	5, 54, 349, 390
258	289	320	344	382	398
259	290	321	345	383	398
260	291	322	346	384	399
261	286, 287	323	347	385	400
262	292	324	348	386	401
263	293	325	349	387	402

TABLE OF PARALLEL REFERENCES

INTOXICATING LIQUORS—Continued

Am Jur	Am Jur 2d	Am Jur	Am Jur 2d	Am Jur	Am Jur 2d
§§	§§	§§	§§	§§	§§
388	403	447	462	510	542
389	404, 405	448	463	511	543
390	406	449	464	512	544
391	407	450	465	513	545
392	408	451	466	514	547
393	407	452	467	515	548
394	409	453	468	516	549
395	410	454	469, 481	517	550
396	411	455	470	518	551
397	412	456	479	519	552
398	413	457	480	520	553, 555
399	414	458	481	521	554, 555
400	415	459	482	522	556
401	416	460	483	523	557
402	417	461	478	524	559
403	418	462	484	525	561, 563
404	419	463	485	526	562
405	420	464	471	527	564, 592
406	421	465	472	528	565
407	422	466	473	529	566
408	423	467	474	530	567
409	424	468	475	531	568
410	425	469	476	532	569, 594
411	426	470	477	533	570
412	427	471	486	534	571, 572, 575
413	428	472	487	535	576
414	429	473	488	536	577
415	430	474	489	537	578, 582
416	431	475	490	538	579
417	432	476	491	539	580, 594
418	432	477	492	540	582
419	433	478	494	541	583
420	434	479	496	542	584
421	435	480	497	543	585
422	436	481	515, 524	544	586
423	437	482-486	514-523	545	587
424	438	487	499	546	588, 589
425	439	488	500	547	581, 588, 591, 599
426	440	489	501	548	593
427	441	490	502	549	594
428	442, 443	491	503	550	595
429	444	492	504	551	596
430	445	493	505	552	597
431	446	494	506	553	598
432	447	495	507	554	600
433	448	496	508	555	601
434	449	497	509	556	582, 584, 602
435	450	498	510	557	603
436	451	499	511	558	604
437	452	500	512	559	605
438	453	501	513	560	606
439	454	502	533	561	607
440	455	503	534	562	608
441	456	504	536	563	609, 610
442	457	505	537	564	611
443	458	506	538	565	612
444	459	507	539	566	613
445	460	508	540	567	611, 614
446	461	509	541		

INVOLUNTARY SERVITUDE AND PEONAGE

Am Jur (SLAVERY, ETC.)	Am Jur 2d	Am Jur (SLAVERY, ETC.)	Am Jur 2d	Am Jur (SLAVERY, ETC.)	Am Jur 2d
§§	§§	§§	§§	§§	§§
1	1	3	3, 6	5	10
2	2	4	1, 3, 4-9	6	11
				7	12

IRRIGATION

Am Jur	Am Jur 2d	Am Jur	Am Jur 2d	Am Jur	Am Jur 2d
§§	§§	§§	§§	§§	§§
1 Scope note		41	39	81	77
2	1	42	40	82	78
3	2	43	41	83	79
4	3	44	42	84	80
5	4	45	43	85	81
6	5	46	44	86	82
7	6	47	45	87	83
8	7	48	46	88	84
9	8	49	47	89	85
10	9	50	48	90	86
11	10	51	49	91	87
12	11	52	50	92	88
13	12	53	51	93	88
14	13	54	52	94	89
15	14	55	53	95	90
16	15	56	54	96	91
17	16	57	54	97	92
18	17	58	55	98	93
19	18	59	55	99	94
20	19	60	56	100	95
21	20	61	57	101	97
22	21	62	58	102	98
23	22	63	59	103	99
24	23	64	60	104	100
25	24	65	61	105	101
26	25	66	62	106	102
27 Deleted		67	63	107	103
28	26	68	64	108	104
29	27	69	65	109	105
30	28	70	66	110	106
31	29	71	67	111	107
32	30	72	68	112	108
33	31	73	69	113	109
34	32	74	70	114	110
35	33	75	71	115	111
36	34	76	72	116	112
37	35	77	73	117	113
38	36	78	74	118	114
39	37	79	75	119	115
40	38	80	76	120	116
				121	117

*

TABLE OF STATUTES CITED

This table shows, by reference to title and section, where provisions of the United States Code, the Federal Rules of Procedure, and the Uniform Laws are cited in articles in this volume.

