Cumulative Index, Volumes 25 to 40, 1918-1934

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

Recommended Citation
Available at: https://researchrepository.wvu.edu/wvlr/vol41/iss3/23

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 researchrepository@mail.wvu.edu.
WEST VIRGINIA LAW QUARTERLY

and

THE BAR

CUMULATIVE INDEX

VOLUMES TWENTY-FIVE TO FORTY

(1918 - 1934)

Published by
WEST VIRGINIA LAW QUARTERLY
MORGANTOWN, WEST VIRGINIA
CONTENTS

<table>
<thead>
<tr>
<th>Subject Index</th>
<th>1</th>
</tr>
</thead>
<tbody>
<tr>
<td>Leading Articles — Authors</td>
<td>37</td>
</tr>
<tr>
<td>Leading Articles — Titles</td>
<td>42</td>
</tr>
<tr>
<td>Table of Cases</td>
<td>47</td>
</tr>
</tbody>
</table>
SUBJECT INDEX

Page citations in black-faced type refer to leading articles; volume citations
to editorial notes; figures in plain type refer to student contributions.

ABATEMENT AND REVIVAL
Plea in Abatement, necessity of in
  case of mis-joinder or non-joinder
of parties 33-101
Torts, abatement upon death of
tort-feasor, right to sue insurer
directly 35-189
Writ of Mandamus, not affected by
expiration of officer's term 22-44

ABUTTING OWNERS See: Adjacent
Landowners

ACCIDENT See: Insurance, Workmen's Compensation

ACKNOWLEDGMENTS
Failure of notary to sign, effect as
constructive notice to subsequent
purchasers 24-47

ACTIONS See: Pleading and Practice

ADJOINING LANDOWNERS
Joint Leases for oil and gas, divi-
sion of royalties 25-79
Liability without fault for damages
to, Ryland versus Fletcher rule
30-248
Torts, Liability for damage caused
by burning refuse from coal mine
39-83

ADMINISTRATION OF ESTATES
Executor
Preference in insolvency of trust
company acting as, for funds on
deposit at testator's death
39-155
Right of consolidated bank to
quality as
57-446
Personal transaction with decedent,
familiarity with handwriting as
34-308
Probate administration by county
court 27-221
Set-off of bank deposits of estate
funds against bank's distributive
share of estate 37-304

ADMISSIONS See: Evidence

ADOPTION See: Equity, Evidence

ADULTERY See: Divorce

ADVERSE POSSESSION
Oil and gas, effect of possession of
surface 27-90
Rights of adverse possessor 32-226

AGENCY See: Principal and Agent

ALIENS See: Covenants, Naturaliza-
tion

ALIMONY See: Divorce

AMENDMENTS See: Pleading and Practice

AMERICAN LAW INSTITUTE
Contracts
175 (2), discussion of
37-82
West Virginia Annotations 39-127
Conflicts, West Virginia Annota-
tions 39-127
First year's work of
30-196
History and objects of
29-149

ANIMALS
Liability for injuries inflicted by
37-96
Liability of owner to person in-
jured by, constructive notice of
vicious propensities 23-40

ANNUITY See: Trusts

ANSWERS See: Pleading and Practice

APPEAL AND ERROR
Affidavits of counsel not part of
record 49-75
Bills of Exception
History, a modern substitute for
25-198
Necessity for pointing out errors
relies upon 23-422
Special transcript of evidence as
a substitute for
32-321
Certified Cases
Finality of order
25-159
Propriety of certification upon
motion to strike out amended
declaration as changing cause
of action 22-397
Decree "Adjudicating the Principals
of the Cause" 40-574
Judicial comment constituting prej-
udicial error 40-70
Jurisdiction, changes in appellate,
of federal courts 31-127
New Trial, or judgment in Supreme
Court, which will be granted
29-218
Remarks of counsel before jury as
reversible error 31-131
37-217
Workmen's Compensation Cases,
finality of fact found by commiss-
ioner 36-174
Writ of Error
Dismissed for erroneous entry of
nunc pro tunc order 25-80
Refusal of, as establishing law
of the case 36-357
ARBITRATION
As a judicial process, the New York and New Jersey statutes refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

ARGUMENTS OF COUNSEL  See: Attorney and Client, Juries

ASSIGNMENTS  Bank Drafts, as assignee of funds 36-297
Choses in Action, joinder of original and assigned 36-199
Implied Warranty of solvency of obligor 37-82
Leases, consent to by lessor -- Dumper's case 30-227
Option Contracts, assignability of 28-64
Priority
Between successive assignments of the same right, 36-368
As to lien notes, in order of assignment, effect of joint payees 24-314

ASSIGNMENTS FOR BENEFIT OF CREDITORS
Consideration, pre-existing debt as 24-170

ASSUMPSIT  See: Judgment, Pleading and Practice

ATTACHMENT AND GARNISHMENT
Attachment
Amendments, as to 35-64, 75
Non-Resident, who is within meaning of West Virginia laws 35-96
Tort Actions, lack of jurisdiction 29-53

Garnishment
Municipal Corporation, exempt from 24-40
Property, in hands of personal representative as not subject to by creditors of decedent 24-309
Public Corporations 33-224

ATTEMPTS  See: Criminal Law

ATTORNEY AND CLIENT
Accepting employment as additional counsel without knowledge of local counsel 25-86
Accepting employment from wife to defend husband on criminal charge, where wife first employed lawyer to prosecute husband 25-349

Bond, propriety of executing to guarantee fidelity 36-205
Competition, unwholesome effects of 26-255

Contingent Fees
Proper basis of 26-164
Recovery on quantum meruit following breach of contract for 36-378

Default, Judgment, taking when reason to believe client acted in bad faith in procuring notes 26-57
Disbarred Attorney, propriety of employment by another attorney 26-206
Division of fees with forwarding attorney, propriety of 36-156

Funds
Misdemeanor of withholding client's 40-183
Infants, impropriety of accepting employment by adverse interests to act as attorney in behalf of 26-157

Legal Advisory Board, duty of member of to prevent fraud by draft registrant 25-347
License to practice law in West Virginia, requirements for 31-55

Lien of attorney for abstracting services 38-73

Publicity, divorce case, evidence of by suing in county in which neither party resides 26-260

Remarks of, improper before jury 31-131

Representing claimant of exemption from army draft, propriety of 25-84

Stipulations, divorce case, propriety of as to omission of name of co-respondent 26-359

Wills, accepting employment to contest will prepared and witnessed by attorney 25-348

AUTOMOBILES

Confiscation, transportation of liquor 33-108
Family purpose doctrine 28-63
Limitations upon 25-154

Husband
Liability to wife for negligent driving 37-92
Liability to wife for negligent driving prior to marriage 37-224
Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

Insurance, admissibility of evidence that defendant has or has not
38-362
License of car, or of driver, as prerequisite to recovery for injuries sustained while operating 33-286
Non-resident Motorist, constitutionality of statutes subjecting to jurisdiction without service of process 34-283
Parent
Liability to minor child, a passenger 37-315
Liability to minor child, a passenger, as affected by parent’s insurance 39-268
Passenger, contributory negligence of 36-380
Salesman, when act is during course of employment, rendering principal liable for tort 37-441

AUTREFOIS ACQUIT AND CONVICT
See: Criminal Law

AVIATION
Torts, liability of aviator for damages to persons and property on the ground 37-299

BANKRUPTCY
Investigation, report of New York, "Donovan" report 38-352

BANKS AND BANKING See: Bills and Notes, Trusts
Branch Banks, as separate entities 37-218
Collections, bank collection code, a study of 38-195
Consolidated bank, right to qualify as executor of will 37-445
Deposits, set-off of insolvent estate funds in bank, against bank’s distributive share of estate 37-304
Depository, subrogation of surety on bond to State’s prerogative preference 36-378
Preference
On insolvency against trust company executor for funds on deposit at testator’s death 39-155
Of special deposit 38-365
Trust theory of, bank draft as assignment of funds 36-207
To county where merger causes deposits to exceed legal maximum 39-180

State’s prerogative, unconstitutionality of statute waiving 39-76
Reorganization of insolvent banks by banking commissioner, impairment of obligation of contract of depositors 40-379
Stockholder’s double liability, enforcement of 37-432

BAR ASSOCIATIONS
American Bar Association
Current activities of 29-109
Ethics of the Bar 29-255
Legal Education and Advisor, report of committee on 33-157
National Bar Program 40-24
Organization, an American Bar in the Making 33-164
West Virginia Bar Association
Activities, suggested lines of 38-274
Amendments to West Virginia Constitution 39-280
Code Correction Committee 38-51
38-152
Criminal Law, report of Committee of West Virginia Bar Association 34-94
Discipline of Attorneys, report of Grievance Committee of West Virginia Bar Association 34-51
Legal History Committee, report of 40-296
License to practice law in West Virginia, requirements for 31-55
Present program of 40-410
Presenz program of 40-410
Prize 36-68
Program Committee, 1932-33, report of 39-366
Report of Committee on Legal Education 35-59
Uniform State Laws, report of Committee of West Virginia Bar Association 34-92

BAR EXAMINATIONS
Applicants for admission to the Bar 40-104
State Board of Law Examiners, report of, 1915-1918, submitted to Supreme Court 26-35

BENEVOLENT ASSOCIATIONS
See: Charities, Trusts

BEST EVIDENCE See: Evidence

BIGAMY See: Husband and Wife
BILL OF PARTICULARS — BUS COMPANIES

BILL OF PARTICULARS See: Pleading and Practice

BILLS AND NOTES See: Banks and Banking, Trusts
Amendments to negotiable instruments law 34-325
Attorney's Fee
Non-recoverability of 23-41, 24-37, 25-77
Recoverability upon note made payable in another state 32-147, 35-169
Bank Drafts as assignment of funds 36-297
Bills of Lading
Liability of carrier as insurer or as warehouseman 28-239
Liability of carrier for fraudulent issuance by agent 35-373
Liability of carrier for unauthorized delivery when held by consignor 23-277
Blank Amounts, effect of unauthorized act of payee's agent 38-89
Checks
Acceptance of when not paid as non-ratification of carrier's delivery 23-277
Cashier's remittance by insolvent drawee as establishing trust fund 37-38
Collection of, under bank collection code 38-195
Duresse, of principal as defense available to surety 32-123
Holder in due course, defense's available against 24-164
Indorsees, priority of lien upon assignment of series of notes, effect of joint payees 34-314
Indorsers
Infants, effect of disaffirmance 37-406
Without recourse, implied warranty not to interfere with collection of instrument 37-219
Makers, liability upon signing as "trustee" 35-92
Series of notes, rights of purchaser when part are past due 37-306
Trust receipts, use in automobile sales financing 37-296
Unconditional promise, indication of a particular fund for payment 30-204
Usury, liability of maker to holder in due course 24-164

BIOGRAPHY
Cardozo, Mr. Justice 38-187
Jefferson and Hamilton 33-1
Jones, Henry Craig, memorial editorial 36-103
Simonton, James Wiggins, memorial editorial 33-1
Brooke, Chief Justice Roger 39-87
Trotter, James Russell, memorial editorial 32-1

BLACKSTONE
Commentaries, first edition of 33-287

"BLUE SKY" LAWS
Criminal prosecution against foreign corporation for violation of, as denial of due process and placing burden on interstate commerce 22-41

BONDS
Depository, subrogation of surety to state's prerogative preference 36-278
Detinue, rights of plaintiff with reference to property obtained under 32-137
Municipal, attorney-general's approval of, validity of 27-84
Official Liability of sheriff for malfeasance of deputy 31-225
Maintenance of suit by obligee having no interest therein 23-289

BOUNDARIES
Natural and artificial monuments, relative weight of 22-43

BREACH OF PROMISE See: Contracts, Marriage

BROKERS
Loan, commissions for securing as within usury statutes 34-217
Stock, margin customers, rights of upon failure 32-50

BUILDING CONTRACTS See: Contracts

BUILDING RESTRICTIONS
See: Constitutional Law, Covenants, Municipal Corporations

BULK SALES LAW See: Sales

BURDEN OF PROOF See: Evidence, Pleading and Practice

BUS COMPANIES See: Automobiles, Carriers, Negligence, Public Utilities
Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

**CANOTATIONAL LAW**  
Two Claims to Fleta’s Honors 30-167

**CARRIERS**  
See: Public Utilities, Railroads
Aeroplanes as, limitation of liability 40-186
Baggage, liability for loss of, what constitutes 27-195
Bills of Lading, liability for unauthorized issuance by agent 35-273
Liability as insurer or as warehouseman 28-239
Passengers, duty to discover obstructions causing injury to 29-68
Rates, Lake Cargo coal 34-202
Regulation, motor-carriers, some phases of the problem 35-152
Routcs, priority of awarded to railroad as to bus service 34-198
Unauthorized delivery to consignee, bill of lading held by consignor 23-277

**CASUALTY INSURANCE**  
See: Insurance

**CHANGE OF VENUE**  
See: Venue

**CHARITIES**  
See: Constitutional Law, Taxation, Trusts
Charitable Hospitals, liability for negligent treatment of patients 31-299
Charitable Subscriptions, the problem of consideration in 59-159
Charitable Trusts
For educational purposes 35-270
Of religious nature in West Virginia 34-302
Non-religious 34-386
Validity 28-38
Charitable Uses, methods of making gifts of land for 33-317
Property
Tax exemption 35-83
Tax exemption, where devoted to out-of-state charity 39-341

**CHATTEL MORTGAGES**  
See: Deeds of Trust, Recordation

**CIRCUMSTANTIAL EVIDENCE**  
See: Criminal Law, Evidence

**CITIZENSHIP**  
See: Constitutional Law, Naturalization

**CIVIL RIGHTS**  
See: Constitutional Law

**CODE**  
Amending, validity of various methods 39-70
Code Commission, proposal for 30-152
Correction of Formal Errors in proposal Bar Committee 38-51
Revised Code of 1931, pleading and practice under 37-60
What the Code Commission is doing 30-33

**COLLEGES AND UNIVERSITIES**  
See: Education, Schools and School Districts, West Virginia University

**COMMON LAW**  
The pioneers and the 27-1

**CONDITIONAL SALES**  
See: Liens, Recordations, Sales

**CONFESSIONS**  
See: Criminal Law, Evidence

**CONFIDENTIAL COMMUNICATIONS**  
See: Attorney and Client, Bar Associations

**CONFLICT OF LAWS**  
Adoption and Legitimation, the status of 31-251
American Law Institute, as affecting West Virginia 35-160
Bills and Notes, allowance of attorney's fees in note made and payable in another state 32-147
Capacity to contract, treatment of 33-102
Criminal Law
Application of the criminal law of a country to acts committed by foreigners outside the jurisdiction 40-303
Divorce
Enforcement of foreign alimony decree 39-81
Recognition of foreign decree 32-129
Remarriage, effect of restrictions on extraterritorial marriage 33-207
Domicile, determination by specific intent 35-262
Jurisdiction
Custody of child, award of after divorce 27-174
Non-resident motorist now served with process, constitutionality of statute providing for 34-283
Marriage
Matrimonial property and the conflict of laws 30-61
Domicile, establishment by wife of 31-65
Modern influence in conflict of laws 32-217
Problems in Conflicts, general discussion of 38-285
Public Policy, in the conflict of laws 39-156
Situs
Business situs of credits 28-89
Business situs of credits, for taxation of income for life, from trust fund 37-319
Of intangibles for purpose of taxation 37-115
Of shares of stock 38-219

CONSIDERATION
Charitable Subscriptions, the problem of 39-159
Doing of what one is legally bound to do, as insufficient 22-41
Inadequacy of, as ground for denying specific performance 37-226
Lottery, effect of separate consideration 38-283
Parol gifts of land, necessity for consideration 37-288
Private seal in West Virginia as substitute for 40-330
Return of, as prerequisite to infant's disaffirmance of contract 27-271
Support of grantor by grantee in deed; recission of 39-120
Usury, abatement as nuisance of place where transactions carried on 38-45

CONSTABLES See: Justices and Constables

CONSTITUTIONAL LAW
Amendments, proposed by West Virginia's Constitutional Committee 33-1
Bill of Rights
Freedom of the Press under our Constitutions 33-29
Freedom of Speech under our Constitutions 31-273
Jury Trial
Right to in West Virginia 33-183
Right to in prosecutions for petty federal offenses 39-40

CONFLICT OF LAWS — CONSTITUTIONAL LAW

Right to us infringed by statute permitting plaintiff not in actual possession to maintain bill to remove cloud on title 38-63
Religious Freedom, general discussion of 31-14
Right of accused not to be compelled to testify against himself 36-27

Corporations, right of state to exclude for non-compliance with state regulations, effect of interstate commerce 22-35
Construction, political and judicial theories of 33-273
Due Process
Declaratory judgments, constitutionality of 33-1
Deprivation of liberty, council of defense acts 27-171
Denial of
By statute fixing railroad rates, if confiscatory 22-47
In prosecution of foreign corporation, under "Blue Sky" Law 22-41
Modification of existing legal rule as 28-144
Dower, inchoate, constitutionality of statute compelling release of 39-163
Industrial struggle and constitutional rights 30-125
Non-resident motorist, action against when not served with process, as denial of 34-283
Non-support cases, proof of mere preponderance of evidence as denial of 32-334
Rate regulations as to gas supplied to industrial consumers 28-140
Right of individual to abstain from work 29-29
Taxation
Chain-store tax, invalidity of North Carolina statute imposing 37-220
Limitation on amount of property taxes 40-285
Of husband and wife as a unit 38-248
Of intangibles by state where physically located, as violation 37-115
Zoning ordinances, property owners' consent provisions as affecting 36-175

Equal Protection
Assessment for taxation, discrimination in as a denial of 39-253
Chain-store tax, invalidity of North Carolina statute imposing 37-220
Discretionary power to grant or refuse license 29-140
Employment agencies, state regulation of maximum fee as invalid 37-208
General discussion of 28-179
Executive Department
President's military power in emergencies 39-17

Interstate Commerce
Burden upon, by prosecution of foreign corporations, under "Blue Sky" Law 22-41
Gas and electricity, state's power to regulate transmission of 27-255
Gasoline tax, imposed by state as burden upon 37-228
Hydro-electric energy, power of state to control export of 39-4
Legislative regulation of natural gas supply in West Virginia 25-257
Mining strike as interference with 34-175
Power of state to regulate shipment of intoxicating liquors 24-158
Power of state to regulate traffic in intoxicating liquors 26-42
Power of state to tax 27-345
Sales agencies for coal as not interfering with 39-356
State prohibitions of export of resources 35-182
Transportation of intoxicants by owner for personal use 26-222
Transportation of intoxicants for personal use, Reed Amendment 26-73

Kentucky Constitution
History of early frontier in first 31-116

Liberty of Contract
Right to discharge employees for purpose of destroying labor union 37-101

Municipal Corporations
Power of state to change form of government of 24-45

"Necessary and Proper" Clause
Limitations upon powers of Congress under, as applied to Veterans' legislation 39-197

Obligation of Contracts
Emergency rental regulation as not impairing 23-125
Reorganization of insolvent banks by banking commissioner, impairment of obligation of contracts of depositors 40-379

Police Power
Aesthetic purposes
Compulsory paving of streets for 31-222
Regulation of building line for, by ordinances 22-40
Anti-aesthetic use of property 29-135
License tax on gaming device prohibited by law, power of court to determine public policy 34-96
Milk regulation: a problem in economics, legislation, and administration 40-247
Municipal regulation of height of buildings 25-246
Zoning and segregation ordinances, constitutionality of 33-332

Privileges and Immunities
Citizens of the United States, what are the 34-36
Corporation as a citizen within 36-245
330
Tuition fees of non-residents, legal aspects of 33-350
Violation in preferring resident to non-resident creditors of insolvent corporation 24-35

Republican Form of Government
Denial as justification for refusal to pay federal taxes 38-74

Search and Seizure
Attempts to nullify Fourth and Fifth Amendments 32-128
Intoxicating Liquors obtained without warrant, evidence 29-214
30-203
31-230

Scope of constitutional immunity against 34-1 34-137
CONSTITUTIONAL LAW — CONTRACTS

Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

"Wire-tapping," evidence obtained by 35-93

Separation of Powers
Appellate board's power to vary applications of zoning ordinance, not delegation of legislative power 38-359
Attorney-general's approval of bond issue as violating 27-81
Budget control and 40-165
Delegation of administrative or legislative functions to courts 38-154
Judicial review of administrative decisions 39-336

Special Legislation
Granting admission to a profession, validity of 26-102

State Rights
Power to conserve state's natural resources 27-255
Our continuous conflict 34-237

Statutes
Limitations upon legislative procedure 39-294
Supreme Court of the United States 31-139

Taxation
Constitutionality of an immediate liquor control program for West Virginia 40-151
Immunity of state agency from federal taxation 38-139

Treaty Power
General discussion of 30-104

Unconstitutionality of Laws
Duty of court to declare 31-46

West Virginia Constitution
Amendments to, doctrine of substantial compliance with provisions for making 33-350
Corporate stock, constitutionality of non-voting 33-345
Credit of state: granting, as applied to waiver of state's preference upon bank's insolvency 39-75

CONTEMPT
See: Courts, Injunctions

CONTRACTS
See: Bills and Notes, Bonds, Consideration, Constitutional Law, Sales, Corporations, Trusts
Acceptance of offer, effective qualifications in 38-303
Ante-Nuptial
Fiduciary relationship of parties 33-52

Assignability of options 23-64
Breach
Anticipatory, doctrine of in West Virginia 31-182
Right of plaintiff to recover damages at law, after compelling performance by injunction 33-374
Where does the cause of action arise 38-75

Building and Construction
Architect's approval, excuse for failure to secure 25-152
Extension of time upon architect's certificate 30-52
Capacity to Contract
Conflict of laws cases 32-102

Consideration
Doctrine of what one is legally bound to do, as insufficient 23-41
What constitutes 27-91

Construction
Admissibility of custom to vary terms of 32-76
Practical, acts of parties 38-292

Disaffirmance
By infant, duty to return consideration 27-271

Employment
Right of employee to recover bonus 29-143
Remedies for employer's wrongful breach 24-22

Fair and Equitable
What are 30-293

Joint Obligations and Promises
Joinder of parties to enforce, doctrine of survivorship 26-189

Lottery Contracts
Non-enforceability as affected by separate consideration 33-262

