

June 1969

Index to Volume 71

Follow this and additional works at: <https://researchrepository.wvu.edu/wvlr>

Recommended Citation

Index to Volume 71, 71 W. Va. L. Rev. (1969).

Available at: <https://researchrepository.wvu.edu/wvlr/vol71/iss3/31>

This Index is brought to you for free and open access by the WVU College of Law at The Research Repository @ WVU. It has been accepted for inclusion in West Virginia Law Review by an authorized editor of The Research Repository @ WVU. For more information, please contact ian.harmon@mail.wvu.edu.

Index to Volume 71

LEADING ARTICLES

A History of Criminal Procedures as Related to Mental Disorders— <i>Ralph Slovenko</i>	135
Symposium on Constitutional Revision	
Constitutional Revision in Maryland— Problems and Procedures— <i>James R. Quimper</i>	298
Constitutional Revision in Pennsylvania— Problems and Procedures— <i>Robert Sidman</i>	306
Introduction— <i>David G. Hanlon</i>	237
Practical Political Considerations in Constitutional Revision— <i>Darrell V. McGraw</i>	320
The West Virginia Constitution and Taxation— <i>J. Timothy Philipps</i>	260
West Virginia's Constitution and the Governor— <i>Hulett C. Smith</i>	253
What Should a Model Constitution Contain— <i>Albert L. Sturm</i>	238
The Supreme Court and the Political Question: Affirmation or Abdication?— <i>Ralph J. Bean, Jr.</i>	97
The Uniform Consumer Credit Code— <i>John T. Copenhaver, Jr.</i>	1
West Virginia Usury Law—Comments Upon the 1968 and 1969 Acts— <i>William O. Morris</i>	326

WEST VIRGINIA LAW REVIEW

Editor's Page—Thomas R. Goodwin	35, 159
---------------------------------------	---------

STUDENT NOTES

Aftermath of Miranda—The Courts Grapple with Burden of Proof	180
Apportionment of 1964—Constitutional?	171
Expert Witnesses—Traffic Accident Analyst	45
Political Defamation: The Price of Candidacy	360
Property—Fee Simple Determinables—Distinguishing Characteristics	367
Property Rights in Dead Bodies	377
Seat Belts and Contributory Negligence	37
Statutory Construction—The Role of the Court	382
The Common Law as a Bar to Judicial Legislation	341

The Copyright Law and Mechanical Reproduction for Educational Purposes	347
The Effect of Revenue Ruling 68-643 on the Prepaid Interest Deduction	353
The Use of Prior Convictions to Impeach the Credibility of the Criminal Defendant	160
Wrongful Death Action for Prenatal Injury	389

CASE COMMENTS

Constitutional Law

Procedural Due Process—Right to Counsel at College Disciplinary Hearings	187
Stop and Frisk—Reasonableness Under the Fourth Amendment	394
Torts—Equal Protection of Illegitimate Children	52
Vagrancy Ordinances—Their Future and Alternatives	400
Validity of Safety Helmet Requirements	191

Court of Claims

Effect of an Award on Claimant's Right to Further Proceed	56
---	----

Criminal Law

Juvenile Offenders—Cruel and Unusual Punishment	409
Plea Bargaining	59

Domestic Relations

Constitutionality of the West Virginia Nonsupport Statute	411
---	-----

Elections

The Use of Certificates of Nomination	416
---	-----

Eminent Domain

Is Noise an Element of Damage?	195
Just Compensation for Fast Lands	65

Estate Tax

Payment of Premiums on a Transferred Life Insurance Policy in Contemplation of Death	199
--	-----

Federal Courts

Standard of Domicile in Diversity Cases	420
---	-----

Gift Tax

Gift to Minor Qualifying for Section 2503 Exclusion	202
Valuation of Right to Income Under § 2503(b)	429

Guardian and Ward

Jurisdiction to Award Custody	69
-------------------------------------	----

Infants

Negligence—Standard of Care	434
-----------------------------------	-----

Judicial Review

Selective Service Classifications	72
---	----

Landlord and Tenant	
Constitutional Law—Retaliatory Evictions _____	425
Master-Servant	
Right of Action by Employer Against Tort-Feasor of Employee _____	78
Pleading	
Amendment of Pleadings by Leave of Court _____	83
Property	
Implied Warranty of Fitness in the Sale of a New House —	87
Prescriptive Rights—Extinguishment by Conveyance of the Servient Estate to a Purchaser Without Notice _____	90
Res Judicata	
Collateral Estoppel—Application Between Former Codefendants _____	208
Sales	
The Uniform Commercial Code and Implied Warranties of Quality in Sales-Service Transactions _____	213
Stocks	
Texas Gulf Sulphur—Rule 106-5 Insider Liability Expanded? _____	218
Torts	
Landowner's Standard of Care Based on Ordinary Principles of Negligence _____	226