UNITED STATES CODE

<i>Title and section</i>	<i>Am Jur 2d title and section</i>	<i>Title and section</i>	<i>Am Jur 2d title and section</i>
8 USC		15 USC—Cont'd	
§ 1101(a)(15)(G)(iv)	INTERNATIONAL LAW § 51	§ 80a-1(b)(4)	INVESTMENT COMPANIES § 14
§ 1101(a)(21)	INTERNATIONAL LAW § 35	§ 80a-2(a) ..	INVESTMENT COMPANIES § 2
§ 1101(a)(22)	INTERNATIONAL LAW § 35	§ 80a-2(a)(3)(C)	INVESTMENT COMPANIES § 15
10 USC		§ 80a-2(a)(15)	INVESTMENT COMPANIES § 2
§ 331	INSURRECTION § 2	§ 80a-2(a)(16)	INVESTMENT COMPANIES § 2
§ 333	INSURRECTION § 2	§ 80a-3(a)	INVESTMENT COMPANIES § 2
§ 334	INSURRECTION § 2	§ 80a-3(b)	INVESTMENT COMPANIES § 2
11 USC		§ 80a-3(c)	INVESTMENT COMPANIES § 2
§ 110(a)(6)	INTEREST § 321	§ 80a-4 ..	INVESTMENT COMPANIES § 3
12 USC		§ 80a-5(a)	INVESTMENT COMPANIES § 3
§§ 21 et seq.	INTEREST § 14	§ 80a-5(b)	INVESTMENT COMPANIES § 3
§ 85	INTEREST § 14	§ 80a-14(b)	INVESTMENT COMPANIES § 1
§ 86	INTEREST §§ 309, 310, 314, 319, 328, 331-333	§ 80a-15	INVESTMENT COMPANIES § 15
§ 94	INTEREST § 331	§ 80a-15(d)	INVESTMENT COMPANIES § 15
§ 548(1)(b)	INVESTMENT COMPANIES § 1	§ 80a-17(a)	INVESTMENT COMPANIES § 14
15 USC		§ 80a-17(b)	INVESTMENT COMPANIES § 14
§§ 77a et seq.	INVESTMENT COMPANIES § 16	§ 80a-17(e)(1)	INVESTMENT COMPANIES § 14
§§ 77aaa et seq.	INVESTMENT COMPANIES § 16	§ 80a-32	INVESTMENT COMPANIES § 10
§ 77q(a)(1)	INVESTMENT COMPANIES § 16	§ 80a-36	INVESTMENT COMPANIES § 14
§ 77q(a)(3)	INVESTMENT COMPANIES § 16	§ 80a-43	INVESTMENT COMPANIES § 8
§§ 78a et seq.	INVESTMENT COMPANIES § 16	§§ 80b-1 et seq.	INVESTMENT COMPANIES § 16
§ 78j(b) ..	INVESTMENT COMPANIES § 7		
§ 78p	INVESTMENT COMPANIES § 14		
§§ 79 et seq. ..	INVESTMENT COMPANIES § 16		
§§ 80a-1 et seq.	INVESTMENT COMPANIES §§ 1, 4, 7, 16		
§ 80a-1 ..	INVESTMENT COMPANIES § 7		