Marriage
Tortious interference with 38-67

Mutuality
Doctrine of as affecting specific performance, in West Virginia 38-162

Offer
Ambiguous time limitation 37-310

Parties
"Trustee," use of word as relieving from personal liability 34-307

Performance
Alternative, damages for breach 36-367

Promoter
Liability on contract made in behalf of corporation 27-197
CONTRACTS — COUNTERCLAIM

Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

Quantum Meruit
Recovery on breach of contract for contingent attorney's fees 36-378

Quasi-Contracts
Non-liability of municipality for paving where no advertisement for bids 39-185
Recovery on by motion for judgment 38-175

Remedies
Control of adjective law by contract 29-4

Seal
Present legal status of the private seal in West Virginia 40-330

Set-off and Recoupment
In West Virginia 36-263

Sole Beneficiary Type
Right to sue in West Virginia 28-312

Telegram
Liability to addressee for failure to deliver 27-81

Third Party Beneficiary
Debtor-creditor type 23-424
Suit by disclosed principal, as, upon contract made upon sole credit of agent 32-342

Warranty implied
By assignor of solvency of obligor of non-negotiable chose in action arising out of contract 37-82
By indorser without recourse of negotiable note, not to interfere with its collection 37-219

CONVERSION See: Trover and Conversion

CORPORATIONS See: Bills and Notes, Conflict of Laws, Taxation, Trusts, Constitutional Law, Contracts
Citizen
Within privileges and immunities clause of constitution 36-245 330

Directors
Fiduciary duty as forbidding profit although corporation under a disability 38-158
Power of West Virginia corporation to deprive classes of its stock of the right to vote for the election of 40-97

Libel and Slander
Right to maintain action for 27-196

Promoters
Duty to disclose secret profits 31-67
Liability on contracts in behalf of corporation 27-197

Receivership
Interference with as contempt 34-389
No priority between creditors of same class, resident and non-resident 34-38

Right of State
To exclude foreign corporations for non-compliance with state regulation, interstate commerce as affecting 22-35

Stock
No par value, West Virginia law permitting 27-113
Extinguishment of 33-193
Non-voting, constitutionality of 39-345
Pre-incorporation, subscriptions, legal effect of 34-76 34-219
Preferred, authorization by amendment of charter 37-149
Recovery of agent's secret profits in purchase of 37-449
Situs and methods of reaching shares 38-219
Subjecting to an equitable servitude 37-443

Taxation
Minimizing federal income taxes upon sale of corporate assets 39-104

Ultra Vires Acts
Corporate liability for 39-64

COSTS
Nature and recoverability of, in suit on negotiable instrument 24-166

CO- TENANTS
Cutting timber, liability of one to other, for treble damages 23-429
Oil and Gas
delay rentals 40-387
Lease, rights of one, when leased by another 25-325

COUNTERCLAIM See: Contracts, Pleading and Practice
Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

COUNTIES See: Municipal Corporations, Trusts
Actions Against
Venue of Deposits in Bank
Preference where merger causes balance in excess of legal maximum
Convict Labor
Economic desirability of statute providing for
County Court
Contracts, interest of members in as ground for injunction
Torts
Liability of governmental agencies in West Virginia

COURTS See: Constitutional Law, Appeal and Error, Conflict of Laws, Evidence, Injunctions, New Trial, Pleading and Practice
Administrative Decisions
Judicial review of
Colonial Justice in Virginia
Contempt
Evasion of criminal process as
Interference with receiverships
Perjury punishable as
Decisions
Effect of "atmosphere" upon
Declaratory Judgment
Constitutionality of Delegation
Of administrative or legislative functions to, unconstitutionality of
English Notes on courts of record
Federal
Changes in appellate jurisdiction
Probation system in
Uniform law procedure in
International Justice
Unconstitutionality of Law, duty of court to declare
Judges
Right to ask leading questions or to testify in case
Judicial Councils
Survey of
Draft of proposed act providing for, comment thereon

Becomes law
Judicial Process
Social legislation and present
Supreme Court
Judicial Statistics
Collection of in West Virginia
Judicial Technique
In using the agency relation
Jurisdiction and Judicial Law
Law and Equity
Why they exist and why they differ
Precedent's place in Latin Law
Public Policy
Power to determine
Rules of
Limiting time for filing pleas
Role Making Power of
Recent statutes on
Stare Decisis
And the dead hand of the common law
The modern trend
Supreme Court of the United States, The
Swift v. Tyson, rule of in mineral law

COVENANTS See: Bonds, Constitutional Law, Contracts, Oil and Gas
For Title
Observations on
Liability of married woman for under revised Code
Restrictive
Damage for destruction of in eminent domain proceedings
For residence
Transfer of property to negro
Running with the land
Party wall contract as containing

CREDITORS' SUITS See: Equity, Judgment

CRIMINAL CONVERSATION See: Equity, Judgment

CRIMINAL LAW See: Constitutional Law, Counties, Evidence, Intoxicating Liquors
Accessories
Jurisdiction to try for felony committed in another state

COUNTIES — CRIMINAL LAW
Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

Affirmative acts
Responsibility for failure to perform 40-387

"Autrefois acquit, pleau of,
effect of new trial on 40-102

"Blue Sky" Law
Prosecution of foreign corporation under, as denial of due process and burden upon interstate commerce 22-41

Confession
Of third party exculpating accused 30-119

What constitutes voluntariness 34-113

Conspiracy
Jurisdiction of court to try accessory, when committed in another state 23-43

Cost
Of criminal justice in West Virginia 38-132

Conflicts
Venue of crime committed by 28-77

Defenses
Insanity, test of 27-213
Medical treatment as intervening cause of death 25-331

Dying Declaration of Atheist
Admissibility of 38-170

Entrapment
As a defense 39-261

Evasion
Of criminal process as contempt of court 34-188

Evidence
Character of and threats by deceased, under plea of self-defense 29-38
Funds
Misdemeanor of withholding client's 40-133

Gambling
In public place 29-278
Public policy against as invalidating license to operate 34-96

Indictments
Description of stolen money 37-209
Failure to negative exceptions in statute 31-227

Injunction
To restrain as nuisance an act enlarging opportunity for violation of criminal statute 23-426

Instructions
Error in giving when not in harmony with evidence 35-173

Weight of evidence and credibility of witnesses 28-236

Judicial comment constituting prejudicial error 40-79

Jurisdiction
Application of the criminal law of a country to acts committed by foreigners outside the jurisdiction 40-303
Depending upon question of fact, as for court or for jury, 38-79

Jurors
Separation in felony case 28-151

Manslaughter
Proclamation reducing murder to 32-75

Murder
Distinction between first and second degree 35-287

New Trial
Justice of peace cannot grant 24-42

Obscene Writings
Admissibility in evidence of part only 37-103

Perjury
Punishment as a contempt of court 38-252

Pistol Toting
Carrying weapon in baggage 28-152

Plea of Guilty
Effect of agreement as to in barring subsequent charges 33-264

Probation
System in federal courts 31-218

Rape
Admissibility of statements of prosecutrix to her husband 28-315

Self-defense
Defense of another 31-74
Evidence of deceased's reputation and violent acts 35-293

Self-incrimination
Right of accused not to be compelled to be a witness against himself 35-27

Solicitation to crimes 40-135

Trial
What happens in France 31-237

Proof
By mere preponderance of evidence in non-support cases constitutionality of 32-334
**CRIMINAL LAW — DEEDS**

Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

**WITNESSES**
- Impeaching by showing previous conviction: 32-160
- The bloodhound as a witness: 26-91

**WORTHLESS CHECK**
- False pretenses, effect of post-dating: 34-207

**CROSSINGS** See: Automobiles, Negligence, Railroads

**CURTESY** See: Dower and Curtesy

**DAMAGES** See: Contracts, Pleading and Practice, Verdict

**CONTRACTS**
- Doctrine of anticipatory breach in West Virginia: 31-182
- For alternative performance: 35-367
- Right to recover at law for breach of action compelling performance by injunction: 32-374

**DETENTION OF PROPERTY**
- Recovery in action of unlawful entry and detainer instituted in circuit court: 30-186

**ENFORCEMENT**
- Entire or Separable Basis for recovery of: 25-78
- Excessiveness of verdict: 36-357
- Alienation of affections in criminal conversation: 36-357

**Measure of**
- Breach of contract of employment: 24-32
- Conversion: 25-81
- Conversion of oil and gas: 28-133
- Implied covenants in oil and gas leases: 25-73
- Limiting issue to on new trial: 25-131

**MINERALS**
- Wrongful removal of: 30-201
- Minimizing general discussion of: 37-331

**PLEADING**
- Demurrer as proper method of objecting to items of: 31-214
- Pleading, Instructions as to, form of: 28-318
- Assault and battery: 29-65
- Treble liability of co-tenant for, by cutting timber: 23-429
- Wrongful Death
  - Amount recoverable by administrator, under Employers' Liability Act: 22-184

**DEAD BODIES**
- Disinterment of, right of action for: 27-199

**DEATH** See: Damages, Infants, Negligence, Railroads

Employers' Liability Act
- Non-survival of employee's cause of action under: 23-184
- Measures of damages recoverable by wife as administrator of employee under Employers' Liability Act: 23-184
- Infant Father's consent to unlawful employment as barring recovery: 34-339

**DEBT** See: Pleading and Practice

**DECLARATIONS**
- See: Evidence, Trusts

**DEDICATION**
- Revocability of: 27-274
- What Constitutes: 25-207

**DEEDS**
- Absolute on face
  - Proof that same is mortgage: 37-108
  - Acknowledgment: 24-47
- Consideration
  - Support of grantor, rescission: 30-129
- Construction of
  - Use of word “descendant”: 37-318
  - Conveyance of “surplus” as including minerals: 30-59
- Delivery
  - Conditional: 34-194
  - Parol evidence to show conditions: 38-267
  - Presumption of: 33-130
- Execution
  - Mental capacity necessary: 32-59
- Grantees
  - Name followed by official title, effect of: 30-121
  - Necessity for certainty as to: 28-300
  - Husband and Wife
    - Necessity for designation as such: 25-244
- Implied grant and implied reservation of easements by: 24-214
- Restrictions
  - Transfer of property to negro: 36-377
- Statute of Frauds
  - Application to deed poll: 28-74
- Transfer of
  - Title to land by: 36-343
**DEEDS OF TRUST — EASEMENTS**

Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

<table>
<thead>
<tr>
<th>Topic</th>
<th>Reference</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>DEEDS OF TRUST</strong> See: Trusts</td>
<td></td>
</tr>
<tr>
<td>Chattel Mortgage: Priority between holder of and mortgagee of real estate, as to fixtures</td>
<td>23-44</td>
</tr>
<tr>
<td>Consideration for Pre-existing debt as priority over judgment creditors</td>
<td>24-170</td>
</tr>
<tr>
<td>Covenant to Discharge Action upon as third party beneficiary contract</td>
<td>23-424</td>
</tr>
<tr>
<td>Deed Absolute: Proof that same is a mortgage</td>
<td>37-108</td>
</tr>
<tr>
<td>Delivery: Parol evidence to show conditional</td>
<td>33-257</td>
</tr>
<tr>
<td>Equity of Redemption: Clogging the Insurance: Power to require trustee to carry</td>
<td>40-31</td>
</tr>
<tr>
<td>Priority of Subsequent paving assessment: Hen</td>
<td>37-110</td>
</tr>
<tr>
<td>Reinstatement of prior mortgage as against intervening encumbrance</td>
<td>40-230</td>
</tr>
<tr>
<td>Trustee: Conflict of own interest with that of cestui</td>
<td>37-223</td>
</tr>
<tr>
<td>Procedural status of</td>
<td>32-61</td>
</tr>
<tr>
<td><strong>DEMURRERS</strong> See: Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td><strong>DEPOSITS</strong> See: Banks and Banking, Trusts</td>
<td></td>
</tr>
<tr>
<td><strong>DEPOSITIONS</strong> See: Equity, Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td><strong>DESCENT AND DISTRIBUTION</strong> See: Administration of Estates, Future Interests, Life Estates, Reversions and Remainders, Rule Against Perpetuities, Rule in Shelley’s Case, Wills</td>
<td></td>
</tr>
<tr>
<td><strong>DETAINER</strong> See: Unlawful Entry and Detainer</td>
<td></td>
</tr>
<tr>
<td><strong>DETINUE AND REPLEVIN</strong> See: Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td><strong>DIRECTING VERDICT</strong> See: Pleading and Practice, Verdict</td>
<td></td>
</tr>
<tr>
<td><strong>DISCONTINUANCE</strong> See: Abatement and Revival</td>
<td></td>
</tr>
<tr>
<td><strong>DISMISSAL AND NON-SUIT</strong> See: Abatement and Revival, Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td>Bill of complaint on demurrer, as res judicata</td>
<td>32-248</td>
</tr>
<tr>
<td>History and development of</td>
<td>27-20</td>
</tr>
<tr>
<td><strong>DIVORCE</strong> See: Conflict of Laws, Equity, Husband and Wife, Parent and Child, Marriage</td>
<td></td>
</tr>
<tr>
<td>Alimony: Enforcement of foreign decree</td>
<td>39-81</td>
</tr>
<tr>
<td>Finality of decree</td>
<td>37-105</td>
</tr>
<tr>
<td>Custody of Child: Jurisdiction to award after divorce</td>
<td>27-174</td>
</tr>
<tr>
<td>Domicile of Wife: Right to establish</td>
<td>31-65</td>
</tr>
<tr>
<td>Recognition of Foreign decree</td>
<td>33-139</td>
</tr>
<tr>
<td>Remarriage: Effect of restrictions on extraterritorial subsequent marriage</td>
<td>33-207</td>
</tr>
<tr>
<td><strong>DOWER AND CURTESY</strong></td>
<td></td>
</tr>
<tr>
<td>Curtesy: Conveyances by husband and wife under the revised Code 40-1</td>
<td></td>
</tr>
<tr>
<td>General discussion of Acts of 1921</td>
<td>29-139</td>
</tr>
<tr>
<td>Dower: Conveyances by husband and wife under the revised code 40-1</td>
<td></td>
</tr>
<tr>
<td>Effect upon wife’s joinder in deed of trust or mortgage, sale before or after husband’s death</td>
<td>23-36</td>
</tr>
<tr>
<td>History and general discussion of</td>
<td>30-233</td>
</tr>
<tr>
<td>Inchoate: Specific performance of contract to release</td>
<td>25-135</td>
</tr>
<tr>
<td>Outstanding Dower: As affecting specific performance of contract to sell realty</td>
<td>23-179</td>
</tr>
<tr>
<td>Release: Compelling by statute</td>
<td>39-163</td>
</tr>
<tr>
<td><strong>DUMPPOR’S CASE</strong> See: Assignments</td>
<td></td>
</tr>
<tr>
<td><strong>DYING DECLARATIONS</strong> See: Evidence</td>
<td></td>
</tr>
<tr>
<td><strong>EASEMENTS</strong> See: Equity, Injunctions, Oil and Gas</td>
<td></td>
</tr>
<tr>
<td>Acquisition by Adverse User: Effect of mere protests by servient owner</td>
<td>27-265</td>
</tr>
</tbody>
</table>
### EASEMENTS — EQUITY

Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

<table>
<thead>
<tr>
<th>Creation of by exception</th>
<th>Tuition Fees of non-resident</th>
<th>Legal aspects of</th>
</tr>
</thead>
<tbody>
<tr>
<td>32:33</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Equitable Servitudes**

<table>
<thead>
<tr>
<th>For benefit of a business</th>
<th>Restriction for residence purposes</th>
<th>Not violated by use as boarding-house</th>
</tr>
</thead>
<tbody>
<tr>
<td>27:259</td>
<td>38:171</td>
<td>39:265</td>
</tr>
</tbody>
</table>

**Implied**

<table>
<thead>
<tr>
<th>Creation by grant or reservation, necessity</th>
<th>Leases of</th>
<th>For indefinite period, validity and effect</th>
</tr>
</thead>
<tbody>
<tr>
<td>24:24</td>
<td>38:263</td>
<td></td>
</tr>
</tbody>
</table>

**Necessity**

<table>
<thead>
<tr>
<th>Increasing servitude upon</th>
<th>Ways by</th>
<th>Prescription</th>
<th>Fiction of lost grant</th>
</tr>
</thead>
<tbody>
<tr>
<td>37:107</td>
<td>38:54</td>
<td>35:46</td>
<td></td>
</tr>
</tbody>
</table>

**Streets**

<table>
<thead>
<tr>
<th>Poles and wires as placing an additional servitude upon</th>
<th>Over lands for ten years as establishing presumption</th>
</tr>
</thead>
<tbody>
<tr>
<td>30:48</td>
<td>22:42</td>
</tr>
</tbody>
</table>

### EDUCATION

**Legal**

<table>
<thead>
<tr>
<th>A law school alumni association</th>
<th>Failure of law office to give adequate technical education</th>
<th>Law school curriculum</th>
</tr>
</thead>
<tbody>
<tr>
<td>35:276</td>
<td>29:14</td>
<td>29:247</td>
</tr>
</tbody>
</table>

**Law teaching branch of profession**

| 31:89                           |

**Need for introductory course in law**

| 34:277                          |

**New dormitory proposed**

| 35:54                           |

**Problems of the modern law school**

| 35:147                          |

**Raising entrance requirements**

| 35:53                           |

**Report of committee on**

| 33:157                          |

**Report of committee of West Virginia Bar Association**

| 35:59                           |

**Research in West Virginia**

| 35:103                          |

**Research suggestions for West Virginia College of Law**

| 34:171                          |

**Review of the work of the West Virginia University College of Law**

| 36:319                          |

**Study of American legal history**

| 33:95                           |

**Work of the American law school**

| 30:1                            |

### EMPLOYERS’ LIABILITY ACT

**See:** Death

**Adoption**

<table>
<thead>
<tr>
<th>Effect of informal</th>
<th>Aesthetic Purposes</th>
<th>Power of state to screen billboards from highway</th>
</tr>
</thead>
<tbody>
<tr>
<td>40:181</td>
<td></td>
<td>38:265</td>
</tr>
</tbody>
</table>

**Answer**

<table>
<thead>
<tr>
<th>As evidence in West Virginia</th>
<th>Cancellation</th>
<th>Of deed of trust at suit of trustee in conflict with interests of co-trustee</th>
</tr>
</thead>
<tbody>
<tr>
<td>29:45</td>
<td>37:223</td>
<td></td>
</tr>
</tbody>
</table>

**Cloud upon Title**

<table>
<thead>
<tr>
<th>Bills to remove, history, essentials, and state of authorities in Virginia and West Virginia</th>
</tr>
</thead>
</table>
Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

Bill to remove when remedy at law is adequate 34-117
Constitutionality of statute removing requirement of actual possession by plaintiff 38-53
Who may maintain bill to remove 34-212

Creditors’ Suits
General discussion of 35-239
Depositions
Taking in advance of filing an answer 27-201

Equitable Servitudes
Benefiting a business 27-259
Restriction for residence purposes not violated by use as boarding house 38-171

Statute of Frauds 38-74
Subjecting corporate stock to an
Equity of Redemption
Clogging the
Fair and Equitable
Contracts, what are
Fiduciary Relationship
Effect upon antenuptial contract

37-443
40-31
36-293
39-62

Interpleader
Nature and requisite of bill of

Jurisdiction
Churches, determination of internal affairs of 28-78
Discretion of court in granting relief 22-39
To determine question of title arising in partition suit 34-391

Laches, Statute of Limitations 40-85
Mistake of Fact
Unilateral, relief from

Parties
Suit not maintainable, by one having no substantial interest 23-259

Receivers
Appointment for person pending appeal from adjudication of insanity 38-268

Recision
Of deed upon consideration of support of grantor by grantee 30-129

Venue
As depending upon situs of land 25-58

ESCHEAT
Murder of insured by beneficiary who is sole distributee 40-138

ESTATES See: Administration of Estates, Life Estates, Reversions and Remainders, Rule Against Perpetuities, Rule in Shelley’s Case, Wills, Future Interests

ESTOPPEL See: Equity

EVIDENCE
Administrative Tribunal
Necessity of adhering to judicial rules of evidence 37-312

Admissibility
Carbon copy as secondary evidence 30-122
Custom and usage, to vary terms of a contract 32-76
Entries made by wife of secretary, under his supervision, with testimony of the latter 23-44
Former testimony of unavailable witness 31-134
Intoxicating liquor obtained without warrant 29-214

30-203
31-230

Obtained by wire-tapping 35-93
Part only of obscene writing, in criminal prosecution 37-103
Admission
Of child in action by third party against parent 32-263

Best Evidence Rule
When applied 35-285

Burden of Proof
As to payment 37-282
Character of deceased
Under plea of self-defense 29-58

Confessions
What constitutes voluntariness 34-113

Effect of
Failure to stop at railroad crossing 23-189

Equity suits, answer as evidence in

Hearsay
Book entries
Admissibility of in general 23-44
Business entries, unavailability of witness 33-305
Death, presumption of after seven years’ absence, application to insurance policy 38-259
Dying declaration of atheist, admissibility 38-170
Parol, to show conditional delivery of instrument absolute on its face 38-267
Page citations in black-faced type refer to leading articles; volume citations to editorial notes; figures in plain type refer to student contributions.

