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The College of Law

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and Virginia and to federal cases applicable to these jurisdictions. In their discussion, however, due consideration will be given to legal principle and to the authorities in other jurisdictions. The only considerable variation from this rule will be as to cases involving coal, oil or gas rights from states governed by the same mining-law principles as West Virginia. This is a most important line of local litigation on which the decisions of Pennsylvania, Ohio, Texas, Oklahoma and several other states have an important bearing. At the present time there is no legal periodical which gives peculiar attention to mining-law questions as governed by the common-law principles prevailing in the Eastern, Southern and Middle-Western states. By treating these questions in their general aspect, it is believed that the West Virginia bar will be best served and the QUARTERLY will be made of interest in other states having similar problems to meet on the same common-law foundation.

Editorial Notes will generally be the work of the law faculty as the Board of Editors or of the Associate Editors for the Bar Association. Recent Cases will generally be written under faculty supervision by the Associate Student Editors who are chosen from among those members of the second and third year classes of the highest standing in scholarship. Notes and notices respecting the Bar Association will be edited by the Secretary of the Association.

The publication of THE BAR has demonstrated the need for a periodical which will serve for the exchange of practical thought on legal questions of local importance. As in the past, the pages of the QUARTERLY will be open to all members of the bar for constructive criticism of the legal problems of West Virginia in particular and of the country at large which affect West Virginia. The QUARTERLY is glad to announce that it will have the highly appreciated services of Professor Willey as an Associate Editor for the Bar Association.

THE COLLEGE OF LAW.—Like practically all other law schools in the country, the College of Law opened in September with a large decrease in attendance. The number enrolled as students is slightly less than fifty per cent. of the enrollment last year. This is not surprising in view of the fact that fifty per cent. of those enrolled in last year’s first and second year classes are now
in military service. This is also true of a very large proportion of those who expected to enter as first year students. Several of those who returned had been rejected for military service. Students in the College of Law have no peculiar grounds for exemption, are on the average of greater maturity than the students in any other college of the University, and from their record are unexcelled for patriotic devotion. A member of last year’s second year class who is now a first lieutenant in the National Army correctly expressed College-of-Law sentiment in saying “I would be ashamed of the school if it didn’t have a large reduction in attendance at such a time.”

The faculty remains unchanged except for the resignation of Associate Professor D. C. Howard who has entered practice in Charleston. It is with much regret that the College of Law loses his efficient services as a teacher and as editor of the Note Department in The Bar.

Considerable additions have been made to the law library during the summer and fall, so that it now contains the reports of all the states. The acquisition of about ninety volumes of briefs and records from the library of the late Judge T. C. Green of Charles Town, covering cases decided from 1876 to 1887, has added much to the value of that collection. Valuable gifts have been received from the library of the late Henry M. Russell of Wheeling and from the library of Price, Smith, Spilman & Clay of Charleston. Last spring a large portion of the library of the late Col. Robert White of Wheeling, former Attorney General, was purchased, thereby adding much to the library’s rare and valuable collection of Virginia Acts, Codes and early practice books. The total number of volumes in the law library now exceeds eleven thousand. A printed catalog of the library for distribution to members of the bar is in course of preparation.

Venue in Equity as Depending upon the Situs of the Land.

A recent West Virginia case, Wirgman v. Provident Life & Trust Company,¹ by allusion, seems to cast doubt upon a former ruling of the same court in Rader v. Adamson² touching upon a question of venue. In Rader v. Adamson, the court decided that,

¹ 92 S. E. 415 (W. Va. 1917).
² 87 W. Va. 582, 595.