UNITED STATES CODE—Continued

<i>Title and section</i>	<i>Am Jur 2d title and section</i>	<i>Title and section</i>	<i>Am Jur 2d title and section</i>
15 USC—Cont'd		22 USC—Cont'd	
§ 80b-2(a) (11)	INVESTMENT COMPANIES § 16	§ 611	INTERNATIONAL LAW § 9
§ 80b-6	INVESTMENT COMPANIES § 16	§§ 661 et seq.	INTERNATIONAL LAW § 92
§ 80b-6(1)	INVESTMENT COMPANIES § 16	§§ 801 et seq. ..	INTERNATIONAL LAW § 9
§ 80b-6(2)	INVESTMENT COMPANIES § 16	§§ 1611 et seq.	INTERNATIONAL LAW § 9
§ 80b-9	INVESTMENT COMPANIES § 16	§§ 1621 et seq.	INTERNATIONAL LAW § 92
§ 80b-14	INVESTMENT COMPANIES § 18	§ 1731	INTERNATIONAL LAW § 74
§§ 661 et seq.	INVESTMENT COMPANIES § 5	§ 1732	INTERNATIONAL LAW § 74
§ 771	INVESTMENT COMPANIES § 14	§§ 1750 et seq.	INTERNATIONAL LAW § 9
18 USC		§§ 1971 et seq.	INTERNATIONAL LAW § 77
§§ 951-969 ...	INTERNATIONAL LAW § 9	§§ 2054 et seq.	INTERNATIONAL LAW § 9
§ 1262	INTOXICATING LIQUORS § 56	§§ 2101 et seq.	INTERNATIONAL LAW § 9
§ 1263	INTOXICATING LIQUORS § 56	§§ 2151 et seq.	INTERNATIONAL LAW § 9
§ 1264	INTOXICATING LIQUORS § 56	§ 2370(e) (2)	INTERNATIONAL LAW § 85
§ 1265	INTOXICATING LIQUORS § 56	§§ 2451 et seq.	INTERNATIONAL LAW § 9
§ 1581(a)	INVOLUNTARY SERVITUDE § 12	§§ 2501 et seq.	INTERNATIONAL LAW § 9
§ 1581(b)	INVOLUNTARY SERVITUDE § 12	§§ 2551 et seq.	INTERNATIONAL LAW § 9
§ 1582	INVOLUNTARY SERVITUDE § 1	§§ 2601 et seq.	INTERNATIONAL LAW § 9
§ 1583	INVOLUNTARY SERVITUDE § 1		
§ 1584	INVOLUNTARY SERVITUDE §§ 3, 12	26 USC	
§ 1585	INVOLUNTARY SERVITUDE § 1	§§ 5001 et seq.	INTOXICATING LIQUORS § 221
§ 1586	INVOLUNTARY SERVITUDE § 1	§ 5001(b)	INTOXICATING LIQUORS § 221
§ 1587	INVOLUNTARY SERVITUDE § 1	§ 5003	INTOXICATING LIQUORS § 221
§ 1588	INVOLUNTARY SERVITUDE § 1	§ 5006	INTOXICATING LIQUORS § 222
§ 2383	INSURRECTION § 2	§ 5008	INTOXICATING LIQUORS § 222
§ 3617	INTOXICATING LIQUORS § 524	§§ 5021 et seq.	INTOXICATING LIQUORS § 221
§ 3617(a)	INTOXICATING LIQUORS § 524	§ 5026	INTOXICATING LIQUORS § 222
§ 3617(b)	INTOXICATING LIQUORS §§ 525-527, 531	§§ 5041 et seq.	INTOXICATING LIQUORS § 221
§ 3618	INTOXICATING LIQUORS §§ 495, 515	§§ 5051 et seq.	INTOXICATING LIQUORS § 221
22 USC		§ 5054	INTOXICATING LIQUORS § 222
§ 60	INTERNATIONAL LAW § 9	§§ 5081 et seq.	INTOXICATING LIQUORS § 224
§§ 143 et seq. ..	INTERNATIONAL LAW § 9	§§ 5091 et seq.	INTOXICATING LIQUORS § 224
§§ 261-290d	INTERNATIONAL LAW § 11	§§ 5101 et seq.	INTOXICATING LIQUORS § 224
§§ 288-288f ..	INTERNATIONAL LAW § 11		
§ 288	INTERNATIONAL LAW § 11		
§ 288a	INTERNATIONAL LAW § 11		
§ 288a(b) ...	INTERNATIONAL LAW § 51		
§§ 401 et seq. ..	INTERNATIONAL LAW § 9		
§§ 501 et seq. ..	INTERNATIONAL LAW § 9		