**Statutory modifications of the rule**
- Suicide notes, admissibility to establish death of insurance policy-holder before lapse
- Suicide notes, admissibility to establish death of insurance policy-holder before lapse; admissibility of insurance policy before death

**Leading Questions**
- Right of judge to ask

**Negligence**
- Violation of statute as prima facie
- Violation of statute limiting age of employee as prima facie

**Parol**
- Application to oral trust in lands for grantor
- Conditional delivery of instrument absolute on its face
- Declaration of third party exculpating accused
- Denial of proof showing deed absolute on face to be a mortgage
- Testator's intention in use of word "legatees"

**Prima Facie**
- Violation of statute as in negligence cases
- Quotient Verdict
- Proof of
- Rape
- Statements of prosecutrix

**Sufficiency of**
- To sustain conviction for transporting intoxicating liquors

**Witnesses**
- Bloodhound as a
- Cross-examination making one's own, impeachment
- Handwriting of decedent, competency of
- Impoaching credibility by showing previous conviction
- Stare decisis and the dead hand of the common law

**EXECUTIONS** See: Judgment, Liens
**EXECUTORS** See: Administration of Estates
**EXEMPLARY DAMAGES** See: Damages
**EXEMPTIONS** See: Constitutional Law, Taxation
**EXPLOSIONS AND EXPLOSIVES** See: Infants, Negligence
**FALSE IMPRISONMENT** See: Sheriffs and Constables
**FIDELITY INSURANCE** See: Insurance
**FINDINGS OF COURT** See: Appeal and Error, Courts
**FIRE INSURANCE** See: Insurance
**FIXTURES**
- Priority of right to, as between vendor thereof holding chattel mortgage and mortgagee of real estate to which attached

**FOREIGN CORPORATIONS**
- See: Constitutional Law, Corporations, Process and Return, Venue
**FOREIGN LAWS** See: Conflict of Laws
**FORMER ADJUDICATION** See: Husband and Wife, Judgment, Pleading and Practice
**FORTHCOMING BONDS** See: Bonds
**FRAUDS, STATUTE OF** See: Evidence, Trusts
- Contracts
- Not to be performed within one year, parol lease as violation of
- Declaration of Trust
- And the Statute of Frauds
- Dead Poll
- Imposing equitable restrictions as not within
- Oral Trust
- In lands for grantor as within

**PAROL GIFTS OF LAND**
- As within
- Part Performance
- Doctrine of

**EXCEPTIONS AND OBJECTIONS**
See: Pleading and Practice
**EXCEPTIONS, BILL OF** See: Pleading and Practice
Pleading
One not party to contract may not plead
Real Estate
Contract signed by vendee 29-142
Trusts and the Statute of Frauds 31-166
Express, application of Statute of Frauds 36-216

FRAUDULENT CONVEYANCES
Assignment of life insurance policy in fraud of creditors 40-388

FUTURE INTERESTS
Alienation
Restraint upon, transfer of property to negro 26-377
Equitable Fee Simple, created by word "descend", as distinguished from life estates 37-318
Fee limited upon a fee by deed, heir construed as heir of the body 34-101
Life Estate
With absolute power of disposal 36-288
Meaning of "Heirs," construction of limitation, "A for life, then to A's children in fee; and in default thereof, to the heirs of the testator," where A is sole heir at law of testator 46-385
Presumption of capacity to bear children 46-394

GAMING See: Contracts, Criminal Law, Licenses, Municipal Corporations

GARNISHMENT See: Attachment and Garnishment

GAS See: Constitutional Law, Oil and Gas, Mines and Minerals, Negligence, Public Utilities, States

GIFTS
Charitable or Public Uses
Land, methods of making 33-317
Delivery
Choses in action 27-275
Necessity of 31-513
Parol Gifts of Land
Enforceability of 37-288

GRAND JURY See: Criminal Law, Juries

GUARANTY See: Bills and Notes, Banks and Banking, Insurance, Principal and Surety

GUARDIAN AND WARD See: Infants

HEARSAY EVIDENCE See: Evidence

HIGHWAYS See: Automobiles, Constitutional Law, Easements, Eminent Domain, Municipal Corporations, Negligence
Aesthetic Use
Power to screen billboards from view 36-275
Highways
Degree of care owing by automobile driver to workmen repairing 34-104
State Road Commission
Liability for injuries arising out of defective highway 31-70
Streets
Compulsory repairing for aesthetic purposes 31-222
Dedication, what constitutes 29-207
Municipal liability for defective 24-181
Municipal liability for injuries caused by repairing 29-274
Municipal liability, what constitutes being "out of repair" 27-94
Poles and wires as placing an additional servitude upon easement for 30-48

HOMICIDE See: Criminal Law

HOSPITALS See: Charities

HOTELS AND INN-KEEPERS
See: Public Utilities

HUSBAND AND WIFE See: Divorce, Marriage, Parent and Child
Alienation of Affections
Recognition of husband's right of action for 36-357
Deeds by
Necessity for designation in, as such 25-244
Domicilio
Establishment of by wife 31-85
Fiduciary Relationship
As affecting ante-nuptial contract 39-52

Leases
Power of wife to execute without
 joinder of husband 26-59

Matrimonial Property
And the conflict of laws 30-61

Non-support
Conviction by mere preponderance
of evidence, constitutionality of
32-334

Taxation
Of husband and wife as a unit, as
denial of due process 38-348

Torts
Ante-nuptial by husband, effect of
subsequent marriage 37-224
Right of wife to sue husband for
37-92
Right of wife to sue husband for
damages for fraudulently ob-
taining annulment, as affected
by unsuccessful suit to set
aside 38-248
38-371

ILLEGALITY See: Contracts

IMPLIED CONTRACTS See: Con-
tracts

IMPROVEMENTS See: Landlord
and Tenant

IMPUTABLE NEGLIGENCE
See: Automobiles, Husband and
Wife, Infants, Negligence, Parent
and Child

INDEMNITY See: Banks and Bank-
ing, Bills and Notes, Contracts, In-
surance, Principal and Surety, Princi-
pal and Agent

INDEPENDENT CONTRACTORS
See: Contracts, Principal and Agent

INDICTMENTS See: Criminal Law

INFANTS See: Bills and Notes, Con-
tracts, Invites, Licensees, Negli-
gence, Parent and Child, Tres-
passers
Contracts
Duty to return consideration as
prerequisite to disaffirmance 27-271
Contributory Negligence of 28-393

Negotiable Instruments
Disaffirmance of infant's indorse-
ment 37-426

Personal Injuries
Modes of compromising 32-235

Trespasser
Liability for injury to 22-47
Liability of owners of premises to
29-135
Duty to keep lookout for 24-45

Turnable Doctrine
Explosives 35-91
291

INJUNCTIONS See: Contracts, Con-
stitutional Law, Labor Law, Plead-
ing and Practice
Bond
Recovery of counsel fees and ex-
penses in resisting preliminary
writ 34-402

Coal
Removal of underlying vein 34-212

Dissolution
Of temporary injunction where
answer denies allegations of
bill 38-80

Gas Wells
Restraining use of compressors
and pumps 27-74

Irreparable Injury
What constitutes 23-282

Labor injunctions
Persons bound 46-54

Labor Union
Restraining employer's interfer-
ence with

Medicine
Restraining unlicensed practice of
46-87

Nuisance
Abatement as, of places where
loan contracts made 35-86
Abatement as, of airport 38-366
As enlarging opportunity for viola-
tion of criminal statute 23-425
Pollution of stream by city, bal-
ance of convenience 40-59

Pending Adjudication of
Title to real estate, in possession
of defendant 22-44

Pending Trial of
Title, question of law or of fact
23-382

Picketing
Labor disputes 28-144
INJUNCTIONS

Striking
Injunction against as interference
with interstate commerce 34-176

Waste
Lessee against lessee 29-210

INNS AND INN-KEEPERS See: Public Utilities

INSANE PERSONS

Receivers
Appointment of pending appeal
from adjudication of insanity 38-269

INSOLVENCY See: Assignments for
Benefit of Creditors, Bankruptcy,
Banks and Banking, Corporations,
Trusts

INSTRUCTIONS See: Juries, Pleading
and Practice

INSURANCE See: Automobiles

Accident Insurance
Construction of policy 34-395
Definition of the word "accident" 35-371

Fire Insurance
Premiums, unearned as deductible
indebtedness for tax purposes 38-271

"Prohibited articles" warranty,
effect of tenant's violation without
landlord's knowledge 38-369

Trustee in deed of trust, requiring
him to insure property 39-364
Vacancy clause, effect of uninhabitation due to prior fire 40-132

Indemnity Insurance
Automobile liability, admissibility
of proof that defendant has or has not
Automobile policy excepting risks
of operation by infants, construction of 37-313
Direct liability for torts upon
death of indemnitee before action 38-150
Effect of in action of assumpsit
by child against parent for
negligent driving of automobile 39-268

Life Insurance
Death, presumption of, after seven
years' absence 38-259

Forfeiture of policy
Insanity not an excuse for
failure to notify insurer as to
total disability 40-276
Note re incapacity as an excuse
for failure to notify insurer
regarding total disability 40-368

Insurable interest, rights of benefi-
ciary, having no 25-239
Murder of insured by beneficiary
who is sole distributee 40-188

Physical examination for, duty of
applicant to volunteer facts 31-71

Usury, requiring borrower to take
life insurance policy to be used
as collateral 40-195

War Risk Insurance
Proof of death before lapse, by
suicide note 33-52

INTEREST See: Contracts

INTERNATIONAL LAW See: War
General discussion of 31-102
New Law of Nations 22-4

INTERPRETATION AND
CONSTRUCTION See: Contracts,
Constitutional Law, Legislation,
Stare Decisis, Statutes

INTERPLEADER See: Equity, Pleading
and Practice
Nature and Requisites of Bill 23-418

INTERSTATE COMMERCE See: Car-
riers, Constitutional Law, Oil and
Gas, Public Utilities, Railroads

INTOXICATING LIQUORS See: Con-
stitutional Law, Criminal Law, Evidence

Entrapment
As defense 33-261
Evidence
Admissibility when obtained by
"wire-tapping" 35-93
Use of when obtained without a
warrant 29-214
39-203
31-230

Interstate transportation
For owner's personal use 25-222
Read Amendment 26-73

Power of State
To regulate interstate shipment
of 24-138
25-42
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Transportation</td>
<td>33-108</td>
</tr>
<tr>
<td>Confiscation of automobiles</td>
<td>33-108</td>
</tr>
<tr>
<td>Indictment, failure to negative statutory exceptions</td>
<td>31-277</td>
</tr>
<tr>
<td>Sufficiency of evidence</td>
<td>29-64</td>
</tr>
<tr>
<td>Search Warrant</td>
<td>34-188</td>
</tr>
<tr>
<td>Destruction of liquor in order to evade, as a contempt of court</td>
<td>34-188</td>
</tr>
<tr>
<td>Search and Seizure</td>
<td>32-128</td>
</tr>
<tr>
<td>Attempt to nullify Fourth and Fifth Amendments to Constitution</td>
<td>32-128</td>
</tr>
<tr>
<td>Taxation</td>
<td>40-151</td>
</tr>
<tr>
<td>Constitutionality of an immediate liquor control program for West Virginia</td>
<td>40-151</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>INVITEES</td>
<td>32-295</td>
</tr>
<tr>
<td>Implied invitation to use premises</td>
<td>32-295</td>
</tr>
<tr>
<td>Turntable doctrine, explosives</td>
<td>35-91</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>ISSUES TO THE JURY</td>
<td>35-239</td>
</tr>
<tr>
<td>See: Juries, Pleading and Practice</td>
<td>35-239</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOINT ADVENTURES</td>
<td>35-239</td>
</tr>
<tr>
<td>See: Partnership, Principal and Agent</td>
<td>35-239</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOINT TENANTS</td>
<td>35-239</td>
</tr>
<tr>
<td>See: Co-tenants</td>
<td>35-239</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JOINT TORT-FEASORS</td>
<td>35-239</td>
</tr>
<tr>
<td>Contribution</td>
<td>39-79</td>
</tr>
<tr>
<td>Where one joint principal pays tort judgment against agent</td>
<td>39-79</td>
</tr>
<tr>
<td>Liability for Damage to Stream</td>
<td>27-200</td>
</tr>
<tr>
<td>Distinction between and joint contributors</td>
<td>27-200</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUDGES</td>
<td>33-277</td>
</tr>
<tr>
<td>See: Courts, Stare Decisis</td>
<td>33-277</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUDGMENTS</td>
<td>33-277</td>
</tr>
<tr>
<td>See: Attachment and Garnishment, Lien, Verdict, Pleading and Practice</td>
<td>33-277</td>
</tr>
<tr>
<td>Contribution</td>
<td>33-277</td>
</tr>
<tr>
<td>Where one joint principal pays tort judgment against agent</td>
<td>33-277</td>
</tr>
<tr>
<td>Creditor’s Suit</td>
<td>33-277</td>
</tr>
<tr>
<td>General discussion of</td>
<td>33-277</td>
</tr>
<tr>
<td>Cannot be maintained by trustee attacking own deed of trust</td>
<td>33-277</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Declaratory</td>
<td>37-127</td>
</tr>
<tr>
<td>Constitutionality of</td>
<td>37-127</td>
</tr>
<tr>
<td>General discussion of</td>
<td>37-127</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Interest upon Verdict</td>
<td>26-193</td>
</tr>
<tr>
<td>When computed from, in tort action</td>
<td>26-193</td>
</tr>
<tr>
<td>Lien</td>
<td>33-240</td>
</tr>
<tr>
<td>Federal Court</td>
<td>33-240</td>
</tr>
<tr>
<td>Motion for Judgment</td>
<td>33-240</td>
</tr>
<tr>
<td>Draft of proposed act amending procedure</td>
<td>33-240</td>
</tr>
<tr>
<td>General discussion of</td>
<td>33-240</td>
</tr>
<tr>
<td>Quasi-contracts, recovery by</td>
<td>33-240</td>
</tr>
<tr>
<td>Time when may be heard</td>
<td>33-240</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Res judicata</td>
<td>34-239</td>
</tr>
<tr>
<td>Distinguished from doctrine of election of remedies</td>
<td>34-239</td>
</tr>
<tr>
<td>Effect of dismissal of bill on sustaining demurrer</td>
<td>34-239</td>
</tr>
<tr>
<td>Effect of judgment of justice court on pending tort action in circuit court</td>
<td>34-239</td>
</tr>
<tr>
<td>Suggestion on Liability of purchaser in violation of bulk sales act</td>
<td>34-239</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUDICIAL NOTICE</td>
<td>35-239</td>
</tr>
<tr>
<td>See: Courts, Evidence, Pleading and Practice</td>
<td>35-239</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JUDICIAL SALES</td>
<td>35-239</td>
</tr>
<tr>
<td>See: Equity, Sales</td>
<td>35-239</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>JURIES</td>
<td>35-239</td>
</tr>
<tr>
<td>See: Criminal Law, New Trial, Pleading and Practice, Verdict</td>
<td>35-239</td>
</tr>
<tr>
<td>Abolishment of</td>
<td>35-239</td>
</tr>
<tr>
<td>In general</td>
<td>29-97</td>
</tr>
<tr>
<td>Jury system, a query</td>
<td>35-239</td>
</tr>
<tr>
<td>Competency of</td>
<td>35-239</td>
</tr>
<tr>
<td>Juror member of organization active in indicting accused</td>
<td>35-239</td>
</tr>
<tr>
<td>Interrogatories</td>
<td>35-239</td>
</tr>
<tr>
<td>Nature and purposes, discretion of court</td>
<td>35-239</td>
</tr>
<tr>
<td>Special discussion of</td>
<td>35-239</td>
</tr>
<tr>
<td>Substitute for general verdict, proposed statute</td>
<td>35-239</td>
</tr>
<tr>
<td>Instructions</td>
<td>35-239</td>
</tr>
<tr>
<td>General verdicts, elimination of</td>
<td>35-239</td>
</tr>
<tr>
<td>Punitive damages, form of</td>
<td>35-239</td>
</tr>
<tr>
<td>Relation between separate</td>
<td>35-239</td>
</tr>
<tr>
<td>Unanimity of the jury verdict</td>
<td>35-239</td>
</tr>
<tr>
<td>Upon weight of evidence and credibility of witnesses</td>
<td>35-239</td>
</tr>
<tr>
<td>Polling</td>
<td>35-239</td>
</tr>
<tr>
<td>As means of determining compromise verdict</td>
<td>35-239</td>
</tr>
</tbody>
</table>
Remarks of Counsel Before, as re-
verible error 31-131

Right to trial by
In prosecution for petty federal
offenses 39-40
In West Virginia 33-183
Separation of
Penity cases 28-151

JURISDICTION See: Conflict of Laws,
Constitutional Law, Equity, Pleading and Practice, Taxation

JUSTICES OF THE PEACE
See: Pleading and Practice
Actions
Joining or splitting causes of
action 32-259

Criminal Jurisdiction
Power of justice to set aside con-
viction and grant new trial
24-42

Judgment
Effect of as res judicata, as to
pending tort action in circuit
court 37-447

Liability
Civil and criminal for unlawful
searches and seizures 22-68

LABOR LAW See: Constitutional
Law, Counties, Principal and Agent,
Railroads, Workmen’s Compensation, Injunctions
Child Labor Law, violation of as
prima facie evidence of employer’s
negligence 28-233

Constitutional rights and the in-
dustrial struggle 30-125

Industrial disputes, American legis-
lation for the adjustment of 27-43
128

Industrial Peace 31-35

Injunction against picketing 28-144

Injunction against striking as inter-
ference with interstate commerce
34-176

Injunctions, persons bound 40-54

Unionization, statute guaranteeing
liberty of, limitation upon em-
ployer’s right to discharge 37-101

LACHES See: Equity, Limitation of
Actions

LANDLORD AND TENANT See: Con-
tracts, Oil and Gas
Easement, lease of for indefinite
period, validity and effect 33-263

Eviction, constructive, what con-
stitutes 22-285

Form, parcel lease as within statute
of frauds 27-94

Hold-over tenancy, right of distress
as against intervening chattel
mortgage 40-339

Lease
Consent to assignment of, 30-277
Dumppor’s Case

Extension and renewal, necessity
of notice to lessor 31-136

Rental, emergency regulation, con-
stitutionality of 28-125

Taxes, on improvements, liability of
lessee for 38-86

Tenancy at will of lessee 33-307

Unlawful Entry and Detainer, re-
coval of damages for detention,
in circuit court 30-185

Waste, injunction against tenant
29-210

Wife, power to execute lease with-
out joinder of husband 26-59

Under Revised Code 40-1

LARCENY See: Criminal Law

LATERAL SUPPORT See: Mines and
Minerals, Oil and Gas
Negligence in removal of, what con-
stitutes evidence thereof 29-45

LEGAL HISTORY
English Legal History
Notes on courts of record 40-347

American Legal History
New possibilities of old materials
40-205

Sources of early American law, Co-
lonial period 40-212

Unpublished sources for early
40-224

LEGAL PROFESSION
Reciprocity, Bench and Bar 40-402

LEGISLATION See: Code, Courts
Amending Statutes, validity of vari-
ous methods of 39-70

Budget control and separation of
powers 40-166

Code Correction, proposed Bar Com-
mittee to correct formal errors
38-51
39-152
Corporations, constitutionality of non-voting stock 39-345

Economic desirability of convict labor statute 39-371

Enactment, constitutional limitations upon legislative procedure in West Virginia 39-294

Hearsay rule, statutory modifications of 39-174

Indictments, sufficiency of, provisos and exceptions 40-64

Intention of legislation, determination of 38-119

Milk regulation, a problem in economics, legislation and administration 40-247

Reference bureau, proposed for West Virginia 27-119

Regulation of gob piles 40-370

Special Legislation, in West Virginia 39-255

Sureties and coseurities, statutory protection of 40-253

Trial, should comment by judge be authorized in West Virginia 39-177

Ultra vires acts of corporations, necessity for legislation clarifying liability for 39-64

LIBEL AND SLANDER

Corporation, right to maintain action for 27-196

Partners, liability of one for conduct of other 25-155

Privileged communication between subscriber to Workmen's Compensation Fund and Compensation Commissioner 24-102

LICENSEES See: Constitutional Law, Municipal Corporations, Taxation

Discretionary power to grant or refuse 29-140

Gaming devices, invalid as against public policy 34-95

"Garage," meaning of within license-tax ordinance 38-168

Pool rooms, power of municipality to grant or refuse 33-116

Practice of a profession, validity of special legislation granting 26-102

LICENSEES See: Infants, Invitees, Trespassers

Duty of care owing to by railroad 27-276

LIENS See: Attachment and Garnishment, Deeds of Trust, Judgments, Lis Pendens, Sales

Attorney's, for abstracting services 38-72

Automobiles, assertion of in proceeding to confiscate for transportation of liquor 33-108

Common-law, priority of 34-370

Execution, priority over contract of storage, with agent having power to sell 34-394

Federal, analysis of various types of 38-240

Judgment, creditors' suits, general discussion of 35-239

Paving assessment, priority over pre-existing mortgage 37-110

Vendor's Bill to remove cloud upon title maintainable by holder of 24-213

Priority of assignees of series of notes, effect of joint payees 34-214

Securing notes, implied warranty of indorser without recourse, against releasing lien 37-219

LIFE ESTATES See: Future Interests, Oil and Gas, Reversions and Remainders, Waste

Equitable fee simple created by word "descend" as distinguished from life estate 37-318

Life tenant, right of remainderman to compel permission to develop oil and gas 26-213

Power of absolute disposal Effect of New legislation 36-238 37-422

LIFE INSURANCE See: Insurance

LIMITATION OF ACTIONS See: Consideration, Equity, Pleading and Practice

Demurrer, raising bar of 30-110

New promise removing account from, sufficiency of 24-292

LIS PENDENS

Purchaser of personality with notice of pending suit for specific performance of contract to sell, as bound by 22-42

LOGS AND LOGGING See: Trespass and Conversion, Life Estates, Waste
LOTTERIES

LOTTERIES See: Constitutional Law, Contracts, Municipal Corporations

MANDAMUS
Abatement of writ, not effected by expiration of officer's term 22-44
Amendments as to 35-64
To compel sheriff to return excess taxes paid 22-44

MARRIAGE
See: Divorce, Husband and Wife, Infants, Parent and Child
Annulment
Marriage in spirit of jest 28-60
Unsuccessful suit to set aside fraudulent annulment as affecting right of wife to sue husband for damages 38-348
38-371
Ante-nuptial tort by husband, effect of marriage 37-224
Common law marriage, what constitutes 46-77
Contract of
Ante-nuptial, fiduciary relationship 35-52
Tortious interference with 38-67

MASTER AND SERVANT
See: Principal and Agent, Workmen's Compensation
Discharge of employees, remedies against employer 24-32
Employment, contract for bonus, right of employee to recover 29-143
Safe place to work, liability for failure to warn of danger 24-43
Scope of employment, acts outside, liability of master for 30-286
34-109
Vice-principal doctrine and fellow-servant rule 35-269

MECHANICS' LIENS
See: Liens

MERGER
See: Corporations

MILITIA
See: War

MINES AND MINERALS
See: Labor Law, Nuisances, Oil and Gas
Cloud upon title to, right to maintain bill when remedy at law in ejectment 34-117
Coal
Industry as interstate commerce 34-176
Containing space, rights of owner of mineral in 82-242
Conveyancing of by sale or lease 40-392