TABLE OF CASES

American Motorcycle Ass'n v. Davids, 11 Mich. App. 351, 158 N.W.2d 72 (1968) _____	191
Atkins v. State, 210 So. 2d 9 (Fla. 1968) _____	93
Bailey v. MacDougall, 392 F.2d 155 (4th Cir. 1968) _____	59
Barker v. Hardway, 283 F. Supp. 228 (S.D.W. Va. 1968), <i>aff'd</i> , 399 F.2d 638 (4th Cir. 1968) _____	187
Crummey v. Comm'r, 397 F.2d 82 (9th Cir. 1968) _____	202
David v. Cross, 152 W. Va. 540, 164 S.E.2d 899 (1968) —	439
Dennison v. State, 22 N.Y.2d 409, 239 N.E.2d 708, 293 N.Y.S.2d 68 (1968) _____	195
Dillon v. Legg, 69 Cal. Rptr. 72, 441 P.2d 912 (1968) _____	96
Edwards v. Habib, 397 F.2d 687 (D.C. Cir. 1968) _____	425
Falco v. Grills, 209 Va. 115, 161 S.E.2d 713 (1968) _____	69
Fanti v. Welsh, 152 W. Va. 233, 161 S.E.2d 50 (1968) _____	90
Glonn v. American Guarantee & Liability Ins. Co., 391 U.S. 73 (1968) _____	52
Gorman v. United States, 288 F. Supp. 225 (E. D. Mich. 1968) _____	199

H. K. Porter Co. v. Local 37, United Steelworkers, 400 F.2d 691 (4th Cir. 1968)	233
Holstein v. Holstein, 152 W. Va. 119, 160 S.E.2d 177 (1968)	95
Humber v. Morton, 426 S.W.2d 554 (Tex. 1968)	87
Levy v. Louisiana, 391 U.S. 68 (1968)	52
Maldonado v. First Nat'l Life Ins. Co., 443 P.2d 744 (N.M. 1968)	233
Newmann v. Shlansky, 294 N.Y.S.2d 628 (Westchester County Ct. 1968)	434
Newmark v. Gimbel's Inc., 102 N.J. Super. 279, 246 A.2d 11 (1968)	213
Perdue v. S. J. Groves & Sons Co., 152 W. Va. 222, 161 S.E.2d 250 (1968)	83
Rosen v. Comm'r, 397 F.2d 245 (4th Cir. 1968)	429
Rowland v. Christian, 70 Cal. Rptr. 97, 443 P.2d 561 (1968)	226
Sargis v. Barnett, 287 F. Supp. 835 (N.D.W. Va. 1968)	56
Schwartz v. Public Administrator of County of Bronx, 30 App. Div. 2d 193, 291 N.Y.S.2d 151 (1968)	208
Scroggins v. Corning Glass Co., 10 Mich. App. 174, 159 N.W.2d 171 (1968)	234
SEC v. Texas Gulf Sulphur Co., 401 F.2d 833 (2d Cir. 1968)	218
Smith v. Hill, 285 F. Supp. 556 (E.D.N.C. 1968)	400
Snow v. West, 440 P.2d 864 (Ore. 1968)	78
State v. Bragg, 152 W. Va. 372, 163 S.E.2d 685 (1968)	411
State v. Dugas, 211 So. 2d 285 (La. 1968)	94
State <i>ex rel.</i> Daily Gazette Co. v. Bailey, 152 W. Va. 521, 164 S.E.2d 414 (1968)	416
Stone v. Bethea, 161 S.E.2d 171 (S.C. 1968)	95
Terry v. Ohio, 392 U.S. 1 (1968)	394
United State v. Chandler, 393 F.2d 920 (4th Cir. 1968)	93
United States v. Donruss Co., 89 S. Ct. 501 (1969)	439
United States v. Warner, 284 F. Supp. 366 (D. Ariz. 1968)	72
United States v. Rands, 389 U.S. 121 (1967)	65
Workman v. Commonwealth, 429 S.W.2d 374 (Ky. 1968)	409
Ziady v. Curley, 396 F.2d 873 (4th Cir. 1968)	420