UNITED STATES CODE—Continued

<i>Title and section</i>	<i>Am Jur 2d title and section</i>	<i>Title and section</i>	<i>Am Jur 2d title and section</i>
26 USC—Cont'd		26 USC—Cont'd	
§§ 5111 et seq.	INTOXICATING LIQUORS § 224	§§ 5671 et seq.	INTOXICATING LIQUORS § 227
§§ 5121 et seq.	INTOXICATING LIQUORS § 224	§§ 5681 et seq.	INTOXICATING LIQUORS §§ 225–227
§§ 5131 et seq.	INTOXICATING LIQUORS § 224	§ 7301	INTOXICATING LIQUORS §§ 495, 501
§ 5142(a)	INTOXICATING LIQUORS § 223	§ 7301(a)	INTOXICATING LIQUORS § 493
§ 5142(c)(1)	INTOXICATING LIQUORS § 223	§ 7301(e)	INTOXICATING LIQUORS §§ 498, 499
§ 5145	INTOXICATING LIQUORS § 223		
§§ 5171–5181	INTOXICATING LIQUORS § 225	27 USC	
§ 5173(a)	INTOXICATING LIQUORS § 201	§ 3	INTOXICATING LIQUORS § 424
§ 5173(b–f)	INTOXICATING LIQUORS § 201	§ 121	INTOXICATING LIQUORS § 44
§ 5173(b)(1)(B)	INTOXICATING LIQUORS § 495	§ 122	INTOXICATING LIQUORS § 46
§§ 5201 et seq.	INTOXICATING LIQUORS § 225	§§ 201 et seq.	INTOXICATING LIQUORS § 28
§ 5221(a)	INTOXICATING LIQUORS § 225	§ 203	INTOXICATING LIQUORS § 120
§§ 5271 et seq.	INTOXICATING LIQUORS § 225	§ 204(b) ..	INTOXICATING LIQUORS § 161
§§ 5291 et seq.	INTOXICATING LIQUORS § 225	§ 204(c) ..	INTOXICATING LIQUORS § 153
§§ 5351 et seq.	INTOXICATING LIQUORS § 226	§ 204(g) ..	INTOXICATING LIQUORS § 185
§§ 5361 et seq.	INTOXICATING LIQUORS § 226	§ 204(h) ..	INTOXICATING LIQUORS § 191
§§ 5381 et seq.	INTOXICATING LIQUORS § 226	§ 205(f) ..	INTOXICATING LIQUORS § 236
§§ 5401 et seq.	INTOXICATING LIQUORS § 227		
§§ 5411 et seq.	INTOXICATING LIQUORS § 227	28 USC	
§ 5555 ..	INTOXICATING LIQUORS § 221	§ 784(a)	INTERPLEADER § 23
§§ 5601 et seq.	INTOXICATING LIQUORS § 225	§ 1332	INTERPLEADER § 24
§ 5601 ..	INTOXICATING LIQUORS § 221	§ 1335	INTERPLEADER §§ 24, 25, 28
§§ 5607 et seq.	INTOXICATING LIQUORS § 493	§ 1335(a)	INTERPLEADER §§ 22, 44
§ 5609 ..	INTOXICATING LIQUORS § 513	§ 1335(a)(1)	INTERPLEADER §§ 24, 46
§ 5615 ..	INTOXICATING LIQUORS § 495	§ 1335(b)	INTERPLEADER §§ 22, 44
§ 5615(1)	INTOXICATING LIQUORS § 493	§ 1391(a)	INTERPLEADER § 25
§ 5615(3)	INTOXICATING LIQUORS § 493	§ 1397	INTERPLEADER §§ 22, 24, 25
§ 5615(6)	INTOXICATING LIQUORS § 493	§ 1961	INTEREST §§ 75, 98
§§ 5661 et seq.	INTOXICATING LIQUORS § 226	§ 2283	INTERPLEADER § 47
		§ 2361	INTERPLEADER §§ 22, 24, 47
		38 USC	
		§ 784(a)	INTERPLEADER § 49
		42 USC	
		§ 1894 ...	INVOLUNTARY SERVITUDE § 10
		§ 1983	INTOXICATING LIQUORS § 160
		43 USC	
		§§ 321 et seq.	IRRIGATION § 102
		§§ 371 et seq.	IRRIGATION § 90
		§ 373	IRRIGATION § 91
		§ 391	IRRIGATION § 93
		§ 413	IRRIGATION § 90
		§§ 419 et seq.	IRRIGATION § 92
		§ 419	IRRIGATION § 94
		§ 421	IRRIGATION § 91
		§§ 422a–422k	IRRIGATION § 90
		§§ 432 et seq.	IRRIGATION § 90
		§ 469	IRRIGATION § 93