MISTAKE
Of Fact
Equitable relief from 24-35

MONOPOLIES
See: Constitutional Law, Contracts, Public Utilities

MORTGAGES
See: Deeds of Trust

MOTION FOR JUDGMENT
See: Judgment, Pleading and Practice

MOTOR VEHICLE CARRIERS
See: Automobiles, Carriers, Public Utilities

MULTIFARIOUSNESS
See: Pleading and Practice

MUNICIPAL CORPORATIONS
Board issues, attorney general's approval of, validity 27-34
Buildings, regulation of height of 25-246
<table>
<thead>
<tr>
<th>Page</th>
<th>Topic</th>
</tr>
</thead>
<tbody>
<tr>
<td>24</td>
<td>MUNICIPAL CORPORATIONS — NEGLIGENCE</td>
</tr>
<tr>
<td></td>
<td>Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.</td>
</tr>
<tr>
<td></td>
<td>Contracts, paving, non-liability where no advertisement for bids 39-185</td>
</tr>
<tr>
<td></td>
<td>Form of government, power of state to change 24-46</td>
</tr>
<tr>
<td></td>
<td>Garnishment, exemption from 24-40</td>
</tr>
<tr>
<td></td>
<td>Of public corporations 39-224</td>
</tr>
<tr>
<td></td>
<td>Home rule proposal in West Virginia 38-235</td>
</tr>
<tr>
<td></td>
<td>329</td>
</tr>
<tr>
<td></td>
<td>Incinerating plant, measure of damages for injury caused by 25-78</td>
</tr>
<tr>
<td></td>
<td>Liability for negligence of employees</td>
</tr>
<tr>
<td></td>
<td>Distinction between governmental and private functions 23-274</td>
</tr>
<tr>
<td></td>
<td>32-252</td>
</tr>
<tr>
<td></td>
<td>Licenses</td>
</tr>
<tr>
<td></td>
<td>Discretionary power to grant or refuse 29-140</td>
</tr>
<tr>
<td></td>
<td>33-116</td>
</tr>
<tr>
<td></td>
<td>34-312</td>
</tr>
<tr>
<td></td>
<td>Officials, appointment of as employees receiving additional salary 34-193</td>
</tr>
<tr>
<td></td>
<td>Ordinance, invalidity of, regulating building line, for aesthetic purposes 22-40</td>
</tr>
<tr>
<td></td>
<td>Paving assessment, priority over pre-existing mortgage 37-110</td>
</tr>
<tr>
<td></td>
<td>Police Power</td>
</tr>
<tr>
<td></td>
<td>Aesthetic purposes, compulsory repaving for 31-222</td>
</tr>
<tr>
<td></td>
<td>Anti-aesthetic use of property 23-195</td>
</tr>
<tr>
<td></td>
<td>Beautification of city, limitations upon power 30-191</td>
</tr>
<tr>
<td></td>
<td>Convict labor, economic desirability of statute providing for 39-171</td>
</tr>
<tr>
<td></td>
<td>Pool rooms, power to license and to prohibit 33-116</td>
</tr>
<tr>
<td></td>
<td>34-812</td>
</tr>
<tr>
<td></td>
<td>Zoning and segregation ordinances, constitutionality of 33-322</td>
</tr>
<tr>
<td></td>
<td>Zoning, property owners' consent provisions 36-175</td>
</tr>
<tr>
<td></td>
<td>Rate regulation, power of state to confer power upon municipality 26-87</td>
</tr>
<tr>
<td></td>
<td>Streets</td>
</tr>
<tr>
<td></td>
<td>Liability for defective, what constitutes being &quot;out of repair&quot; 27-94</td>
</tr>
<tr>
<td></td>
<td>Liability for defective 24-161</td>
</tr>
<tr>
<td></td>
<td>Poles and wires as placing additional servitude on easement for 30-48</td>
</tr>
<tr>
<td></td>
<td>Taxation</td>
</tr>
<tr>
<td></td>
<td>Advertising purposes, denial of implied power 38-87</td>
</tr>
<tr>
<td></td>
<td>Tort liability, of governmental agencies in West Virginia 38-101</td>
</tr>
<tr>
<td></td>
<td>Zoning ordinance, validity of delegating to appeal board power to vary application of 39-389</td>
</tr>
<tr>
<td></td>
<td>NATURALIZATION</td>
</tr>
<tr>
<td></td>
<td>Oath of allegiance, effect of mental reservations as to bearing arms 37-314</td>
</tr>
<tr>
<td></td>
<td>NEGLIGENCE See: Automobiles, Invites, Licensees, Principal and Agent, Trespassers, Workmen's Compensation</td>
</tr>
<tr>
<td></td>
<td>Animals</td>
</tr>
<tr>
<td></td>
<td>Liability for injuries inflicted by 37-96</td>
</tr>
<tr>
<td></td>
<td>Liability of owner for injuries, constructive notice of vicious propensities 23-40</td>
</tr>
<tr>
<td></td>
<td>Attractive nuisance</td>
</tr>
<tr>
<td></td>
<td>Liability for injury to infant arising out of 40-397</td>
</tr>
<tr>
<td></td>
<td>Aviator, liability for damage to persons and property on the ground 37-269</td>
</tr>
<tr>
<td></td>
<td>Carriers, duty to discover obstructions causing injury to passengers 29-68</td>
</tr>
<tr>
<td></td>
<td>Contributory Negligence</td>
</tr>
<tr>
<td></td>
<td>Automobile passenger 36-380</td>
</tr>
<tr>
<td></td>
<td>Duty to stop at railroad crossing, failure as evidence of negligence 23-189</td>
</tr>
<tr>
<td></td>
<td>Effect of driving automobile without license, as 23-288</td>
</tr>
<tr>
<td></td>
<td>Look and listen rule 28-314</td>
</tr>
<tr>
<td></td>
<td>29-274</td>
</tr>
<tr>
<td></td>
<td>Stop, look and listen, duty to get out of automobile 34-239</td>
</tr>
<tr>
<td></td>
<td>Stop, look and listen rule 36-215</td>
</tr>
<tr>
<td></td>
<td>Young Children 28-303</td>
</tr>
<tr>
<td></td>
<td>Degrees of, injury to workmen on highway by automobile driver 34-104</td>
</tr>
<tr>
<td></td>
<td>Evidence of, in removing lateral support 22-46</td>
</tr>
<tr>
<td></td>
<td>Foreseeability, liability for flooding by obstruction of water course 25-199</td>
</tr>
</tbody>
</table>
Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

**NEGLIGENCE** — **OFF-SET**

"Gob-pile," liability for damages to adjacent landowner 39-33
Governmental liability for tort in West Virginia 38-101
Hospitals, liability of charitable institutions for 31-299
Infant trespasser, liability for injury to 22-47
Last clear chance doctrine 38-206
Last clear chance, observations on West Virginia cases 37-392
Liability of municipality for acts of employees 23-274
Liability without fault, Rylands versus Fletcher rule 30-248
Municipality, non-liability for acts of officers in governmental capacity 32-252
Physicians, liability for abandoning patients 35-176
Prima facie evidence of
Violation of statute 39-368
Violation of statute regulating age limits of employees 39-333
Proximate cause
Intervening act of a third person as 22-47
23-46
State agencies, liability 39-291
31-70
32-151
Torts
Analysis of cases 35-323
Liability for willful act resulting only in mental distress 39-186
Liability of husband to wife 37-92
Turntable doctrine, explosives 35-91
291

**NEGOTIABLE INSTRUMENTS** See: Banks and Banking, Bills and Notes, Trusts

**NEW TRIAL** See: Damages, Jurors, Pleading and Practice

Conflicting evidence, power of trial court to grant upon affirmance by Supreme Court 38-375
Directed verdict, necessity for motion following 37-76
Discretion of court in ruling upon motion for 27-262
Effect of on plea of antrefate acquit 49-102

Grounds for
Improper remarks of counsel before jury 31-131

Insurance, of automobile, as ground for 38-362
Limiting issue to quantum of damages 25-131
Supreme Court, when will remand for new trial and when render judgment 29-218

**NOTICE** See: Liens, Recordation, Sales

Assignments, as affecting priorities between assignees 36-368
Complete purchaser, doctrine of 32-257

Construcive
Failure of notary to sign acknowledgment to deed, effect upon subsequent purchaser 24-47
Vicious propensities of animal, as rendering owner liable to person injured by 23-40
Imputed, to principal, of fraud of sole agent 38-89

Necessity for
By leasee to lessor for extension or renewal of lease 31-136
To mortgagees, of paying assessments 37-110
Stockholders, duty of directors of corporation to notify of opportunity for profits in transaction beyond corporate powers 38-158

**NOVATION** See: Contracts

**NUISANCES** See: Injunctions, Mines and Minerals, Negligence

Act enlarging opportunity for violation of criminal statute as nuisance 23-426

"Gob-pile"
Legislative regulation of 49-370
Liability to adjoining landowner 39-33
Permanent and temporary, what are 29-205
Pollution of stream by city, balance of convenience 49-39

**OFFICERS** See: Bonds, Corporations, Justices of the Peace, Municipal Corporations, Sheriffs and Constables

**OFF-SET** See: Contracts, Pleading and Practice
OIL AND GAS See: Easements, Landlord and Tenant, Mines and Minerals
Adverse possession of, by possession of surface 27-90
Conservation, right of state to make 27-255
Conversion, measure of damages for 28-133
Delay rentals
And rule against perpetuities 23-430
Tenants in common 40-267
Development
Implied duties of oil and gas lessee, doctrine of Carper v. United Fuel Gas Company 40-375
Implied obligation of 40-175
When delay rental 26-248
Right of remainderman to compel life tenant to permit 26-213
Use of compressors and pumps, injunction against 27-74
Exportation of, right of state to restrain 26-224
Forfeiture, of lease for breach of covenant 27-190
Fraudulent drainage by oil and gas lessee 40-264
Gas
State's power to regulate transmission of 27-180
Supplying to industrial consumers, right of state to regulate rates 26-146
Gas Well, what is within meaning of lease 25-153
Implied covenants to develop and protect from drainage, measure of damage for breach of 25-73
Interest, nature of grantee's under oil and gas lease 25-295
Leases
Application of rule against perpetuities 26-30
Partial cancellation of 40-177
Legislative regulation of West Virginia gas supply 25-257
No-term leases and rule against perpetuities 25-236
Ownership of
In place 29-172
Complete purchaser, doctrine of 32-257
Partnership, mining, power of one partner to bind others as to third persons 34-199

Property rights
Nature of in separately owned mineral vein 27-332
Of landowner in oil and gas in place 27-279
Rentals
Right of lessee to discontinue when the product of a gas well cannot be utilized off the premises 40-68
Royalties
Apportionment of, on subdivision of premises subject to lease, under which is subsequent development 26-63
Apportionment upon partition of lands subject to lease 26-231
Division among adjoining landowners in joint lease 25-79
Swift v. Tyson, rule of in mineral law 40-268
Tenant in common, rights of under unauthorized lease from co-tenant 26-335
Term, extension of by discovery of oil in less than paying quantities 26-79
"Unlease" lease, whether creates condition subsequent or a special limitation 28-149

OPINIONS OF COURT See: Courts, Syllabus

OPTIONS
Assignability of 28-64
Irrevocability when under seal, doctrine of consideration 24-172
Real estate, application of rule against perpetuities 28-72

ORDINANCES See: Municipal Corporations

OVERRULED CASES
Table of, to November, 1915 22-23

PARENT AND CHILD See: Automobiles, Divorce, Infants
Adoption
Effect of informal 40-181
Status of adoption and legitimation 31-251
Evidence, admissions of child in action against parent 32-263
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page Citation(s)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Family purpose doctrine, automobiles</td>
<td>29-53, 35-89</td>
</tr>
<tr>
<td>Liability of parent for child's torts, driving of automobile for child’s pleasure</td>
<td>25-154</td>
</tr>
<tr>
<td>Parent’s liability for negligent driving of automobile</td>
<td></td>
</tr>
<tr>
<td>To minor child, a passenger</td>
<td>37-315</td>
</tr>
<tr>
<td>Effect of parent’s insurance when action brought in assumption</td>
<td>39-266</td>
</tr>
<tr>
<td>Personal injury to child by third person, methods of compromising</td>
<td>32-235</td>
</tr>
<tr>
<td>Wrongful death, father’s consent to unlawful employment as barring action for</td>
<td>34-399</td>
</tr>
<tr>
<td>PAROLE EVIDENCE</td>
<td></td>
</tr>
<tr>
<td>See: Evidence, Statute of Frauds</td>
<td></td>
</tr>
<tr>
<td>PARTIES</td>
<td></td>
</tr>
<tr>
<td>See: Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td>Joinder</td>
<td></td>
</tr>
<tr>
<td>As applied to joint obligees and promisee, the doctrine of survivorship</td>
<td>26-159</td>
</tr>
<tr>
<td>Basis of the rules of</td>
<td>36-192</td>
</tr>
<tr>
<td>Misdescription of plaintiff, amendment</td>
<td>28-241</td>
</tr>
<tr>
<td>Misjoinder of contract defendants, raising on demurrer</td>
<td>36-373</td>
</tr>
<tr>
<td>Necessary or proper, obligee and beneficiary of bond</td>
<td>23-280</td>
</tr>
<tr>
<td>Non-joinder and misjoinder</td>
<td>28-197, 296</td>
</tr>
<tr>
<td>In common-law actions</td>
<td></td>
</tr>
<tr>
<td>Necessity of pleading in abatement</td>
<td>33-101</td>
</tr>
<tr>
<td>Trustees in deeds of trust, procedural status of</td>
<td>32-51</td>
</tr>
<tr>
<td>PARTITION</td>
<td></td>
</tr>
<tr>
<td>See: Oil and Gas</td>
<td></td>
</tr>
<tr>
<td>Leased premises, of oil royalties</td>
<td>25-231</td>
</tr>
<tr>
<td>Title, jurisdiction of court of equity to determine question of</td>
<td>34-332</td>
</tr>
<tr>
<td>PARTNERSHIP</td>
<td></td>
</tr>
<tr>
<td>See: Mines and Minerals, Oil and Gas, Uniform State Laws</td>
<td></td>
</tr>
<tr>
<td>Existence of, unintended partnership</td>
<td>31-1</td>
</tr>
<tr>
<td>Mining, power of one partner to bind others as to third persons</td>
<td>34-199</td>
</tr>
<tr>
<td>REALTY</td>
<td></td>
</tr>
<tr>
<td>Nature of dower under revised Code</td>
<td>40-1</td>
</tr>
<tr>
<td>Torts, liability of one for tort of other</td>
<td>25-155</td>
</tr>
<tr>
<td>Uniform Partnership Act, effect upon West Virginia statutes and decisions</td>
<td>27-28, 158</td>
</tr>
<tr>
<td>PARTY WALLS</td>
<td></td>
</tr>
<tr>
<td>Covenant as running with the land, assignee’s right, to sue versus equitable charge</td>
<td>34-115</td>
</tr>
<tr>
<td>PAYMENT</td>
<td></td>
</tr>
<tr>
<td>See: Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td>PENALTIES AND FORFEITURES</td>
<td></td>
</tr>
<tr>
<td>See: Damages, Oil and Gas</td>
<td></td>
</tr>
<tr>
<td>PERJURY</td>
<td></td>
</tr>
<tr>
<td>See: Contempt, Courts</td>
<td></td>
</tr>
<tr>
<td>PERPETUITIES</td>
<td></td>
</tr>
<tr>
<td>See: Rule Against Perpetuities</td>
<td></td>
</tr>
<tr>
<td>PERSONAL REPRESENTATIVES</td>
<td></td>
</tr>
<tr>
<td>See: Administration of Estates</td>
<td></td>
</tr>
<tr>
<td>PIPE-LINES</td>
<td></td>
</tr>
<tr>
<td>See: Constitutional Law, Easements, Oil and Gas</td>
<td></td>
</tr>
<tr>
<td>PLEADING AND PRACTICE</td>
<td></td>
</tr>
<tr>
<td>See: Parties, Process, Witnesses, Actions</td>
<td></td>
</tr>
<tr>
<td>What is the beginning of action or suit</td>
<td>31-235</td>
</tr>
<tr>
<td>Adjective law, contractual control over</td>
<td>39-1</td>
</tr>
<tr>
<td>Amendments, law of in West Virginia</td>
<td>35-54</td>
</tr>
<tr>
<td>Answer</td>
<td></td>
</tr>
<tr>
<td>In equity suit as evidence</td>
<td>29-45</td>
</tr>
<tr>
<td>When filed after a demurrer to a bill in equity is overruled</td>
<td>40-300</td>
</tr>
<tr>
<td>Chancery</td>
<td></td>
</tr>
<tr>
<td>Hearings in open court</td>
<td>34-32</td>
</tr>
<tr>
<td>Menace of Jarndyce and Jarndyce</td>
<td>32-279</td>
</tr>
<tr>
<td>Civil Procedure, review of observations upon</td>
<td>34-30</td>
</tr>
<tr>
<td>Code, Revised, pleading and practice under</td>
<td>37-30</td>
</tr>
<tr>
<td>Cross-Examination, making one’s own witness by, impeachment of</td>
<td>34-306</td>
</tr>
<tr>
<td>Declaration</td>
<td></td>
</tr>
<tr>
<td>Amendment as to misdescription party plaintiff</td>
<td>28-241</td>
</tr>
<tr>
<td>Amendment introducing new cause of action, certification of question</td>
<td>28-307</td>
</tr>
</tbody>
</table>
Page citations in black-faced type refer to leading articles; volume citations to editorial notes; figures in plain type refer to student contributions.

Common-law in West Virginia, the 25-1

Election of causes or grounds of action in a duplicitous declaration 40-241

Demurrer
As proper method of raising objection to separate items of damages alleged 31-214
Dismissal of bill, as res judicata 32-248
General, insufficient to reach divisible defect in declaration 22-46
To evidence, anomalous features of in West Virginia 27-236
Raising statute of limitations upon 30-110
Depositions, taking in advance of filing of answer 27-201
Definite, rights of plaintiff with reference to property obtained under bond 32-137
Directed verdict, necessity of motion for new trial following 37-76
Election of Remedies, distinguished from res judicata 38-348
Federal Courts, uniform law procedure in 33-131
Function of, in legal education 29-77
Indictments, sufficiency of, the problem of provisos and exceptions 40-64
Instructions
Not in harmony with evidence as erroneous 35-178
Relation between separate 35-319
Interrogatories to jury
Nature and purpose, discretion of court 33-197
Special, general discussion 35-359
Substitute for general instructions and verdict, proposed statute 34-347
Issue, necessity of pleading a traverse 29-128
Joiner
Of original and assigned choses in action 36-199
Of parties and causes, the basis for rules of 36-159
Joint obligees and promissees, joinder and doctrine of survivorship 25-189
Judicial councils
Survey of 35-193

Draft of proposed act providing for, comment theron 26-9

Becomes law 40-234

Jurisdiction, appellate of federal courts, changes in 31-127
Misjoinder of contract defendants raising on demurrer 26-373
Misjoinder and misjoinder of parties in common law actions 28-197

Motion for Judgment
Draft of proposed act amending procedure 28-35
General discussion of 29-62
On quasi-contract 38-175
Time when may be heard 30-41
Must plaintiff plead adequacy of consideration 40-183
Non-joinder and misjoinder of parties in common law actions 28-197

Non-suit, history and development of 27-20

Notice of Motion
Function of affidavits and pleas in proceeding for judgment on 40-159
Objections, necessity of in inferior court as prerequisite to seeking writ of prohibition 28-63
Nunc pro tunc order, power of court to make 25-29
Payment, burden of proof as to, set-off of bank deposit of estate against bank’s distributive share of estate 37-364

Pleas
Common law, and subsequent pleadings in West Virginia 38-14
In abatement, necessity of in cases of non-joinder and misjoinder of parties 35-161
Nul titel corporation as a plea in bar 27-355
Time for filing, limit by rule of court 27-77

Procedural changes proposed, in West Virginia, comments on 36-119

Process
Amendment and objection, methods in West Virginia 29-229
County in which may be served upon officer or agent of a corporation 27-135
Reform, methods of legal 36-106
Rules, control of court over 25-158
Regulation, of legal procedure 35-301
Set-off and recoupment in West Virginia 36-263
Set-off, counter-claim and recoupment, general discussion of 28-139
Teaching, original methods of 26-165
Trial, should comment by judge be authorized in West Virginia 29-177
Trustees in deeds of trust, procedural status of 32-81

PRESCRIPTION
See: Easements
Acquisition of presumptive right of way over lands by user for ten years 23-42
Fiction of lost grant, a noxious archaism 35-46

PRESUMPTIONS
See: Evidence
Death, after seven years' absence, application to insurance policy 38-259
Trusts, constructive, when applied 23-190

PRINCIPAL AND AGENT
See: Master and Servant, Workmen's Compensation
Agency relation
Contracts of without stipulations as to duration 35-116
Judicial technique in using 36-133
Test of existence of 37-302

Contracts
Action by disclosed principal as third-party beneficiary on contract made upon sole credit of agent 32-342
Course of employment, what are torts committed during 37-441
Employment agency, invalidity of state statute fixing maximum registration fees 37-308
Negotiable instruments, liability upon signature of agent as "trustee" 35-92

Notice, imputed to principal of fraud of sole agent 33-39
Power of Attorney
Execution of by married woman 40-4

Ratification
Agent's unauthorized contracts, necessity of principal's knowledge 29-67
Secret profits, recovery by principal from agent of 37-449

Torts
Liability of master as determined by whether servant in the prosecution of master's business 35-184
Liability of principal for act of agent outside scope of employment 34-169
Liability of principal for fraudulent act of agent 35-373
"Trader," agent acting for undisclosed principal as 34-394

PRINCIPAL AND SURETY
See: Contracts, Equity, Legislation
Duress, of principal as defense available to surety 33-123
Guaranty, indemnity and suretyship, distinctions between 33-212
Liability of surety, duty of creditor to pursue remedy against principal 25-64

Subrogation, of surety on depository bond to state's prerogative preference 36-278
Sureties and co-sureties, statutory protection of 40-253

PRISONS AND PRISONERS
See: Counties

PROCESS AND RETURN
See: Pleading and Practice
Action or suit, issuance of process as beginning of 31-365
Amendments, law of in West Virginia 35-64
Non-resident motorist not served with, constitutionality of statute permitting action against 34-283
Objection to and amendment of process, methods of in West Virginia 29-229
Return, conclusiveness of officer's 25-242

PRODUCTION OF DOCUMENTS
See: Evidence

PROHIBITION
Writ of prohibition
Equitable clean hands doctrine as a ground for denial of the writ 40-94
Necessity of objection in inferior court, as prerequisite to seeking writ 28-68
PROPERTY See: Future Interests, Life Estates, Mines and Minerals, Oil and Gas, Reversions and Remainders
English Law of Property Act 30-160

