

November 1920

Telegraph and Telephone Companies—Liability to Addressee— Condition Agreed to by Sender Binding on Addressee

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Recommended Citation

Telegraph and Telephone Companies—Liability to Addressee—Condition Agreed to by Sender Binding on Addressee, 27 W. Va. L. Rev. (1920).

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the statute. *Parkersburg Mill Co. v. Ohio River R. Co.*, *supra*. It indicates a return to a desirable strictness in limiting the field of statutes in derogation of common law rights. But *quaere*: Could not the same result have been reached on the facts of the principal case by holding that since the lease in question was terminable by the lessee at the end of six months, the contract was not one which could not possibly be performed within a year, and was, therefore, not within the Statute of Frauds? Cf. *McClanahan v. Otto-Marmet Coal etc. Co.*, 74 W. Va. 543, 82 S. E. 752. —S. C. M.

TELEGRAPH AND TELEPHONE COMPANIES—LIABILITY TO ADDRESSEE—CONDITION AGREED TO BY SENDER BINDING ON ADDRESSEE.—In an agreement between a telegraph company and the sender of a telegram there were certain stipulations limiting the former's liability. The telegram was not delivered. The addressee brought an action in tort against the telegraph company for the failure to deliver. The question was whether the conditions limiting liability were binding on the addressee. *Held*, The conditions were binding. *Dunham v. Western Union Tel. Co.*, 102 S. E. 113 (W. Va. 1920).

For a discussion of this case, see NOTES, p. 81.

WEST VIRGINIA BAR ASSOCIATION NOTES: NEWS OF THE PROFESSION

BAR EXAMINATION.—Eleven candidates took the examination for admission to the West Virginia bar held in Charleston, September 8-9, 1920. Certificates of having passed the examination were issued to the following:

Harry V. Campbell, Charleston,
Rolla Dacres Campbell, Huntington,
William Wallace Goldsmith, Beckley,
T. Seldon Jones, Huntington,
Joe P. Hatfield, Williamson,
Chas. E. Lamberd, Jr., Clarksburg,
E. B. Pennybacker, Parkersburg,
Harper Poling, Hendricks,
John V. Ray, Charleston.

NECROLOGY.—Judge Alston G. Dayton, U. S. District Judge, Northern District, W. Va., Philippi, died July 30, 1920; Ed. Noonchester, Williamson, died September 5, 1920; Judge E. Boyd Faulkner, Martinsburg, died September 19, 1920, and S. N. Pace,