Sixty Year Annotated Index of Coal Related Articles in the West Virginia Law Review

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SIXTY YEAR ANNOTATED INDEX OF COAL RELATED ARTICLES IN THE WEST VIRGINIA LAW REVIEW

INTRODUCTION

The following collection of coal-related articles is offered for the convenience of researchers and practitioners. The titles are arranged in reverse chronological order under the following general headings:

- Environmental Control .................................................. 1347
- Property Rights ............................................................. 1350
- Mine Health & Safety—Labor Law—
  - Workmen’s Compensation ........................................... 1355
- Business Organizations—Tax
  - Antitrust ................................................................. 1357
- Energy Policy ............................................................... 1359

Articles from as long ago as 1920 have been included not only for their value in providing a historical perspective but also because many of the principles established during that period, particularly those pertaining to property rights, remain unchanged. Reprints of most of the articles are available from the Review at a nominal charge.

ENVIRONMENTAL CONTROL


Gage, The Failure of the Interim Regulatory Program Under the Surface Mining Control and Reclamation Act of 1977: The

Rochow, The Far Side of Paradox: State Regulation of the Environmental Effects of Coal Mining, 81 W. Va. L. Rev. 559 (1979). An argument that the provision for state regulation in the Surface Mining Control and Reclamation Act of 1977 does not further the goal of uniform federal control and will undercut strong state regulatory programs. 35 pp.


(N.D.W. Va. 1951) and the trend toward absolute liability for blasting activities. 3 pp.

Williams, Statutory Regulation of Strip Mining, 47 W. Va. L.Q. 52 (1940). An examination of the constitutional considerations pertinent to the development of statutory regulation of strip mining. 6 pp.

Note, Legislative Regulation of Gob Piles, 40 W. Va. L.Q. 370 (1934). Discussion of the problems associated with the disposal of coal mining wastes and the need for study and regulation. 5 pp.

PROPERTY RIGHTS


Donley, Coal Mining Rights and Privileges in West Virginia, 52 W. Va. L. Rev. 32 (1949). A collection and discussion of all West Virginia cases to that date on mining rights and privileges accompanying the ownership or leasehold rights to coal properties. 23 pp.


Comment, Injury to Surface and Coal of a Contiguous Tract Due to the Projection of Force Resulting from Mining, 41 W. Va. L.Q. 140 (1935). A discussion concerning interference with lateral and subjacent support. 4 pp.

1933) and the issue of whether advance royalty payments are to be deductible as operating expenses or are instead to be characterized as capital investments for income tax purposes. 3 pp.


Madden, Interference with Oil and Gas Rights—Measure of Damages, 28 W. Va. L.Q. 133 (1922). A discussion of
"guilty" trespass. 7 pp.


HEALTH AND SAFETY LAW—LABOR LAW—WORKMEN'S COMPENSATION


Note, Unauthorized Work Stoppages—“Stranger Pickets” in the Coalfields, 80 W. Va. L. Rev. 492 (1978). An analysis of federal cases from the Circuit Court of Appeals for the 3rd, 4th, and 6th Circuits involving the attempts by coal operators to control the use of roving pickets in coal miners’ disputes with management. 27 pp.


Hallerud, Kohn & Meredith, Enforcement and Administration of the Federal Coal Mine Health and Safety Act of 1969: Do


BUSINESS ORGANIZATIONS—TAX—ANTITRUST


Burke, *“Price-Fixing” in the Bituminous Coal Industry—A Legal-Economic Problem*, 41 W. Va. L.Q. 225 (1935). An analysis of the economic aspects of price-fixing in the coal industry, including examination of the need for the price floors adopted by the Bituminous Coal Code under the Au-
thority of the National Industrial Recovery Act, ch. 90, 48 Stat. 195 (1933). Also explores other solutions to the unique problems presented to the industry under conditions of uncontrolled competition. 24 pp.

Comment, Mining Partnerships in West Virginia, 41 W. VA. L.Q. 144 (1935). A discussion of Park v. Adams, 114 W. Va. 730, 173 S.E. 785 (1934), and the then current law concerning mining partnerships. 3 pp.


Cavers, “Questions of Law” in Lake Cargo Coal Rate Regulation, 37 W. VA. L.Q. 391 (1931). Discussion of the legal issues involved in a long line of Lake Cargo Coal Rate Cases heard by the Interstate Commerce Commission. 31 pp.


ENERGY POLICY


Comment, *The Right of a State to Conserve Its Natural Resources*, 27 W. Va. L.Q. 255 (1921). Comment concerning the bounds within which a state may regulate its resources when interstate commerce is not affected. 5 pp.