PROXIMATE CAUSE
Intervening act of third person as 22-47
Supplying railroad cars with defective brakes 22-47

PUBLIC OFFICERS See: Officers

PUBLIC SERVICE CORPORATIONS
See: Public Utilities

PUBLIC UTILITIES
Competition, changing law of in public service 34-230 34-283 34-123 34-183
Duty to serve, insufficient supply of gas as ground for relief from 34-107
Interstate transmission of gas and electricity, power of state to regulate 27-180
Nature of Quest for a concept 37-250
Quest for a concept, another word 40-230
What are public utilities 29-213
What is a public service 29-140
Rates
Lake Cargo coal 34-202 34-272 34-365 34-404 37-391
Overcharges, direct resort to courts for recovery of 39-243
Rate Base
Meaning of present value 35-335
Valuation of gas leaseholds 35-364
Rate Regulation
Amortization of rate base 31-301
Finality of commissions' orders 23-111
Going value for purposes of 25-89 25-283 27-205
Judicial review, right to 27-205
Recent development in regard to 30-70
State, right to regulate, as to gas supplied to industrial consumers 26-140
State, waiver of rights 26-67

Regulation
Motor carriers, some phases of the problem 33-152
Next step in 28-253
Power of state to control export of hydro-electric energy 36-234
Service, discontinuance of when operating at a loss 27-95
Water Power Act, West Virginia, 1929 27-1

PURCHASERS See: Bills and Notes, Equity, Notice, Recordation, Trusts
Complete purchaser, doctrine of 32-257
For value, what is value 29-121

RAILROADS See: Automobiles, Carriers, Infants, Invitees, Labor Law, Licensees, Negligence, Public Utilities, Trespassers
Animals
Duty to avoid injury to 28-75
Crossings
Duty to stop, failure as evidence of negligence 23-189
Look and listen rule 23-314 29-274
Stop, look and listen rule 29-215
Stop, look and listen rule, duty to get out of automobile 34-299

Duty to serve
Supplying cars, regulation by Public Service Commission 25-247
Employees, statutory right to unionize, limitation upon right to discharge 37-101

Liability
For supplying car with defective brakes, causing injury to third person, proximate cause 22-47
For injury to infant trespasser 22-47
Licensees, duty to discover, duty after discovery 27-276
Rates, unconstituittionality of statute fixing, if confiscatory 22-47
Tracks, implied invitation to use 30-295

Trespassers, infants, duty to keep lookout for 24-45

RATES See: Constitutional Law, Public Utilities

RECEIVERS
See: Corporations, Courts, Equity
RECORDATION

See: Notice, Sales
Automobile financing, various forms of, effect of recording acts 37-296
Complete purchaser, doctrine of 32-257
Deeds, defective acknowledgement as effective constructive notice 24-47
Improvements in recording acts, suggestions for 31-79

RECOUPMENT
See: Contracts, Pleading and Practice

REFORMATION
See: Contracts, Equity

RELEASE

Form
Methods of compromising personal injuries sustained by infant 32-235
Of vendor's lien, joinder of hus-band and wife 40-1

RELIGION
See: Charities, Constitutional Law, Trusts
Churches, equitable jurisdiction to determine internal affairs of 38-78
Clergy, legal status of 27-196
Freedom
Religious, under constitution 31-14
A monograph on 31-192
Property, tax exemption 35-83
Trust
Charitable, of religious nature 34-302
Charitable, non-religious 34-306

REVERSIONS AND REMAINDERS
See: Future Interests, Life Estates, Rule Against Perpetuities, Rule in Shelley's Case
Remainderman, right to compel life-tenant to permit development of oil and gas 26-213

REMITTITUR
See: Damages, Pleading and Practice, Verdict

RESCISSION AND CANCELLATION
See: Contracts, Equity, Pleading and Practice

RES JUDICATA
See: Judgments

RES GESTAE
See: Evidence

RESTRAINT ON ALIENATION
See: Covenants, Future Interests

REVIVAL
See: Abatement and Revival

RULE AGAINST PERPETUITIES
See: Future Interests, Life Estates, Reversions and Remainders, Rule in Shelley's Case
Application to
Oil and gas leases 23-490
No-term leases 25-236
Option contracts 22-41
Options to purchase real estate 23-72
Trusts for accumulation 29-41

RULE IN SHELLEY'S CASE, THE
See: Future Interests, Life Estates, Reversions and Remainders, Rule Against Perpetuities
General discussion of, and extent to which abolished by statute 26-178

RULES OF COURT
See: Courts, Pleading and Practice

SALES
See: Contracts, Equity, Notices, Recordation
Automobile financing, use of trust receipts 37-296
Bulk Sales Act
Study in statutory interpretation of 38-309
Suggestion liability of purchaser to creditor of seller 35-255
Transactions covered by these statutes 39-323
Judicial, general discussion of 29-105

SCHOOL
See: Education, West Virginia University
Incompetency, removal of member of school board for, what constitutes 32-348
Negligence, liability for in performance of governmental function 32-161
Tort Liability, of governmental agencies in West Virginia 38-161

SEALED INSTRUMENTS
See: Contracts, Covenants

SEARCHES AND SEIZURES
See: Constitutional Law, Criminal Law, Evidence, Intoxicating Liquors

SEDUCTION
See: Parent and Child

SEQUESTRATION
See: Corporations, Equity

SERVICE OF PROCESS
See: Process and Return, Venue
SET-OFF See: Contracts, Pleading and Practice

SHELLEY'S CASE See: Rule in Shelley's Case

SHERIFFS AND CONSTABLES
Constables
Disqualification for office 40-92
Sheriffs
Bonds, liability for malfeasance of deputy 31-225

SLANDER See: Libel and Slander

SPECIAL ASSESSMENTS See: Constitutional Law, Municipal Corporations, Taxation

SPECIFIC PERFORMANCE
See: Equity, Injunctions
Contracts
Involving continuous oversight by court 25-135
To release inequity of dower 30-293
Contracts for sale of realty
Effect of joinder or non-joinder of wife of vendor 25-179
Foreclosure of 31-58
Partially performed 31-32
Signed by vendee 29-142
Convenience, balance of, doctrine 33-138
Difficulties in enforcement of decree, as a defense 33-182
Dower, compelling release by statute 33-163
Inadequacy of consideration as ground for denial of decree 37-236
Most plaintiff plead adequacy of consideration 40-193
Mutuality
Doctrine of in West Virginia 33-162
Lack of mutuality of obligation, as defense 25-38
Lack of mutuality of performance, as defense 22-36
Lack of mutuality of remedy, as defense 22-36
Parol gifts of land, Statute of Frauds 37-288
Pendency of suit, effect upon purchaser of subject matter of sale during, with notice 23-42

STARE DECISIS See: Courts, Legislation
Doctrine of, as between syllabus and opinion 24-174

Legislative intention 33-119
Jurisprudence, law and judicial law 37-237
Present Supreme Court, social legislation and the judicial process 37-167
Stare decisis versus generalization 34-174
The modern trend 33-163

STATES See: Constitutional Law, Oil and Gas, Public Utilities
Government, reorganization of 39-262
Natural resources
Hydro-electric energy, power to control export of 29-4
Power to prohibit export of 33-182
Right to conserve 27-356
Rate regulation, waiver of right of, by state 26-67
Royal prerogative, in the United States, a 24-317
State's rights, our continuous conflict 34-237
Suit against Board of Education 32-151
State Road Commission 32-70
Tort liability of governmental agencies in West Virginia 33-101
What are 39-291

TAXATION
State agency, immunity from federal taxation 38-59
Right to tax interstate commerce 27-345
Transmission of gas and electricity, state's power to regulate 27-180
West Virginia, claim against United States on account of Northwest Territory 25-171
West Virginia Constitution, amendments proposed by Constitutional Commission 38-1

STATUTE OF FRAUDS See: Frauds, Statute of

STATUTE OF LIMITATIONS
See: Limitation of Actions

STOCKS AND STOCKHOLDERS
See: Corporations

STREET RAILWAY See: Negligence, Public Utilities, Railroads

STREETS AND HIGHWAYS
See: Highways, Municipal Corporations, Negligence
SUBROGATION — TRESPASS

Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.

SUBROGATION See: Principal and Surety

Common law right of, under Workmen's Compensation Act 26-183

Of surety on depository bond to state's prerogative preference 36-278

SUGGESTION ON JUDGMENTS

See: Attachment and Garnishment

SUMMONS See: Pleading and Practice, Process and Return, Venue

SUPPORT AND MAINTENANCE

See: Divorce, Husband and Wife, Infants

SURETYSHIP See: Principal and Surety

SYLLABUS

To what extent authority 24-174

TAXATION See: Constitutional Law, Licensees, Municipal Corporations, Public Utilities

Avoidance of

By transfer in trust to non-resident 26-375

Federal estate taxes by trust device 27-438

Chain-store tax, invalidity of North Carolina statute imposing 37-220

Constitutional Law

Constitutionality of an immediate liquor control program for West Virginia 40-151

Due process of law as a limitation on amount of property taxes 40-285

Deductions, unearned fire insurance premiums as indebtedness deductible 38-271

Defenses, denial of republican form of government as 38-74

Discrimination, in assessment as denial of equal protection of the laws 39-353

Exemptions

Property devoted to out-of-state charity 39-341

Property used for educational, religious and charitable purposes 39-362

Realty purchased with war risk insurance payments 39-183

Federal taxation, review of supreme court decisions upon 34-156

Future Interests

Presumption of capacity to bear children 40-334

Gasoline tax, imposed by state as burden upon interstate commerce 37-228

Income Tax

Gain accruing on exchange of shares of stock 38-173

Husband and wife as taxable unit 38-248

Of the inventor 35-354

Sale of corporate assets, minimizing 39-104

Trusts, revocability of, effect upon tax evasion 39-362

Interstate commerce, right of state to tax 27-345

Leased premises, liability of lessee for taxes on improvements 38-86

Mandamus, to compel refund of excess taxes 23-44

Municipal corporations, for advertising purposes, denial of implied power of 35-87

Situs of intangibles for purposes of 37-115

State agency, immunity from federal taxation 33-59

Stock, reaching shares of for tax purposes 38-219

Trust fund, income for life, power of state to tax 37-319

Warrants drawn on overdrawn county funds as legal tender for the payment of taxes 40-289

TELEPHONES AND TELEGRAPHS

See: Contracts, Negligence, Public Utilities

Liability, failure to deliver to addressee 27-81

TENANTS IN COMMON See: Co-tenants

THEATRES AND SHOWS See: Negligence

TIMBER See: Trover and Conversion, Waste

TORTS See: Animals, Automobiles, Damages, Husband and Wife, Infants, Municipal Corporations, Negligence, Parent and Child, Pleading and Practice, Principal and Agent, Railroads

TRESPASS See: Infants, Negligence, Pleading and Practice, Trespassers
<table>
<thead>
<tr>
<th>TRESPASSERS</th>
<th>USURY</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Page citations in black-faced type refer to leading articles, volume citations to editorial notes; figures in plain type refer to student contributions.</strong></td>
<td></td>
</tr>
<tr>
<td><strong>TRESPASSERS</strong> See: Infants, Negligence, Railroads</td>
<td></td>
</tr>
<tr>
<td>Infant</td>
<td></td>
</tr>
<tr>
<td>By owner of premises</td>
<td>29-135</td>
</tr>
<tr>
<td>Liability for injury to 22-47</td>
<td></td>
</tr>
<tr>
<td>Turntable doctrine, explosives 35-51</td>
<td></td>
</tr>
<tr>
<td>261</td>
<td></td>
</tr>
<tr>
<td><strong>TRIAL</strong> See: Appeal and Error, Attorney and Client, Courts, Juries, New Trial, Pleading and Practice, Verdict</td>
<td></td>
</tr>
<tr>
<td><strong>TROVER AND CONVERSION</strong></td>
<td></td>
</tr>
<tr>
<td>Oil and gas, measure of damages 29-123</td>
<td></td>
</tr>
<tr>
<td>Minerals, measure of damages 29-201</td>
<td></td>
</tr>
<tr>
<td>Timber or minerals, measure of damages 25-81</td>
<td></td>
</tr>
<tr>
<td><strong>TRUSTS</strong> See: Banks and Banking, Charities, Contracts, Statute of Frauds</td>
<td></td>
</tr>
<tr>
<td>Accumulation, trusts for, application of rule against perpetuities 29-41</td>
<td></td>
</tr>
<tr>
<td>Banks</td>
<td></td>
</tr>
<tr>
<td>Bank collection code, a study of</td>
<td>38-195</td>
</tr>
<tr>
<td>Preference of county funds where merger causes deposits to exceed legal maximum</td>
<td>39-150</td>
</tr>
<tr>
<td>Preference against trust company executor for funds on deposit at testator's death</td>
<td>39-155</td>
</tr>
<tr>
<td>Preference of special deposit, on insolvency</td>
<td>38-325</td>
</tr>
<tr>
<td>Preference of state's deposit, unconstitutionality of statute waiving</td>
<td>39-75</td>
</tr>
<tr>
<td>Trust theory of preference upon insolvency</td>
<td>35-227</td>
</tr>
<tr>
<td>37-38</td>
<td></td>
</tr>
<tr>
<td>Business, relation to West Virginia law</td>
<td>28-287</td>
</tr>
<tr>
<td>Charitable</td>
<td></td>
</tr>
<tr>
<td>Educational purposes</td>
<td>35-370</td>
</tr>
<tr>
<td>Non-religious</td>
<td>24-396</td>
</tr>
<tr>
<td>Religious nature, in West Virginia</td>
<td>34-302</td>
</tr>
<tr>
<td>Validity</td>
<td>22-33</td>
</tr>
<tr>
<td>Constructive</td>
<td></td>
</tr>
<tr>
<td>Declarations of trust and the Statute of Frauds</td>
<td>37-434</td>
</tr>
<tr>
<td>37-461</td>
<td></td>
</tr>
<tr>
<td>Murder of insured by beneficiary who is sole distributee</td>
<td>46-188</td>
</tr>
<tr>
<td>Secret profits of agent as</td>
<td>37-449</td>
</tr>
<tr>
<td>Imaginary creditors, enforcement of trust to defeat</td>
<td>35-38</td>
</tr>
<tr>
<td>Oral</td>
<td></td>
</tr>
<tr>
<td>In lands for benefit of grantor</td>
<td>29-289</td>
</tr>
<tr>
<td>Retroactivity of provision of 1931</td>
<td>29-289</td>
</tr>
<tr>
<td>Code as to parol trusts</td>
<td>40-400</td>
</tr>
<tr>
<td>Resulting trusts</td>
<td></td>
</tr>
<tr>
<td>Between husband and wife</td>
<td>24-217</td>
</tr>
<tr>
<td>Payment of consideration by one for conveyance in name of another</td>
<td>23-190</td>
</tr>
<tr>
<td>Purchase money in West Virginia</td>
<td>39-38</td>
</tr>
<tr>
<td>Revocability, evasion of income tax by</td>
<td>39-382</td>
</tr>
<tr>
<td>Spenthardt, trustee's power to terminate following cestui's good behavior</td>
<td>38-178</td>
</tr>
<tr>
<td>Statute of Frauds, and trusts</td>
<td>31-168</td>
</tr>
<tr>
<td>Taxation</td>
<td></td>
</tr>
<tr>
<td>Federal estate taxes, use of trust device in avoidance of</td>
<td>37-438</td>
</tr>
<tr>
<td>Income for life under trust fund</td>
<td>37-319</td>
</tr>
<tr>
<td>Transfer in trust to non-resident as method of avoiding</td>
<td>26-375</td>
</tr>
<tr>
<td>Torts, liability of trust estate for torts of trustee</td>
<td>39-251</td>
</tr>
<tr>
<td>Trust receipts, use of in automobile financing</td>
<td>37-296</td>
</tr>
<tr>
<td>“Trustee”, use of word as relieving from personal liability</td>
<td>34-397</td>
</tr>
<tr>
<td><strong>UNIFORM STATE LAWS</strong> See: Banks and Banking, Bills and Notes, Partnerships, Sales</td>
<td></td>
</tr>
<tr>
<td>Bulk sales laws, study in statutory interpretation of</td>
<td>38-309</td>
</tr>
<tr>
<td>Enactment, reasons for in West Virginia</td>
<td>26-121</td>
</tr>
<tr>
<td>Partnership Act, effect upon West Virginia statutes and decisions</td>
<td>27-32</td>
</tr>
<tr>
<td>158</td>
<td></td>
</tr>
<tr>
<td><strong>UNITED STATES</strong> See: Constitutional Law, Courts, Taxation, War</td>
<td></td>
</tr>
<tr>
<td><strong>UNLAWFUL ENTRY AND DETAINER</strong> See: Landlord and Tenant, Pleading and Practice</td>
<td></td>
</tr>
<tr>
<td>Damages for detention, recovery in action instituted in circuit court</td>
<td>30-186</td>
</tr>
<tr>
<td><strong>USURY</strong> See: Bills and Notes, Contracts, Insurance</td>
<td></td>
</tr>
</tbody>
</table>
VACATION See: Courts, Equity, Pleading and Practice

VARIANCE See: Evidence, New Trial, Pleading and Practice

VENUE See: Pleading and Practice, Process and Return
County court, action against for injury arising out of deputy sheriff's operation of automobile 39-138
Crime committed by convict 28-77
In equity as depending upon situs of the land 25-58
Process, county in which may be served upon officer or agent of corporation 27-186
Trespass to land, actions of 27-301

VERDICT See: Damages, Juries, New Trial, Pleading and Practice
Compromise, denial of right to determine fact of, by polling jury 39-85
Directed, necessity of motion for new trial to set aside 37-76
General verdict, and instructions, elimination of 36-293
Interest upon, computation of in tort action 26-293
Juror's assent, what constitutes 40-198
Special interrogations to jury, their nature and purpose, discretion of court 33-197

WAR See: Constitutional Law, Naturalization, Taxation
Bearing arms, mental reservation against as affecting naturalization proceedings 37-214
Council of Defense Acts, basis of constitutionality 27-171
Emergency rental regulation, constitutionality of 28-125
Insurance payments, tax exemption of reality purchased with 39-183
Military power of President of United States, in emergencies 29-17
Peace agencies, critical examination of since 1919 38-36
Veterans' legislation, limitations upon implied powers of Congress as to 39-197

WARRANTY See: Bills and Notes, Covenants, Deeds, Sales

WASTE See: Oil and Gas, Life Estates, Mines and Minerals, Trover and Conversion
Co-tenant, liability for 23-429
Lessor enjoining lessee 28-210
Wanton, what constitutes 23-429

WATER POWER See: Constitutional Law, States
Water Power Act, West Virginia, 1929 37-1

WATER AND WATERCOURSES See: Adjoining Landowners, Mines and Minerals, Negligence
Obstructing flow, liability for damages resulting from flood 25-139
Pollution, liability of riparian owners as joint tort-feasors 27-290

WEST VIRGINIA UNIVERSITY See: Education
College of Law, bibliography of legal publications in library of 26-43
College of Law, the law building, with plans and specifications 26-238

WILLS See: Administration of Estates, Future Interests, Life Estates, Reversions and Remainders, Rule Against Perpetuities, Rule in Shelley's Case
Construction
Life estate with power of disposal 29-212

36-288

Intention of testator, parol evidence to show identity of "legatees" 30-55
Probation of, administration by county court 27-221
Testamentary intent, sufficiency of writing to show 36-370

WITNESSES See: Criminal Law, Evidence, New Trial, Pleading and Practice

WORK AND LABOR See: Contracts, Damages, Master and Servant, Principal and Agent

WORKMEN'S COMPENSATION ACT See: Appeal and Error, Master and Servant
"Accidental" injuries, meaning of term 27-314
Appeal, finality of fact found by commissioner 26-174
<table>
<thead>
<tr>
<th>Topic</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cause of death, proof in part by hearsay</td>
<td>37-312</td>
</tr>
<tr>
<td>Compensation, for injuries received in another state</td>
<td>23-279</td>
</tr>
<tr>
<td></td>
<td>25-57</td>
</tr>
<tr>
<td>Contributory negligence, unavailable as a defense</td>
<td>35-292</td>
</tr>
<tr>
<td>Employer's default in payments into the fund, effect upon liability to injured employee</td>
<td>23-187</td>
</tr>
<tr>
<td>Going to and from work on public streets or highways</td>
<td>40-90</td>
</tr>
<tr>
<td>Interstate employees, engaged in interstate work, applicability of act to</td>
<td>37-112</td>
</tr>
<tr>
<td>National guardman, as employee within the act</td>
<td>37-152</td>
</tr>
<tr>
<td>Subrogation, common law right of under the act</td>
<td>25-183</td>
</tr>
<tr>
<td>Subscriber, communication with State Compensation Commissioner relative to claimant's injury, as privileged</td>
<td>54-162</td>
</tr>
<tr>
<td>What kinds of injuries are compensable</td>
<td>22-45</td>
</tr>
<tr>
<td>When injury is received in course of and resulting from what employement</td>
<td>23-185</td>
</tr>
</tbody>
</table>
LEADING ARTICLES—AUTHORS

A
Altizer, Jackson D.
Minimizing Federal Income Taxes
Upon the Sale of Corporate Assets 39-164
Arnold, Thurman W.
Collection of Judicial Statistics in
West Virginia, The 36-184
J udicial Councils 35-193
Report to the Committee on Judicial
Administration and Legal Reform
of the West Virginia Bar Association 36-1
Review of the Work of the College
of Law 36-321

B
Beale, Joseph H.
Jurisprudence and Judicial Law 37-237
The Study of American Legal History 39-96
Beck, James M.
The Supreme Court of the United
States 31-139
Biss, Randolph
Jefferson and Hamilton 33-1
Billig, Thomas Clifford
Bulk Sales Laws: A Study in
Statutory Interpretation (with
Kingsley R. Smith) 38-309
Present Legal Status of the Private
Seal in West Virginia, The (with
William Frederick Wunschel) 40-320
West Virginia Annotations to the
Restatements of Conflict of Laws
and Contracts (with Edmund C.
Dickinson) 39-127
Black, Forrest Revere
Constitutionality of an Immediate
Liquor Control Program for West
Virginia, The 40-151
Blackburn, James B.
Solicitation to Crimes 40-135
Bolasky, Moses E.
The Right of the Accused in a
Criminal Case not to be Com-
pelled to be a Witness Against
Himself 35-27, 126
Borchard, Edwin M.
The Declaratory Judgment in the
United States 37-127
Brennan, J. H.
The Menace of J arnd yce and
Jarnd yce 39-279
Bronsig, Minor
Consent to Assignment of Lease
Dumper's Case 38-577