UNITED STATES CODE—Continued

<i>Title and section</i>	<i>Am Jur 2d title and section</i>	<i>Title and section</i>	<i>Am Jur 2d title and section</i>
43 USC—Cont'd		43 USC—Cont'd	
§ 477	IRRIGATION § 93	§§ 946-949	IRRIGATION § 76
§§ 491 et seq.	IRRIGATION § 92	§ 946	IRRIGATION § 76
§§ 591 et seq.	IRRIGATION § 90	§ 951	IRRIGATION § 76
§ 617	IRRIGATION § 88	§ 1166	IRRIGATION § 76
§§ 641 et seq.	IRRIGATION § 97	46 USC	
§ 641	IRRIGATION §§ 99, 100	§§ 1351-1364	INVOLUNTARY SERVITUDE § 1
§ 642	IRRIGATION § 107	50 USC Appx	
§ 661	IRRIGATION § 76	§ 1191(c)(2)	INTEREST § 99
§ 945	IRRIGATION § 89		

FEDERAL RULES OF CIVIL PROCEDURE

<i>Am Jur 2d title and section</i>	<i>Am Jur 2d title and section</i>
Rule 2	INTEREST § 328
Rule 4(e)	INTERNATIONAL LAW § 53
Rule 13(g)	INTERPLEADER § 27
Rule 22(1)	INTERPLEADER §§ 22, 25, 28
Rule 22(2)	INTERPLEADER §§ 22, 27
Rule 65(c)	INTERPLEADER § 47

UNIFORM LAWS

<i>Am Jur 2d title and section</i>	<i>Am Jur 2d title and section</i>
Uniform Commercial Code	Uniform Securities Act
§ 3-106	INTEREST § 5
§ 3-118(d)	INTEREST §§ 26, 68
§ 3-122(4)	INTEREST § 68
	§ 102 INVESTMENT COMPANIES § 17
	§ 409 INVESTMENT COMPANIES § 17

AMERICAN JURISPRUDENCE

SECOND EDITION

Volume 45

INSURRECTION

Scope of Topic: This article discusses the law of insurrection and rebellion.

Treated elsewhere are the general matters of sedition (see SEDITION AND SUBVERSIVE ACTIVITIES); treason (see TREASON); riots (see MOBS AND RIOTS); secession (see STATES, TERRITORIES, AND DEPENDENCIES); and war (see WAR). Also treated elsewhere are the particular matters of the effect of insurrection or rebellion on the status of a nation in reference to international relations (see 45 Am Jur 2d, INTERNATIONAL LAW § 14); the suppression of insurrection by military authority (see MILITARY AND CIVIL DEFENSE); extradition for crimes committed by revolutionists (see 31 Am Jur 2d, EXTRADITION § 23); and the exception, in insurance policies, of the risk of loss by reason of insurrection and the like (see 45 Am Jur 2d, INSURANCE § 1363).

- § 1. Definition and nature
- § 2. Federal power to suppress
- § 3. State power to suppress

§ 1. Definition and nature.

An insurrection has been defined as a rising against civil or political authority, but as something more than a mob or riot.¹ An insurrection may amount to a rebellion, at least, an incipient or limited rebellion.² However, the term "insurrection" usually implies less magnitude and success than there is in the case of a rebellion, and does not connote armed opposition or resistance.³

To many persons, the War Between the States is known as the "Rebellion" or "Great Rebellion," and the personnel of Confederate armies as "rebels."

1. See *Allegheny County v Gibson*, 90 Pa 397.

For the definition of the terms "mob" and "riot," see MOBS AND RIOTS (1st ed, RIOTS AND UNLAWFUL ASSEMBLY § 2).

2. *Gitlow v Kiely* (DC NY) 44 F2d 227, [45 Am Jur 2d]—1

affd (CA2) 49 F2d 1077, cert den 284 US 648, 76 L Ed 550, 52 S Ct 29.

