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STUDENT NOTES

A Surviving Oddity: The Inter Vivos Branch of The Doctrine of Worthier Title

The scope of this writing is to examine the status of the doctrine of worthier title¹ in relation to inter vivos conveyances of real and personal property in West Virginia. This, it is believed, should be of importance both to the general practitioner engaged in frequent conveyances of real property and in certification of titles, and also to the estate planner who chooses the trust deed as a vehicle of partial or complete disposition of a client's possessions.

It is probably a rule of law in this jurisdiction that when an inter vivos conveyance of real property by the owner of the fee

¹ This rule has also been referred to as "the rule against a remainder to the grantor's heirs", and also as "the conveyor-heir rule." See, *Braswell v. Braswell*, 195 Va. 971, 81 S.E.2d 560 (1954); *McKenna v. Seattle-First Nat'l Bank*, 35 Wash.2d 662, 214 P.2d 664 (1950).