Burby, W. E.
Rights of an Adverse Possessor 32-226

C
Campbell, C. N.
Reasonable Doubt Under the Non-
Support Act in West Virginia 32-334
Carlin, Leo
A Modern Substitute for Bills of
Exceptions 25-188
Anomalous Features of Demurrers
to the Evidence in West Virginia
27-236
Common Law Declaration in West
Virginia, The 36-1
Common Law Pleas and Subsequent
Pleadings in West Virginia 38-14
Conveyances by Husband and Wife
Under the Revised Code 40-1
Methods of Objecting to Process
and Amendment Thereof in West
Virginia 29-229
Non-joinder and Misjoinder of
Parties in Common Law Actions
(with H. C. Jones) 28-197, 266
Original Methods of Teaching Prac-
tice and Procedure 26-165
Relation Between Separate In-
structions to the Jury 35-313
Review of Observations upon Civil
Procedure in West Virginia 34-30
The Transcript of the Evidence as
a Substitute for Special Bills of
Exceptions 32-321
Cavers, David F.
"Questions of Law" in Lake Cargo
Coal Rate Regulation 37-391
Chilton, Wm. E.
The Claim of West Virginia Against
the Federal Government on Ac-
count of the Northwest Territory
25-171
Chitwood, Oliver Perry
Justice in Colonial Virginia 32-83,
192, 269
Clay, Buckner
The West Virginia Law Permitting
Corporations to Issue Stock With-
out Par Value 27-113
Clark, Charles E.
Methods of Legal Reform 36-106
Coleman, Thomas
Judgment Lien Creditors' Suits in
West Virginia 35-289
Coniff, John J.
Industrial Peace 31-35
Cook, Walter Wheeler
Application of the Criminal Law of a Country to Acts Committed by Foreigners Outside the Jurisdiction, The 40-103
Coulter, E. Merton
Early Frontier Democracy in the First Kentucky Constitution 31-110
Crane, Judson A.
A Royal Prerogative in the United States 24-317
Unintended Partnership 31-1

D
Davis, John W.
International Justice 28-161
Some Current Activities of the American Bar Association 29-109
Dickinson, Edmund C.
Amending Our Negotiable Instruments Law 24-236
The Ryland\$' v. Fletcher Rule in West Virginia 30-249
West Virginia Annotations to the Restatements of Conflict of Laws and Contracts (with Thomas C. Billig) 39-127
Dickinson, Edwin D.
The New Law of Nations 22-4
Dodd, Walter F.
Constitutionality of Emergency Rental Regulation 28-125
Reorganizing State Government 30-262
Dodrill, Everett L.
The Status of Legitimation and Adoption 31-251
Donley, Robert T.
Compensation to Landowners for Property Lying Within Limits of Ancient Turnpikes, Upon Change in Traveled Way 34-52
Modern Influence in the Conflict of Laws, The 36-217
Observations on Last Clear Chance in West Virginia 37-593
Some Problems in the Collection of Checks 38-195
Trial By Jury in Civil Cases—A Proposed Reform 34-347
Veterans' Legislation and Limitations Upon the Implied Powers of Congress 39-197

E
Edwards, Gurney
Preferred Stock: Its Authorization By Amendment of the Corporate Charter 37-149

F
Fordham, Jeff B.
Garnishment of Public Corporations 39-324
The Present Supreme Court, Social Legislation and the Judicial Process 37-167
The West Virginia Municipal Home Rule Proposal 38-322, 329
Fox, Wm. Turney
The Recognition of Foreign Decrees of Divorce 33-139
Frasure, Carl M.
Cost of Criminal Justice in West Virginia, The (with Geo. A. Shipman) 38-132
Freund, Ernst
The Right to a Judicial Review in Rate Controversies 27-205

G
Gardner, Allen H.
Review of Recent Supreme Court Decisions on Subject of Federal Taxation (with Geo. Maurice Morris) 34-156
Gidel, Gilbert
Critical Examination of Peace Agencies Since 1919 38-323
Goodrich, Herbert F.
Matrimonial Property and The Conflict of Laws 30-61
Public Policy in The Law of Conflicts 36-156
Green, Leon
Analysis of Tort Cases 36-323
Greer, D. Edward
The Ownership of Petroleum, Oil and Natural Gas In Place 29-172

H
Hall, Connor
Judicial Abdication 31-46
The Treaty Power 30-104
Uniform Law Procedure in Federal Courts 33-131
Hardman, Thomas P.
Changing Law of Competition in Public Service—Another Word, The 34-123
Contracts of Agency Without Stipulations as to Duration 35-116
Does the "Bone-Dry" Law Prohibit the Interstate Transportation of Intoxicants by the Owner for Personal Use? 25-222
LEADING ARTICLES — AUTHORS

Extent of the Finality of Commissions' Rate Regulations, The 28-111
Going Value as Value for Purposes of Rate Regulation 25-89
Judicial Technique in Using the Agency Relation 36-133
Mr. Justice Cardozo 38-187
Public Utilities I. The Quest for a Concept 37-250
Public Utilities I. The Quest for a Concept—Another Word 40-230
Recent Developments in Regard to Rate Regulation 30-70
Right of a State to Restrain the Exportation of its Natural Resources, The 26-1
Right of a State to Restrain the Exportation of Natural Resources—Another Theory 26-234
Stare Decisis and the Modern Trend 32-163
Havighurst, Harold C.
Property Owners' Consent Provisions in Zoning Ordinances 36-175
Haymond, Frank C.
National Bar Program, The 40-34
Head, Neil C.
The History and Development of Nonsuit 27-20
Hearne, Julian G., Jr.
The Liability of an Aviator for Damage to Persons and Property on the Ground 37-239
Hillisman, Raymond J.
Treatment of Capacity to Contract in Conflict of Laws Cases 32-102
Dumfoll and Specific Intent 35-262
Hickey, Charles J.
Unpublished Sources for Early American Legal History, The 40-224
Hoff, Wm. Bruce
Religious Freedom Under Our Constitutions 31-14
Hoffheimer, Geo. M.
Legislative Regulation of Natural Gas Supply in West Virginia (with Philip P. Steptoe) 25-257
Hollander, Paul
Should a Corporation be Considered a Citizen Under the Privileges and Immunities Clause of the Federal Constitution? 36-245, 330
Horack, Frank E., Jr.
Constitutional Limitations on Legislative Procedure in West Virginia 39-234
In the Name of Legislative Intention 38-119
Howard, David C.
Bills to Remove Cloud from Title 29-23
—With Reference to the State of the Authorities in Virginia and West Virginia 28-4, 149
Hutchins, Robert M.
Legal Research in West Virginia 35-103
I
Ireland, Gordon
Precedents' Place in Latin Law 40-115
Issac, Nathan
Contractual Control over Adjective Law 29-1
J
Jones, Henry Craig
Law Building at West Virginia University, The 26-238
Non-joinder and Misjoinder of Parties in Common Law Actions (with Leo Carlin) 28-197, 266
Uniform State Laws—Reasons for Their Further Enactment in West Virginia 25-121
K
Keefer, William F.
Has a Person the Constitutional Right to Abstain from Work? 29-20
Kittle, Warren B.
Courts of Law and Equity—Why They Exist and Why They Differ 26-21
Komar, Boris M.
Two Claims to Fleta's Honors 30-167
L
Leftwich, F. C.
Judicial Sales 29-158
Lewis, Wm. Draper
The Law Teaching Branch of the Profession 31-69
Lynch, Lawrence R.
Pleading and Practice Under the Revised Code 37-69
M
Madden, Joseph W.
American Law Institute, The 29-149
Creation of Easements by Exception 32-33
Trusts and the Statute of Frauds 31-166
Martin, Clarence E.
Dower in Judicial Actions 30-233
Our Continuous Conflict 34-257
Michael, Kenneth E.  
Freedom of the Press Under Our Constitutions 33-29

Mikell, Wm. E.  
Chief Justice Roger Brooke Taney 30-87

Moint, Ronald F.  
What the Code Commission is Doing 30-33

Morris, Clarence  
The Legal Effect of Pre-Incorporation Stock Subscriptions 34-219

Morris, Geo. Maurice  
Review of Recent Supreme Court Decisions on Subject of Federal Taxation (with Allen H. Gardner) 34-156

Morris, Richard B.  
The Sources of Early American Law, Colonial Period 40-212

Morris, Stanley C.  
The Nature of Property Rights in a Separately Owned Mineral Vein (with Jas. W. Simonton) 27-332
What Are the Privileges and Immunities of Citizens of the United States? 28-33

Phillips, E. L.  
Political and Judicial Theories of Constitutional Construction 33-273

Pinsky, Abraham  
Freedom of Speech Under Our Constitutions 31-273

Powd, Roscoe  
New Possibilities of Old Materials of American Legal History 40-205
The Pioneers and the Common Law 27-1
The Work of the American Law School 30-1

Pounds, Cuthbert W.  
The Law School Curriculum as Seen by the Bench and Bar 29-247

Powell, Thomas Reed  
The Business Situs of Credits 28-89

Price, George E.  
The Failure of the Law Office to Give an Adequate Technical Education 29-13

Price, T. Brooke  
Governmental Liability for Tort in West Virginia 38-101
Probate Administration and the County Court 27-221

Reeder, Benjamin G.  
A Monograph on Religious Freedom 31-192

Rice, William Gorham, Jr.  
The Constitutionality of the Declaration Judgment 25-1

Riley, James B.  
Business Trusts and Their Relation to West Virginia Law 28-287

Riley, Robert J.  
The Doctrine of Anticipatory Breach as Applied in West Virginia 31-182

Ritz, Russell S.  
The Law of Set-off and Recoupment in West Virginia 38-263

Roberts, W. Lewis  
The Nature of Delivery in Making Gifts 32-313

Scott, Austin W.  
The Legal Status of the Clergyman 27-105

Shipman, Geo. A.  
Fictional Lost Grant in Prescription—A Nonsensical Archaisim 25-45
Has a Landowner Any Property in Oil and Gas in Place? 27-279
Methods of Making Gifts of Land for Charitable or Public Uses 25-317

Simonton, James W.  
Nature of Property Rights in a Separately Owned Mineral Vein (with Stanley C. Morris), The 27-332
Nature of the Interest of the Grantee Under an Oil and Gas Lease, The 25-295
Observations on Covenants for Title 34-267
Oil and Gas Leases and the Rule Against Perpetuities 25-30
Power of a State to Control the Export of Hydro-Electric Energy, The 33-4

Right of Remainderman to Compel Life Tenant to Permit Development of Oil and Gas 26-213
Rule in Shelley's Case in West Virginia, The 26-178
Transferring Title to Land by Deed 35-43

Validity of Special Legislation Granting Admission to a Profession, The 26-162
Ways by Necessity 33-44

West Virginia Water Power Act, The 37-1
Simpson, Lawrence P.
The Meaning of Present Value as Public Utility Rate Base 35-335
Simpson, Sidney Post
Constitutional Rights and the Industrial Struggle 30-125
Smith, Herbert A.
The English Law of Property Act, 1922 39-160
Smith, Kingsley R.
Bulk Sales Laws: A Study in Statutory Interpretation (with Thomas Clifford Billig) 33-209

Snider, Clifford R.
Growth of State Power under Federal Constitution to Regulate Traffic in Intoxicating Liquors 25-42
Spencer, Carlton E.
The Legal Aspects of the Non-resident Tuition Fee 33-350
Steptoe, Philip P.
Legislative Regulation of Natural Gas Supply in West Virginia (with George M. Hoffheimer) 26-257
Stewart, Melville
The Right to Trial by Jury in Prosecutions for Petty Federal Offenses 39-40
Storke, Fred P.
The Venue of Actions of Trespass to Land 27-301
Sunderland, Edson R.
An Inquiry Concerning the Functions of Procedure in Legal Education 29-77
Comments on Proposed Changes in Procedure in West Virginia 36-119
The Regulation of Legal Procedure 35-301
Sutherland, William A.
The Menace of “Counter” Phrases 28-179
Thompson, George Jarvis
The Next Step in Public Utility Regulation 28-263
Thorne, S. E.
Notes on Courts of Record in England 40-347
Trotter, J. R.
The Uniform Partnership Act and Its Effect upon the West Virginia Decisions and Statutes 27-28, 158

Van Hecke, Maurice T.
A Legislative Reference Bureau for West Virginia 27-119

Westenhofer, D. C.
What Happens in a French Criminal Trial 31-237
Wheat, Carl I.
American Legislation for the Adjustment of Industrial Disputes 27-43, 128, 312

Wheless, Joseph
Arbitration as a Judicial Process of Law 30-209
White, Charles C.
Federal Liens 33-240
White, Kemble
Amendments Proposed by the West Virginia Constitutional Commission, The 39-1
Wickersham, George W.
International Law 31-102
Willey, Waitman T.
Echoes of the Bar 29-259
Williams, C. C., Jr.
Clogging the Equity of Redemption 40-31
Wilson, John B.
Attempts to Nullify the Fourth and Fifth Amendments to the Constitution 32-128
Wood, John E. F.
Reaching Shares of Stock 38-219
Scope of the Constitutional Immunity Against Searches and Seizures, The 34-1, 137
Wunschel, William Frederick
Present Legal Status of the Private Seal in West Virginia, The (with Thomas Clifford Billig) 40-330
LEADING ARTICLES — TITLES

A
Abolish the Jury
John C. McWhorter 29-97
Amending Our Negotiable Instruments Law
E. C. Dickinson 34-326
Amendments Proposed by the West Virginia Constitutional Commission, The
Kemble White 38-1
American Law Institute, The
Joseph W. Madden 29-149
American Legislation for the Adjustment of Industrial Disputes
Carl I. Wheat 27-43128 312; 28-29
Analysis of Tort Cases
Leon Green 35-322
An Advance in Legal Reform 30-152
An American Bar in the Making 33-164
Anomalous Features of Demurrers to the Evidence in West Virginia
Leo Carlin 27-236
Application of the Criminal Law of a Country to Acts Committed by Foreigners Outside the Jurisdiction, The
Walter Wheeler Cook 40-363
Arbitration as a Judicial Process of Law
Joseph Whelpley 39-209
Attempts to Nullify the Fourth and Fifth Amendments to the Constitution
John B. Wilson 32-128
Avoiding Injurious Consequences
Charles T. McCormick 37-331

B
Bills to Remove Cloud From Title — With Reference to the State of the Authorities in Virginia and West Virginia
David C. Howard 25-4, 109
Bloodhound as a Witness, The
John C. McWhorter 26-91
Bulk Sales Laws: A Study in Statutory Interpretation
Thomas Clifford Billig and Kingsley R. Smith 33-309
Business Suits of Credits, The
Thomas Reed Powell 28-59
Business Trusts and Their Relation to West Virginia Law
James B. Riley 28-257

C
Cardozo, Mr. Justice
Thomas P. Hardman 38-187
Changing Law of Competition in Public Service, The
Thomas P. Hardman 33-219
Changing Law of Competition in Public Service, The; Another Word
Thomas P. Hardman 33-123
Chief Justice Roger Brooke Taney
Wm. E. Mikell 30-87
Claim of West Virginia Against the Federal Government on Account of the Northwest Territory, The
Wm. E. Chilton 25-171
Clogging the Equity of Redemption
C. C. Williams, Jr. 40-51
Collection of Judicial Statistics in West Virginia, The
Thurman W. Arnold 38-184
Comments on Proposed Changes in Procedure in West Virginia
Edson R. Sunderland 36-119
Common Law Declaration in West Virginia, The
Leo Carlin 35-1
Common Law Pleas and Subsequent Pleadings in West Virginia
Leo Carlin 38-14
Common-Law Right of Subrogation Under Workmen's Compensation Acts
Thomas P. Hardman 26-183
Compensation to Landowners for Property Lying Within Limits of Ancient Turnpikes, Upon Change in Traveled Way
Robert T. Douley 34-52
Consent to Assignment of Lease—Dummer's Case
Minor Bronaugh 30-277
Constitutionality of the Declaratory Judgment, The
William Gorham Rice, Jr. 28-1
Constitutionality of Emergency Rental Regulation
Walter F. Dodd 28-125
Constitutionality of an Immediate Liquor Control Program for West Virginia, The
Forrest Revere Black 40-151
Constitutional Limitations on Legislative Procedure in West Virginia
Frank E. Horack Jr. 28-254
Constitutionality of Municipal Zoning and Segregation Ordinances
George D. Hott 35-352
Constitutional Rights and the Industrial Struggle
Sidney Post Simpson 30-125
Contracts of Agency Without Stipulations as to Duration
Thomas Porter Hardman 35-116
<table>
<thead>
<tr>
<th>Title</th>
<th>Author</th>
<th>Pages</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contractual Control Over Adjective Law</td>
<td>Nathan Isaac</td>
<td>29-1</td>
</tr>
<tr>
<td>Conveyances by Husband and Wife Under the Revised Code</td>
<td>Leo Carlin</td>
<td>40-1</td>
</tr>
<tr>
<td>Cost of Criminal Justice in West Virginia</td>
<td>Carl F. Frasure and G. A. Shipman</td>
<td>38-122</td>
</tr>
<tr>
<td>Courts of Law and Equity — Why They Exist and Why They Differ</td>
<td>Warren R. Kistle</td>
<td>26-31</td>
</tr>
<tr>
<td>Creation of Easements by Exception</td>
<td>Joseph W. Madden</td>
<td>32-33</td>
</tr>
<tr>
<td>Critical Examination of Peace Agencies Since 1919</td>
<td>Gilbert Gidel</td>
<td>38-36</td>
</tr>
<tr>
<td>Declaratory Judgment in the United States</td>
<td>Edwin M. Borchard</td>
<td>37-127</td>
</tr>
<tr>
<td>Doctrine of Anticipatory Breach as Applied in West Virginia, The</td>
<td>Robert J. Riley</td>
<td>31-182</td>
</tr>
<tr>
<td>Does the &quot;Bone-Dry&quot; Law Prohibit the Interstate Transportation of In­</td>
<td>Thomas P. Hardman</td>
<td>25-222</td>
</tr>
<tr>
<td>toxics by the Owner for Personal Use?</td>
<td>Dower in Judicial Actions</td>
<td>30-233</td>
</tr>
<tr>
<td>Early Frontier Democracy in the First Kentucky Constitution</td>
<td>E. Merton Coulter</td>
<td>31-116</td>
</tr>
<tr>
<td>English Law of Property Act, 1922, The</td>
<td>Herbert A. Smith</td>
<td>30-160</td>
</tr>
<tr>
<td>Ethics of the Bar</td>
<td>Waitman T. Willey</td>
<td>29-259</td>
</tr>
<tr>
<td>Extent of the Finality of Commissions’ Rate Regulations, The</td>
<td>Thomas P. Hardman</td>
<td>23-111</td>
</tr>
<tr>
<td>Freedom of the Press Under Our Constitutions</td>
<td>Kenneth E. Michael</td>
<td>33-29</td>
</tr>
<tr>
<td>Freedom of Speech Under Our Constitutions</td>
<td>Abraham Pinsky</td>
<td>31-273</td>
</tr>
<tr>
<td>Garnishment of Public Corporations</td>
<td>Jeff B. Fordham</td>
<td>39-294</td>
</tr>
<tr>
<td>Going Value as Value for Purposes of Rate Regulation</td>
<td>Thomas P. Hardman</td>
<td>25-89</td>
</tr>
<tr>
<td>Governmental Liability for Tort in West Virginia</td>
<td>T. Brooke Price</td>
<td>38-101</td>
</tr>
<tr>
<td>Has a Landowner Any Property in Oil and Gas in Place?</td>
<td>James W. Simonton</td>
<td>27-279</td>
</tr>
<tr>
<td>Has a Person the Constitutional Right to Abstain from Work?</td>
<td>William F. Keefner</td>
<td>29-20</td>
</tr>
<tr>
<td>History and Development of Nonsuit, The</td>
<td>Neil C. Head</td>
<td>27-20</td>
</tr>
<tr>
<td>In the Name of Legislative Intention</td>
<td>Frank E. Horack Jr.</td>
<td>33-119</td>
</tr>
<tr>
<td>Industrial Peace</td>
<td>John J. Coniff</td>
<td>31-35</td>
</tr>
<tr>
<td>Inquiry Concerning the Functions of Procedure in Legal Education, An</td>
<td>Edson R. Sunderland</td>
<td>29-77</td>
</tr>
<tr>
<td>International Justice</td>
<td>John W. Davis</td>
<td>28-161</td>
</tr>
<tr>
<td>International Law</td>
<td>George W. Wickersham</td>
<td>31-102</td>
</tr>
<tr>
<td>Jefferson and Hamilton</td>
<td>Randolph Bias</td>
<td>33-1</td>
</tr>
<tr>
<td>Judicial Lien Creditors’ Suits in West Virginia</td>
<td>Thomas Coleman</td>
<td>35-239</td>
</tr>
<tr>
<td>Judicial Abduction</td>
<td>Connor Hall</td>
<td>31-46</td>
</tr>
<tr>
<td>Judicial Councils</td>
<td>Thurman W. Arnold</td>
<td>35-193</td>
</tr>
<tr>
<td>Judicial Sales</td>
<td>F. C. Leftwich</td>
<td>29-158</td>
</tr>
<tr>
<td>Judicial Technique in Using the Agency Relation</td>
<td>Thomas P. Hardman</td>
<td>36-133</td>
</tr>
<tr>
<td>Jurisdiction</td>
<td>Title</td>
<td>Page(s)</td>
</tr>
<tr>
<td>--------------</td>
<td>----------------------------------------------------------------------</td>
<td>-----------------</td>
</tr>
<tr>
<td>Juristic Law and Judicial Law</td>
<td>Joseph H. Beale</td>
<td>37-337</td>
</tr>
<tr>
<td>Justice in Colonial Virginia</td>
<td>Oliver P. Chitwood</td>
<td>32-351, 192</td>
</tr>
<tr>
<td></td>
<td>Russell S. Ritz</td>
<td>26-263</td>
</tr>
<tr>
<td>L</td>
<td>Law School Curriculum as Seen by the Bench and Bar, The</td>
<td>29-247</td>
</tr>
<tr>
<td></td>
<td>Law Teaching Branch of the Profession, The</td>
<td>31-219</td>
</tr>
<tr>
<td></td>
<td>Legal Aspects of the Non-resident Tuition Fee, The</td>
<td>33-356</td>
</tr>
<tr>
<td></td>
<td>Legal Effect of Pre-incorporation Stock Subscriptions, The</td>
<td>34-219</td>
</tr>
<tr>
<td></td>
<td>Legal Research in West Virginia, The</td>
<td>35-203</td>
</tr>
<tr>
<td></td>
<td>Legal Status of the Clergyman, The</td>
<td>27-105</td>
</tr>
<tr>
<td></td>
<td>Legislative Reference Bureau for West Virginia, A</td>
<td>27-119</td>
</tr>
<tr>
<td></td>
<td>Legislative Regulation of Natural Gas Supply in West Virginia</td>
<td>25-257</td>
</tr>
<tr>
<td></td>
<td>Liability of an Aviator for Damage to Persons and Property on the Ground, The</td>
<td>37-269</td>
</tr>
<tr>
<td></td>
<td>Monograph on Religious Freedom, A</td>
<td>25-198</td>
</tr>
<tr>
<td></td>
<td>National Bar Program, The</td>
<td>30-244</td>
</tr>
<tr>
<td></td>
<td>Nature of the Interest of the Grantee Under an Oil and Gas Lease, The</td>
<td>34-275</td>
</tr>
<tr>
<td></td>
<td>Nature of Property Rights in a Separately Owned Mineral Vein</td>
<td>27-332</td>
</tr>
<tr>
<td></td>
<td>Necessity of Delivery in Making Gifts, The</td>
<td>27-313</td>
</tr>
<tr>
<td></td>
<td>New Law of Nations, The</td>
<td>33-254</td>
</tr>
<tr>
<td></td>
<td>New Possibilities of Old Materials of American Legal History</td>
<td>40-295</td>
</tr>
<tr>
<td></td>
<td>Next Step in Public Utility Regulation</td>
<td>28-253</td>
</tr>
<tr>
<td></td>
<td>Non-jointer and Misjoinder of Parties in Common Law Actions</td>
<td>28-197</td>
</tr>
<tr>
<td></td>
<td>Notes on Courts of Record in England</td>
<td>40-347</td>
</tr>
<tr>
<td></td>
<td>Observations on Covenants For Title</td>
<td>34-257</td>
</tr>
<tr>
<td></td>
<td>Observations on Last Clear Chance in West Virginia</td>
<td>34-362</td>
</tr>
<tr>
<td></td>
<td>Omen of “Counter” Phrases, The</td>
<td>25-257</td>
</tr>
<tr>
<td></td>
<td>Menace of Jarndyce and Jarndyce, The</td>
<td>28-179</td>
</tr>
<tr>
<td></td>
<td>New Possibilities of Old Materials of American Legal History</td>
<td>40-295</td>
</tr>
<tr>
<td></td>
<td>Necessity of Delivery in Making Gifts, The</td>
<td>27-313</td>
</tr>
<tr>
<td></td>
<td>New Law of Nations, The</td>
<td>33-254</td>
</tr>
<tr>
<td></td>
<td>New Possibilities of Old Materials of American Legal History</td>
<td>40-295</td>
</tr>
<tr>
<td></td>
<td>Next Step in Public Utility Regulation</td>
<td>28-253</td>
</tr>
<tr>
<td></td>
<td>Non-jointer and Misjoinder of Parties in Common Law Actions</td>
<td>28-197</td>
</tr>
<tr>
<td></td>
<td>Notes on Courts of Record in England</td>
<td>40-347</td>
</tr>
<tr>
<td></td>
<td>Observations on Covenants For Title</td>
<td>34-257</td>
</tr>
<tr>
<td></td>
<td>Observations on Last Clear Chance in West Virginia</td>
<td>34-362</td>
</tr>
<tr>
<td></td>
<td>Omen of “Counter” Phrases, The</td>
<td>25-257</td>
</tr>
<tr>
<td></td>
<td>Menace of Jarndyce and Jarndyce, The</td>
<td>28-179</td>
</tr>
<tr>
<td></td>
<td>New Possibilities of Old Materials of American Legal History</td>
<td>40-295</td>
</tr>
<tr>
<td></td>
<td>Necessity of Delivery in Making Gifts, The</td>
<td>27-313</td>
</tr>
<tr>
<td></td>
<td>New Law of Nations, The</td>
<td>33-254</td>
</tr>
<tr>
<td></td>
<td>New Possibilities of Old Materials of American Legal History</td>
<td>40-295</td>
</tr>
<tr>
<td></td>
<td>Next Step in Public Utility Regulation</td>
<td>28-253</td>
</tr>
<tr>
<td></td>
<td>Non-jointer and Misjoinder of Parties in Common Law Actions</td>
<td>28-197</td>
</tr>
<tr>
<td></td>
<td>Notes on Courts of Record in England</td>
<td>40-347</td>
</tr>
</tbody>
</table>
Pleading and Practice Under the Revised Code
Lawrence R. Lynch 37-60