3. State ex rel. *Hamilton v Martin*, 173 Wash 249, 23 P2d 1, quoting Webster's New International Dictionary.

The term "rebellion," however, strictly speaking, does not include a civil war, but is applicable only to an insurrection against lawful authority which is void of all appearance of justice.⁴ While an insurrection against the government may culminate in a state of civil war,⁵ an insurrection does not constitute war in a legal sense prior to the recognition of the participants as belligerents by the existing domestic government or by foreign nations, and is not attended by the incidents of war.⁶ Thus, until such recognition, insurgents have no standing in international law,⁷ and ordinary commercial intercourse and contracts between loyal citizens and insurgents are not affected.⁸

When insurgents are recognized as belligerents, the rules relating to contraband and other rules relating to war apply to them,⁹ but until such recognition, their acts are merely the acts of individuals, and may be treason,¹⁰ piracy,¹¹ or other crime, according to the circumstances. The purported governmental acts of insurgents, where the movement is finally suppressed, are mere nullities and confer no legal rights.¹²

In some states statutes define and penalize the crime of insurrection¹³ and associated offenses, such as attempt to incite an insurrection.¹⁴

§ 2. Federal power to suppress.

Federal authorities may be used to suppress insurrection.¹⁵ The Constitution of the United States¹⁶ grants to the Congress the power to call forth the militia to suppress insurrection,¹⁷ and this power carries with it not only the right to use the requisite means, but also authority to guard against the renewal of the conflict and to remedy the evils arising from it so far as that can be effected by appropriate legislation.¹⁸

Pursuant to this grant of power, Congress has enacted legislation providing for the punishment of persons engaged in, or inciting, insurrection or rebellion against the United States.¹⁹ Also, federal statutes authorize the President,

4. See *Hubbard v Harnden Exp. Co.* 10 RI 244. See also *WAR* (1st ed §§ 2, 3).

5. *Prize Cases (US)* 2 Black 635, 17 L Ed 459, in which it is said that a civil war always begins by insurrection.

6. *Leathers v Commercial Ins. Co.* 65 Ky (2 Bush) 296; *Re McDonald*, 49 Mont 454, 143 P 947.

As to recognition by a foreign power of a government established by insurrectionaries, see 45 Am Jur 2d, *INTERNATIONAL LAW* § 15.

For some purposes an "insurrection" is a "mutiny." See *McCargo v New Orleans Ins. Co. (La)* 10 Robinson 202 (construction of marine insurance policy).

As to an exception in an insurance policy of the risk of loss caused by insurrection, see 44 Am Jur 2d, *INSURANCE* § 1363.

7. As to recognition of insurgents by foreign nations, see 45 Am Jur 2d, *INTERNATIONAL LAW* §§ 14, 15.

8. *Leathers v Commercial Ins. Co.* 65 Ky (2 Bush) 296.

9. See *WAR* (1st ed § 3).

10. See *TREASON* (1st ed § 2).

11. See *PIRACY* (1st ed § 5).

12. *Williams v Bruffy*, 96 US 176, 24 L Ed 716; *Compania Minera Ygnacio Rodriguez Ramos, S. A. v Bartlesville Zinc Co.* 115 Tex 21, 275 SW 388, 41 ALR 737.

Annotation: 37 ALR 726, 749, s. 41 ALR 745, 747, 65 ALR 1494, 1496, 139 ALR 1209.

13. *Herndon v State*, 178 Ga 832, 174 SE 597, rearg den 179 Ga 597, 176 SE 620.

14. *Herndon v State*, supra.

15. *People v Chambers*, 22 Cal App 2d 687, 72 P2d 746.

16. For the text of the United States Constitution, see AM JUR 2d *DESK BOOK*, Document 1.

17. US Const Art 1 § 8.

See *MILITARY AND CIVIL DEFENSE* (1st ed § 43).

Generally as to war powers of Congress, see *UNITED STATES* (1st ed § 29).

18. *Raymond v Thomas*, 91 US 712, 23 L Ed 434; *White v Hart (US)* 13 Wall 646, 20 L Ed 685.

19. 18 USC § 2383.