Political and Judicial Theories of Constitutional Construction
E. L. Phillips 33-273

Possible Improvements in the Recording Acts
Charles T. McCormick 31-79

Power of a State to Control the Export of Hydro-Electric Energy, The
James W. Simonton 39-4

Precedents' Place in Latin Law
Gordon Ireland 40-115

Preferred Stock: Its Authorization by Amendment of the Corporate Charter
Gurney Edwards 37-149

Present Legal Status of the Private Seal in West Virginia, The
Thomas Clifford Billig and William Frederick Wunschel 40-330

Present Supreme Court, Social Legislation and the Judicial Process, The
Jeff B. Fordham 37-167

President and Military Power in Emergencies, The
Charles McCamic 39-17

Probate Administration and the County Court
T. Brooke Price 27-221

Problems in Conflicts
Charles McCamic 33-285

Property Owners' Consent Provisions in Zoning Ordinances
Harold C. Havighurst 36-175

Public Policy in the Law of Conflicts
Herbert F. Goodrich 34-165

Public Utilities I. The Quest for a Concept
Thomas P. Hardman 37-250

Public Utilities I. The Quest for a Concept—Another Word
Thomas P. Hardman 40-230

Recognition of Foreign Decrees of Divorce, The
Wm. Turney Fox 33-159

Regulation of Legal Procedure, The
Edson R. Sunderland 35-361

Relation Between Separate Instructions to the Jury
Leo Carlin 36-313

Religious Freedom Under Our Constitutions
Wm. Bruce Hoff 31-14

Reorganizing State Government
Walter P. Dodd 30-262

Report to the Committee on Judicial Administration and Legal Reform of the West Virginia Bar Association
Thurman W. Arnold 36-1

Reports of Committees on Legal Education and Admission to the Bar
23-187

Review of Observations upon Civil Procedure in West Virginia
Leo Carlin 24-30

Review of Recent Supreme Court Decisions on Subject of Federal Taxation
George Maurice Morris and Allen H. Gardner 34-156

Review of the Work of the College of Law
Thurman W. Arnold 36-319

Right of the Accused in a Criminal Case Not to be Compelled to be a Witness Against Himself, The
Mose E. Babursky 35-27, 126

Rights of an Adverse Possessor
W. E. Burby 32-226

Right to a Judicial Review in Rate Controversies, The
Ernst Freund 27-235

Rights of Margin Customers in Brokers' Failures
Jay T. McCamic 32-50

Right of Remainderman to Compel Life Tenant to Permit Development of Oil and Gas
James W. Simonton 26-213

Right of a State to Restrain the Exportation of Its Natural Resources, The
Thomas P. Hardman 26-1

Right of a State to Restrain the Exportation of Natural Resources, The—Another Theory
Thomas P. Hardman 26-224

Right to Trial by Jury in Prosecutions for Petty Federal Offenses, The
Melville Stewart 39-49

Royal Prerogative in the United States, A
Judson A. Crane 34-317
Rule in Shelley's Case in West Virginia, The
James W. Simonton 36:178

Rylands v. Fletcher Rule in West Virginia, The
Edmund C. Dickinson 30:248

Scope of the Constitutional Immunity Against Searches and Seizures, The
John E. F. Wood 34:1-127

Should a Corporation be Considered a Citizen Under the Privileges and Immunities Clause of the Federal Constitution?
R. Paul Holland 36:245-239

Solicitation to Crimes
James B. Blackburn 40:1-195

Some Current Activities of the American Bar Association
John W. Davis 28:109

Some Problems in the Collection of Checks
Robert T. Donley 38:195

Sources of Early American Law: Colonial Period, The
Richard B. Morris 40:212

Stare Decisis and the Modern Trend
Thomas P. Hardman 32:163

Status of Legitimation and Adoption, The
Everett L. Dodrill 31:1-251

Study of American Legal History, The
Joseph H. Beale 39:1-95

Supreme Court of the United States, The
James M. Beck 31:1-109

Test of Criminality as to Acts of Insane Persons—Is It Law, Barbarism or Both?
John C. McWhorter 27:213

Transcript of the Evidence as a Substitute for Special Bills of Exceptions, The
Leo Carlin 28:231

Transfer of Title to Land by Deed
James W. Simonton 36:243

Treatise on Constitutional Law
Raymond J. Hellman 32:102

Treaty Power, The
Connor Hall 30:1-104

Trial by Jury in Civil Cases—A Proposed Reform
Robert T. Donley 34:247

Trusts and the Statute of Frauds
Joseph W. Madden 31:166

Two Claims to Fleta's Honors
Borris M. Komar 30:1-167

U

Uniform Law Procedure in Federal Courts
Connor Hall 33:1-131

Uniform Partnership Act and Its Effect Upon the West Virginia Decisions and Statutes
J. R. Trotter 27:23-158

Uniform State Laws—Reasons For Their Further Enactment in West Virginia
H. C. Jones 26:1-211

Unintended Partnership
Judson A. Crane 31:1

Unpublished Sources for Early American Legal History
Charles J. Hilkey 40:1-224

V

Validity of Special Legislation Granting Admission to a Profession, The
James W. Simonton 26:1-102

Venue of Actions of Trespass to Land, The
Fred. P. Storey 27:3-291

Veterans' Legislation and Limitations upon the Implied Powers of Congress
Robert T. Donley 39:1-197

W

Ways by Necessity
James W. Simonton 33:2-144

West Virginia Annotations to the Restatements of Conflict of Laws and Contracts
Edmund C. Dickinson and Thomas C. Billig

West Virginia Law Permitting Corporations to Issue Stock Without Par Value, The
Buckner Clay 27:1-113

West Virginia Municipal Home Rule Proposal, The
Jeff B. Fordham 28:235-329

West Virginia Water Power Act, The
James W. Simonton 37:1

What are the Privileges and Immunities of Citizens of the United States?
Stanley C. Morris 38:23-28

What the Code Commission is Doing
Ronald F. Moot 30:1-33

What Happens in a French Criminal Trial
D. C. Westenvaener 31:1-237

Work of the American Law School, The
Roscoe Pound 30:1-13
<table>
<thead>
<tr>
<th>Case Name</th>
<th>Volume/Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adkins v. Huntington Development &amp; Gas Co.</td>
<td>40-177</td>
</tr>
<tr>
<td>Allen v. Holleman</td>
<td>37-384</td>
</tr>
<tr>
<td>Ambrose v. Young</td>
<td>32-268</td>
</tr>
<tr>
<td>American Central Ins. Co. v. McHose</td>
<td>40-192</td>
</tr>
<tr>
<td>Ammar v. Cohen</td>
<td>31-136</td>
</tr>
<tr>
<td>Amos v. Angotti</td>
<td>23-418</td>
</tr>
<tr>
<td>Anderson v. Baltimore and Ohio R. R. Co.</td>
<td>22-47</td>
</tr>
<tr>
<td>Appalachian Coals, Inc. v. United States</td>
<td>33-356</td>
</tr>
<tr>
<td>Archibald v. Ott</td>
<td>23-185</td>
</tr>
<tr>
<td>Armstrong v. Pinnacle Coal and Coke Co.</td>
<td>33-197</td>
</tr>
<tr>
<td>Atlantic Bitulithic Co. v. Town of Edgewood</td>
<td>33-374</td>
</tr>
<tr>
<td>Baker v. State</td>
<td>37-452</td>
</tr>
<tr>
<td>Baldwin v. State of Missouri</td>
<td>37-115</td>
</tr>
<tr>
<td>Ballengee v. Beckley Coal and Supply Co.</td>
<td>33-364</td>
</tr>
<tr>
<td>Baltimore &amp; Ohio R. R. Co. v. Bonafield</td>
<td>24-169</td>
</tr>
<tr>
<td>Baltimore &amp; Ohio R. R. Co. v. Goodman</td>
<td>34-299</td>
</tr>
<tr>
<td>Baltimore &amp; Ohio R. R. Co. v. Public Service Commission</td>
<td>25-247</td>
</tr>
<tr>
<td>Bank of Clinchburg v. Carter</td>
<td>32-123</td>
</tr>
<tr>
<td>Banner Window Glass Co. v. Barratt</td>
<td>37-91</td>
</tr>
<tr>
<td>Barber v. Spencer State Hospital</td>
<td>39-291</td>
</tr>
<tr>
<td>Barnett v. Collection Service Co.</td>
<td>39-186</td>
</tr>
<tr>
<td>Bassell v. West Virginia Central Gas Co.</td>
<td>27-74</td>
</tr>
<tr>
<td>Beall v. Brooke County Court</td>
<td>34-112</td>
</tr>
<tr>
<td>Beasley Hardware Company v. Stevens</td>
<td>37-306</td>
</tr>
<tr>
<td>Ben Lownd Co. v. McNabb</td>
<td>37-169</td>
</tr>
<tr>
<td>Berry v. Huntington Masonic Asso'n</td>
<td>23-182</td>
</tr>
<tr>
<td>Best v. District of Columbia</td>
<td>40-397</td>
</tr>
<tr>
<td>Big Huff Coal Co. v. Thomas</td>
<td>22-59</td>
</tr>
<tr>
<td>Blair v. Broadwater</td>
<td>25-164</td>
</tr>
<tr>
<td>Blake v. Blake</td>
<td>29-312</td>
</tr>
<tr>
<td>Boardman v. Frick</td>
<td>30-294</td>
</tr>
<tr>
<td>Bohls v. Morgantown Press Co.</td>
<td>23-223</td>
</tr>
<tr>
<td>Bonar v. Baltimore &amp; Ohio R. R. Co.</td>
<td>29-274</td>
</tr>
<tr>
<td>Booten v. Pinson</td>
<td>24-45</td>
</tr>
<tr>
<td>Boyland v. City of Parkersburg</td>
<td>24-164</td>
</tr>
<tr>
<td>Bracey v. Darst</td>
<td>22-42</td>
</tr>
<tr>
<td>Bradford v. Hargis</td>
<td>37-306</td>
</tr>
<tr>
<td>Breddlove v. Galloway</td>
<td>25-46</td>
</tr>
<tr>
<td>Brogan v. Union Traction Co.</td>
<td>29-79</td>
</tr>
<tr>
<td>Brooke-Scanlon Co. v. R. R. Commission of La.</td>
<td>27-95</td>
</tr>
<tr>
<td>Brown v. Brown</td>
<td>32-249</td>
</tr>
<tr>
<td>Brown v. Cable</td>
<td>38-267</td>
</tr>
<tr>
<td>Brunner v. York Bridge Co.</td>
<td>24-38</td>
</tr>
<tr>
<td>Buchanan v. Louisville Coal &amp; Coke Co.</td>
<td>32-77</td>
</tr>
<tr>
<td>Buchanan v. Orange</td>
<td>23-286</td>
</tr>
<tr>
<td>Rumsey v. Ohio Cities Gas Co.</td>
<td>27-90</td>
</tr>
<tr>
<td>Burdette v. Burdette</td>
<td>36-278</td>
</tr>
<tr>
<td>Burdette v. Columbus Mutual Life</td>
<td>25-241</td>
</tr>
<tr>
<td>Burgess v. City of Cameron</td>
<td>39-185</td>
</tr>
<tr>
<td>Barich v. Zenech</td>
<td>34-438</td>
</tr>
<tr>
<td>Caldwell v. Cline</td>
<td>37-310</td>
</tr>
<tr>
<td>Caldwell v. State Compensation Commissioner</td>
<td>36-174</td>
</tr>
<tr>
<td>Caldwell v. Wheeling Public Service Co.</td>
<td>29-79</td>
</tr>
<tr>
<td>Cameron v. Cameron</td>
<td>38-348, 371</td>
</tr>
<tr>
<td>Campbell v. Lynch</td>
<td>25-230</td>
</tr>
<tr>
<td>Campen Brothers v. Stewart</td>
<td>25-170</td>
</tr>
<tr>
<td>Carder v. City of Clarksburn</td>
<td>32-253</td>
</tr>
<tr>
<td>Carl v. Cosham</td>
<td>27-157</td>
</tr>
<tr>
<td>Carter v. Carter</td>
<td>36-170</td>
</tr>
<tr>
<td>Carter v. Reserve Gas Co.</td>
<td>36-179</td>
</tr>
<tr>
<td>Carroll v. United States</td>
<td>31-361</td>
</tr>
<tr>
<td>Case et al. v. Gordon and Lightfoot</td>
<td>23-242</td>
</tr>
<tr>
<td>Central Trust Co. v. Bank of Mullens</td>
<td>26-278</td>
</tr>
<tr>
<td>26-269</td>
<td></td>
</tr>
<tr>
<td>Chafin v. Norfolk and Western Ry. Co.</td>
<td>25-261</td>
</tr>
<tr>
<td>Chambers v. The Great State Council</td>
<td>25-261</td>
</tr>
<tr>
<td>City of Harrisonville v. Dickey Clay</td>
<td>23-44</td>
</tr>
<tr>
<td>Mfg. Co.</td>
<td>40-65</td>
</tr>
<tr>
<td>City of Pt. Pleasant v. Caldwell</td>
<td>27-274</td>
</tr>
<tr>
<td>City of Wheeling v. Chesapeake and Potomac Tel. Co. of W. Va.</td>
<td>35-242</td>
</tr>
<tr>
<td>Clarahan v. Cosper</td>
<td>38-68</td>
</tr>
<tr>
<td>Clark Development Co. v. Sonnaberg</td>
<td>27-97</td>
</tr>
<tr>
<td>Clark Distilling Co. v. Western Maryland Ry. Co.</td>
<td>24-160</td>
</tr>
<tr>
<td>Clarksburg Light and Heat Co. v. Public Service Commission</td>
<td>26-160</td>
</tr>
<tr>
<td>Clay v. Meadows</td>
<td>32-259</td>
</tr>
<tr>
<td>Clayton v. Martin</td>
<td>36-278</td>
</tr>
<tr>
<td>Clayton v. Roane County Court</td>
<td>31-70</td>
</tr>
<tr>
<td>Clinchfield Coal Corp. v. Couch</td>
<td>27-273</td>
</tr>
<tr>
<td>Cline v. Mcdoo</td>
<td>29-275</td>
</tr>
<tr>
<td>A</td>
<td>B</td>
</tr>
<tr>
<td>---</td>
<td>---</td>
</tr>
<tr>
<td>Collins v. Dravo Contracting Co.</td>
<td>34-242</td>
</tr>
<tr>
<td>Continental Coal Co. v. Connells ville By-Product Coal Co.</td>
<td>34-312</td>
</tr>
<tr>
<td>Cox Department Store v. Solo</td>
<td>34-115</td>
</tr>
<tr>
<td>Crips v. U. S. Fidelity and Guaranty Co.</td>
<td>35-130</td>
</tr>
<tr>
<td>Crookshanks v. Ranesh berg</td>
<td>25-135</td>
</tr>
<tr>
<td>Crouch v. Wartenberg</td>
<td>29-61</td>
</tr>
<tr>
<td>Danielly v. City of Princeton</td>
<td>39-336</td>
</tr>
<tr>
<td>Dean v. Eastern Shore Trust Co.</td>
<td>37-218</td>
</tr>
<tr>
<td>De Francisco v. The Piney Mining Co.</td>
<td>25-187</td>
</tr>
<tr>
<td>Del Signore v. Payne, Director General of Railroads</td>
<td>28-239</td>
</tr>
<tr>
<td>De Pue v. Steber</td>
<td>28-155</td>
</tr>
<tr>
<td>Detroit Steel Co. v. Sistersville Brewing Co.</td>
<td>22-44</td>
</tr>
<tr>
<td>Distiljcuri v. United Pocahontas Coal Co.</td>
<td>30-295</td>
</tr>
<tr>
<td>Dorsey v. Dorsey</td>
<td>37-107</td>
</tr>
<tr>
<td>Dudley v. Browning</td>
<td>24-312</td>
</tr>
<tr>
<td>Dunham v. Western Union Tel. Co.</td>
<td>27-83</td>
</tr>
<tr>
<td>Edmonson v. County Court of Hancock County</td>
<td>39-188</td>
</tr>
<tr>
<td>England v. Central Pocahontas Coal Co.</td>
<td>27-109</td>
</tr>
<tr>
<td>Erkridge v. Thomas</td>
<td>24-164</td>
</tr>
<tr>
<td>Eureka Pipe Line Co. v. Hallanan</td>
<td>27-245</td>
</tr>
<tr>
<td>Eureka Pipe Line Co. v. Riggs</td>
<td>22-44</td>
</tr>
<tr>
<td>Ez parte Hudgins</td>
<td>27-171</td>
</tr>
<tr>
<td>Ez parte Michie</td>
<td>39-165</td>
</tr>
<tr>
<td>Farley v. Crystal Coal &amp; Coke Co.</td>
<td>27-390</td>
</tr>
<tr>
<td>Foughty v. Ott</td>
<td>23-156</td>
</tr>
<tr>
<td>Fruth v. Board of Affairs</td>
<td>22-30</td>
</tr>
<tr>
<td>Fuel Distributors v. Payne Barber Coal Co.</td>
<td>36-322</td>
</tr>
<tr>
<td>Geo. E. Warren Co. v. A. L. Black Co.</td>
<td>27-33</td>
</tr>
<tr>
<td>Gilbert v. Johnson</td>
<td>24-43</td>
</tr>
<tr>
<td>Greaser v. Appalachian Oil Company</td>
<td>37-302</td>
</tr>
<tr>
<td>Great Atlantic and Pacific Tea Co. v. Doughton</td>
<td>37-221</td>
</tr>
<tr>
<td>Great Atlantic and Pacific Tea Co. v. Maxwell</td>
<td>37-221</td>
</tr>
<tr>
<td>Griffin v. Baltimore &amp; Ohio R. R. Co.</td>
<td>30-290</td>
</tr>
<tr>
<td>Griffin v. Griffin</td>
<td>37-218</td>
</tr>
<tr>
<td>Gwinn v. Rogers</td>
<td>29-210</td>
</tr>
<tr>
<td>Haggar v. Monongahela Transport Co.</td>
<td>35-275</td>
</tr>
<tr>
<td>Hall v. Burns</td>
<td>40-400</td>
</tr>
<tr>
<td>Hall v. Commonwealth</td>
<td>30-203</td>
</tr>
<tr>
<td>Hall v. Dary</td>
<td>40-313</td>
</tr>
<tr>
<td>Hall v. Harvey Coal, etc., Co.</td>
<td>28-149</td>
</tr>
<tr>
<td>Hall v. Linkeauger</td>
<td>20-58</td>
</tr>
<tr>
<td>Hamilton v. Wheeling Public Service Co.</td>
<td>28-79</td>
</tr>
<tr>
<td>Hammack v. Hope Natural Gas Co.</td>
<td>34-400</td>
</tr>
<tr>
<td>Hamrick v. Dodrill</td>
<td>34-392</td>
</tr>
<tr>
<td>Hastings v. Montgomery</td>
<td>30-293</td>
</tr>
<tr>
<td>TABLE OF CASES</td>
<td></td>
</tr>
<tr>
<td>----------------</td>
<td></td>
</tr>
<tr>
<td>Hawkins v. Conner</td>
<td>22-43</td>
</tr>
<tr>
<td>Hayes v. Harris</td>
<td>22-40</td>
</tr>
<tr>
<td>Henry Myers &amp; Co. v. Lewis</td>
<td>25-155</td>
</tr>
<tr>
<td>Hess v. Pawloski</td>
<td>24-283</td>
</tr>
<tr>
<td>Hickel v. Starcher</td>
<td>28-306</td>
</tr>
<tr>
<td>Hines v. Commonwealth</td>
<td>30-119</td>
</tr>
<tr>
<td>Hinton Milling Co. v. New River Milling Co.</td>
<td>23-422</td>
</tr>
<tr>
<td>Hobbs v. Brenneman</td>
<td>30-55</td>
</tr>
<tr>
<td>Hodge v. Charleston Interurban R. Co.</td>
<td>27-296</td>
</tr>
<tr>
<td>Hodges v. Public Service Commission</td>
<td>38-154</td>
</tr>
<tr>
<td>Hooper v. Tax Commission of Wisconsin</td>
<td>38-349</td>
</tr>
<tr>
<td>Holeberry v. City of Elkins</td>
<td>27-94</td>
</tr>
<tr>
<td>Holswade v. City of Huntington</td>
<td>31-223</td>
</tr>
<tr>
<td>Hono National Bank of Sutton v. Boyd</td>
<td>34-311</td>
</tr>
<tr>
<td>H. F. Dill &amp; Son v. Waugh</td>
<td>32-133</td>
</tr>
<tr>
<td>Huggins v. Merriweather</td>
<td>40-193</td>
</tr>
<tr>
<td>Hughes v. Chariton</td>
<td>34-397</td>
</tr>
<tr>
<td>Hughes v. Hughes</td>
<td>46-33</td>
</tr>
<tr>
<td>Humphreys v. Humphreys</td>
<td>31-66</td>
</tr>
<tr>
<td>Hunt v. Mounts</td>
<td>33-191</td>
</tr>
<tr>
<td>Huntington Finance Co. v. Young</td>
<td>35-92</td>
</tr>
<tr>
<td>Hurley v. Beattie</td>
<td>31-232</td>
</tr>
<tr>
<td>Hyman v. Swint</td>
<td>39-121</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>I</th>
</tr>
</thead>
<tbody>
<tr>
<td>Iannerelli v. Kansas City Life Ins. Co.</td>
</tr>
<tr>
<td>Ihrig v. Ihrig</td>
</tr>
<tr>
<td>Indian Motorcycle Co. v. United States</td>
</tr>
<tr>
<td>In re Adams</td>
</tr>
<tr>
<td>In re Consolidated Factors Corporation</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>J</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jackson v. Greenhow</td>
</tr>
<tr>
<td>Jameson v. Board of Education</td>
</tr>
<tr>
<td>John Hancock Life Ins. Co. v. Davis</td>
</tr>
<tr>
<td>Johnson v. Armstrong</td>
</tr>
<tr>
<td>Johnson v. Rogers</td>
</tr>
<tr>
<td>Jones v. Cook</td>
</tr>
<tr>
<td>Jones v. Richmond</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>K</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kanawha Banking and Trust Company v. Swisher</td>
</tr>
<tr>
<td>Karcher v. Wheeling Electric Co.</td>
</tr>
<tr>
<td>Keene v. City of Huntington</td>
</tr>
<tr>
<td>Keogh v. Neely</td>
</tr>
<tr>
<td>Kewanee Utilities Co. v. Norfolk &amp; So. R. R. Co.</td>
</tr>
<tr>
<td>Kidwell v. Rogers</td>
</tr>
<tr>
<td>Kile v. Forman</td>
</tr>
<tr>
<td>Kragman Mills v. Furner</td>
</tr>
<tr>
<td>Kohn v. Herndon</td>
</tr>
<tr>
<td>Krutill v. Board of Education of Butler District</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>L</th>
</tr>
</thead>
<tbody>
<tr>
<td>L and M. Investment Co. v. Cutler</td>
</tr>
<tr>
<td>Lanz v. Crichton</td>
</tr>
<tr>
<td>Lambert v. Morton</td>
</tr>
<tr>
<td>Langfitt v. Langfitt</td>
</tr>
<tr>
<td>Langley v. Commissioner of Internal Revenue</td>
</tr>
<tr>
<td>Lawson v. Charter</td>
</tr>
<tr>
<td>Lazzell v. Kennan</td>
</tr>
<tr>
<td>Leiter v. American-LaFrance Fire Engine Co.</td>
</tr>
<tr>
<td>Leob v. City of Jacksonville</td>
</tr>
<tr>
<td>Lewis v. Milman</td>
</tr>
<tr>
<td>Logan Central Coal Co. v. County Court of Logan County</td>
</tr>
<tr>
<td>Lusk v. Lusk</td>
</tr>
<tr>
<td>Lynch v. Davis</td>
</tr>
<tr>
<td>Lyons v. Steele</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>M</th>
</tr>
</thead>
<tbody>
<tr>
<td>Machala v. State Compensation Commissioner</td>
</tr>
<tr>
<td>Mahood v. Maynard</td>
</tr>
<tr>
<td>Manufacturers' Light and Heat Company v. Tennant</td>
</tr>
<tr>
<td>Markum v. Marcum</td>
</tr>
<tr>
<td>Martino v. Rotondi</td>
</tr>
<tr>
<td>Maugh v. Porter</td>
</tr>
<tr>
<td>Mid-Continent Petroleum Corp. v. Sauder</td>
</tr>
<tr>
<td>Midland Investment Corp. v. May</td>
</tr>
<tr>
<td>Mill Creek Coal and Coke Co. v. Public Service Commission</td>
</tr>
<tr>
<td>Miller v. Skaggs</td>
</tr>
<tr>
<td>Miller v. United Fuel Gas Co.</td>
</tr>
<tr>
<td>Monongahela West Penn Public Service Co. v. State Road Commission</td>
</tr>
<tr>
<td>Monongalia County Court v. Bank of the Monongahela Valley</td>
</tr>
<tr>
<td>Moore v. Moore</td>
</tr>
<tr>
<td>Morgan v. Bartlett</td>
</tr>
<tr>
<td>Morris v. Williams-Garrison</td>
</tr>
<tr>
<td>Morris' Adm'r v. Baltimore &amp; Ohio R. Co.</td>
</tr>
<tr>
<td>Mortgage Co. of Maryland v. Lory</td>
</tr>
<tr>
<td>Name</td>
</tr>
<tr>
<td>------------------------------------</td>
</tr>
<tr>
<td>Murray v. Price</td>
</tr>
<tr>
<td>Myers v. Bland</td>
</tr>
<tr>
<td>Macintosh v. United States</td>
</tr>
<tr>
<td>McCartney v. Campbell</td>
</tr>
<tr>
<td>McCoy v. Price</td>
</tr>
<tr>
<td>McLeod v. Charleston Laundry Co.</td>
</tr>
<tr>
<td>McMenemy v. Baltimore &amp; Ohio R. R. Co.</td>
</tr>
<tr>
<td>National Bank of Fairmont v. Kenney</td>
</tr>
<tr>
<td>Nebbia v. New York</td>
</tr>
<tr>
<td>Newsom v. Meade</td>
</tr>
<tr>
<td>Nickel Plate Land Co. v. Broom</td>
</tr>
<tr>
<td>Nuttallburg Smokeless Fuel Co. v. First National Bank of Harrisville</td>
</tr>
<tr>
<td>Ogden v. Maxwell</td>
</tr>
<tr>
<td>Ohio Fuel Oil Co. v. Greenleaf</td>
</tr>
<tr>
<td>Ohio Valley Builders' Supply Co. v. Woritz Construction Co.</td>
</tr>
<tr>
<td>Ohio Valley Water Co. v. Ben Avon Borough</td>
</tr>
<tr>
<td>Ohio-West Virginia Co. v. Chesapeake &amp; Ohio Ry. Co.</td>
</tr>
<tr>
<td>Oldfield v. Woodall</td>
</tr>
<tr>
<td>Olmstead v. United States</td>
</tr>
<tr>
<td>Pan Coal Co. v. Garland Pocahontas Coal Co.</td>
</tr>
<tr>
<td>Parks v. Pence Springs Co.</td>
</tr>
<tr>
<td>Parker v. Central Bank and Trust Co. of Asheville</td>
</tr>
<tr>
<td>Pate Hotel Company v. Morris</td>
</tr>
<tr>
<td>Payne v. Riggs</td>
</tr>
<tr>
<td>Payne, Malcolm &amp; Gallagher v. Pitwater</td>
</tr>
<tr>
<td>Payne Realty Co. v. Lindsey</td>
</tr>
<tr>
<td>Peoples Bank v. Columbia Collieries Co.</td>
</tr>
<tr>
<td>Peoples State Bank of Crown Point, Ind. v. Jeffries</td>
</tr>
<tr>
<td>Peoples Trust Company v. Oates</td>
</tr>
<tr>
<td>Pettrell v. Pettrell Coal Co.</td>
</tr>
<tr>
<td>Pettit v. Buffalo</td>
</tr>
<tr>
<td>Pittsburgh &amp; West Virginia Gas Co. v. Ankrom</td>
</tr>
<tr>
<td>Pittsburgh &amp; West Virginia Gas Co. v. Petteys Gas Co.</td>
</tr>
<tr>
<td>Poccardi v. Public Service Commis-</td>
</tr>
<tr>
<td>sion</td>
</tr>
<tr>
<td>Poff v. Poff</td>
</tr>
<tr>
<td>Pollack v. House &amp; Herman</td>
</tr>
<tr>
<td>Poole v. Keller, Executor</td>
</tr>
<tr>
<td>Pritchard v. Freeland Oil Co.</td>
</tr>
<tr>
<td>Pritchard v. Pritchard</td>
</tr>
<tr>
<td>Pruitt v. Watson</td>
</tr>
<tr>
<td>Prunty v. Tyler Traction Co.</td>
</tr>
<tr>
<td>Quercia v. United States</td>
</tr>
<tr>
<td>Raleigh County Const. Co. v. Amere Gas Utilities Co.</td>
</tr>
<tr>
<td>Ramos v. South Penn Oil Co.</td>
</tr>
<tr>
<td>Rapid v. United States Fidelity and Guaranty Co.</td>
</tr>
<tr>
<td>Reed v. Gunter</td>
</tr>
<tr>
<td>Reid v. Medley</td>
</tr>
<tr>
<td>Rex v. Russell</td>
</tr>
<tr>
<td>Reynolds Taxi Co. v. Hudson</td>
</tr>
<tr>
<td>Rhinehart &amp; Dennis Co., Inc. v. Brown</td>
</tr>
<tr>
<td>Rhinehart v. Stanley Coal Co.</td>
</tr>
<tr>
<td>Roberts v. Ohio Valley General Hospital</td>
</tr>
<tr>
<td>Roberts v. Roberts</td>
</tr>
<tr>
<td>Roberts v. Mays Mills, Inc.</td>
</tr>
<tr>
<td>Robertson v. Coal &amp; Coke R. Co.</td>
</tr>
<tr>
<td>Robertson v. Hobson</td>
</tr>
<tr>
<td>Robinson v. Chesapeake &amp; Ohio R. Co.</td>
</tr>
<tr>
<td>Robinson v. Wheeling Steel and Iron Co.</td>
</tr>
<tr>
<td>Ross v. Railway Co.</td>
</tr>
<tr>
<td>Rouff v. Washington and Lee Univer-</td>
</tr>
<tr>
<td>sity</td>
</tr>
<tr>
<td>Rouss v. Rouss</td>
</tr>
<tr>
<td>Ruby v. Ruby</td>
</tr>
<tr>
<td>Ruckman v. Hay</td>
</tr>
<tr>
<td>Rush v. Buckles</td>
</tr>
<tr>
<td>Satterelli v. Cropper</td>
</tr>
<tr>
<td>Saumer v. Mit-Continet Petroleum Corp.</td>
</tr>
<tr>
<td>Schuster v. Norfolk &amp; Western R. Co.</td>
</tr>
<tr>
<td>Securo v. Securo</td>
</tr>
<tr>
<td>Sharps v. Jones</td>
</tr>
<tr>
<td>Shere v. Lawrence</td>
</tr>
<tr>
<td>Short v. City of Bluefield</td>
</tr>
<tr>
<td>Sinkel v. Commonwealth</td>
</tr>
<tr>
<td>Simms v. Ramsey</td>
</tr>
<tr>
<td>Sizemore v. National Casualty Insur-</td>
</tr>
<tr>
<td>ance Co.</td>
</tr>
<tr>
<td>Case Name</td>
</tr>
<tr>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Slater v. Commonwealth</td>
</tr>
<tr>
<td>Sloan v. Mitchell</td>
</tr>
<tr>
<td>Smith v. New Huntington General Hospital</td>
</tr>
<tr>
<td>Smith v. Sugar Creek Coal Co., Inc.</td>
</tr>
<tr>
<td>Snodgrass v. Charleston Nugrape Co.</td>
</tr>
<tr>
<td>Snyder v. Breitinger</td>
</tr>
<tr>
<td>Sorensen v. United States</td>
</tr>
<tr>
<td>Smith v. Sugar Creek Coal Co., Inc.</td>
</tr>
<tr>
<td>Snodgrass v. Charleston Nugrape Co., Inc.</td>
</tr>
<tr>
<td>South Penn Oil Co. v. Blue Creek Development Co.</td>
</tr>
<tr>
<td>Southern R. Co. v. Vaughn</td>
</tr>
<tr>
<td>Southwest Utilities Ice Co. v. Liebmann</td>
</tr>
<tr>
<td>Spruce River Coal Co. v. Valco Coal Co.</td>
</tr>
<tr>
<td>Starcher v. South Penn Oil Co.</td>
</tr>
<tr>
<td>State v. Ambroge</td>
</tr>
<tr>
<td>State v. Amos</td>
</tr>
<tr>
<td>State v. Baltimore &amp; Ohio Ry. Co.</td>
</tr>
<tr>
<td>State v. Blazovitch</td>
</tr>
<tr>
<td>State v. Cline</td>
</tr>
<tr>
<td>State v. Driver</td>
</tr>
<tr>
<td>State v. Flanagan</td>
</tr>
<tr>
<td>State v. Griffith</td>
</tr>
<tr>
<td>State v. Hayes</td>
</tr>
<tr>
<td>State v. Herold</td>
</tr>
<tr>
<td>State v. Husseness</td>
</tr>
<tr>
<td>State v. Loham</td>
</tr>
<tr>
<td>State v. Long</td>
</tr>
<tr>
<td>State v. Martin</td>
</tr>
<tr>
<td>State v. McMahon</td>
</tr>
<tr>
<td>State v. Pek</td>
</tr>
<tr>
<td>State v. Peoples</td>
</tr>
<tr>
<td>State v. Phoenix Mutual Life Insurance Co.</td>
</tr>
<tr>
<td>State v. Powers</td>
</tr>
<tr>
<td>State v. Richards</td>
</tr>
<tr>
<td>State of West Virginia v. Robinson</td>
</tr>
<tr>
<td>State v. Saals</td>
</tr>
<tr>
<td>State v. Shamblin</td>
</tr>
<tr>
<td>State v. Snider</td>
</tr>
<tr>
<td>State v. Taylor</td>
</tr>
<tr>
<td>State v. Ward</td>
</tr>
<tr>
<td>State v. Webb</td>
</tr>
<tr>
<td>State v. Weissengoff</td>
</tr>
<tr>
<td>State v. Whitte</td>
</tr>
<tr>
<td>State v. Wills</td>
</tr>
<tr>
<td>State v. Wiman</td>
</tr>
<tr>
<td>State Bank of Pampin v. Payne</td>
</tr>
<tr>
<td>State ex rel. Allen v. England</td>
</tr>
<tr>
<td>State ex rel. Constanzo v. Kindelberger</td>
</tr>
<tr>
<td>State ex rel. Sale v. Stahlman</td>
</tr>
<tr>
<td>State ex rel. Smith v. Town of Ravenswood</td>
</tr>
<tr>
<td>State ex rel. Hamrick v. Pocahontas County Court</td>
</tr>
<tr>
<td>State ex rel. Hardman v. Town of Glenville</td>
</tr>
<tr>
<td>State ex rel. Herold v. Townsend, Tax Commissioner</td>
</tr>
<tr>
<td>State ex rel. Meadow River Lumber Co. v. Marguerite Coal Co.</td>
</tr>
<tr>
<td>State ex rel. Sonner v. Dean</td>
</tr>
<tr>
<td>Steele v. American Oil Development Co.</td>
</tr>
<tr>
<td>Stewart v. Tams</td>
</tr>
<tr>
<td>Stonegate Colliery Co. v. Hamilton</td>
</tr>
<tr>
<td>St. Paul Fire &amp; Marine Insurance Co. v. Bachmann</td>
</tr>
<tr>
<td>Stock v. K. &amp; M. R. Co.</td>
</tr>
<tr>
<td>Styker v. Calisch Lumber Co.</td>
</tr>
<tr>
<td>Superior v. Peters</td>
</tr>
<tr>
<td>Southwest Utilities Ice Co. v. Liebmann</td>
</tr>
<tr>
<td>Storer v. Higginbotham</td>
</tr>
<tr>
<td>Tanner v. McCready</td>
</tr>
<tr>
<td>Tarr v. Keller Lumber and Construction Company</td>
</tr>
<tr>
<td>Taylor v. Delaney</td>
</tr>
<tr>
<td>Taylor v. Thomas</td>
</tr>
<tr>
<td>Templeman v. Templeman</td>
</tr>
<tr>
<td>Terrell v. United States</td>
</tr>
<tr>
<td>Testerman v. Hines, Director General</td>
</tr>
<tr>
<td>Teter v. George</td>
</tr>
<tr>
<td>Texas and N. O. R. Co. v. Brotherhood of Ry. &amp; S. S. Clerks</td>
</tr>
<tr>
<td>The Dunngan Sisters</td>
</tr>
<tr>
<td>Thomas v. Monongahela Valley Traction Co.</td>
</tr>
<tr>
<td>Thomas v. Mott</td>
</tr>
<tr>
<td>Thompson v. Hall</td>
</tr>
<tr>
<td>Thompson, Adm'r. v. Turkey Gap Coal &amp; Coke Company</td>
</tr>
<tr>
<td>Three States Coal Co. v. Superior Elk-horn Ry-Products Coal Co.</td>
</tr>
<tr>
<td>Tierney v. United Pocahontas Co.</td>
</tr>
<tr>
<td>Timmons v. Peoples Trust Company</td>
</tr>
<tr>
<td>Towns v. Monongahela Railway Company</td>
</tr>
<tr>
<td>Trehern v. Woolwine</td>
</tr>
<tr>
<td>Trimble v. Hope Natural Gas Co.</td>
</tr>
<tr>
<td>Triplett v. Second Nat. Bank</td>
</tr>
<tr>
<td>Truax v. Corrigan</td>
</tr>
<tr>
<td>United Fuel Gas Co. v. Morley Oil &amp; Gas Co.</td>
</tr>
<tr>
<td>U</td>
</tr>
</tbody>
</table>
United Fuel Gas Company v. Public Service Commission 34-197 35-364
United States v. O'Brien 38-333
United States v. Pliva 40-183
United States v. Provident Trust Co. 40-394
United States v. Siegel 36-178
United States Airways Inc. v. Shaw, State Auditor 37-228
Updegraff v. United Fuel Gas Company 40-264

Van Raalte Co. v. Solof Brothers Co. 28-143
Vaughan v. Miller Brothers "101" Ranch Wild West Show 37-206
Van Cott v. Flynn Lumber Co. 30-110
Virginia Export Coal Co. v. Rowland Land Co. 22-352
Virginia Power Co. v. Brotherton 38-217
Virginia-Western Power Co. v. Commonwealth 20-48
Voclelk v. Stroemann's Vienna Bakery 22-45

W
Wadall v. Trowbridge 30-122 32-94
Waller v. Norfolk & Western Ry. Co. 27-255 28-220
Walls v. Midland Carbon Co. 27-180
Watson v. Hatfield 27-230
Watson v. Burley 35-80
Watts Brothers & Co. v. Frith 24-217
Webb v. County Court of Raleigh County 40-92
Weeks v. Pratt 37-226
Wegman v. Clark 31-63
Wehrle v. Price 26-244

West Virginia Development Co. v. Preston County Development Co. 22-44
Wheeling Fire Insurance Co. v. Board of Equalization and Review 38-271
White v. Checker Taxi Company 40-90
White v. Morton 40-280
White v. White 36-377
Williams v. Columbus Producing Co. 25-146
Williams v. Irvin 34-217
Williams v. Metropolitan Life Insurance Co. 31-71
Williams v. Pocahontas Coal Co. 34-103
Williamson v. First National Bank of Williamson 38-203
Wright v. Provident Life & Trust Co. 26-58
Widners v. Ward 27-359

Wood v. Weaver 25-82
Woodall v. Brue 22-43
Woodrum v. Burton 29-76
Woodward v. Sayre 29-49

Young v. Columbia Oil Co. 38-160
Young v. Jordan 35-176

Z
Zinn v. Cabot 27-355