



July



WEST VIRGINIA LAWS MADE PLAIN

**LAWS AND LEGAL FORMS PREPARED
FOR THE USE OF FARMERS
MECHANICS AND BUSINESS MEN**

COMPILED BY

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PRESENTED BY

The National Bank of Fairmont
Fairmont, West Virginia

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PREFACE.

This abridgment of the laws of the State of West Virginia is not designed for the use of lawyers, nor is it the aim of the author to make every man his own lawyer. The more general provisions of our statutes should be and are of interest to the great majority, if not all of the people of the state, and it is with the idea of assisting them in gaining such information that this compilation was prepared.

It cannot be supposed that in the brief space permitted in a work like this all of the provisions of our laws can be set forth with exact detail, or that full and complete information can be given. The thought has been to give the essential elements of the statutory law on subjects which most directly concern the citizen in his or her daily life.

It is suggested that a lawyer should always be consulted, where important legal rights are involved, before taking any action leading to an adjustment of such rights.

A. A. LILLY,
Attorney General,

FRANK LIVELY,
Assistant Attorney General,

Charleston, West Virginia, March 1, 1916.

THE UTILITY OF BANKING.

A bank is as indispensable in every business community as any other branch of business.

Banks are useful as places of security to deposit money. They are necessary and important to persons who wish to borrow—to the farmer who buys a farm, or who needs money to tide him over from the time of planting to the harvest period; to the business man who needs additional funds in his operations.

The bank acts in this double capacity. It gathers the surplus money of a community; offers its capital as a guarantee of its safe return; loans a part of this money to the active members of the community; stimulating activity in all lines of commerce. To the extent that the bank holds in its custody the funds of its community to that extent it is of value and a benefit in that community.

A bank account is a safe way to keep your money.

Payment by check is convenient, saves time, guards against errors, furnishes a good record of your transactions, is useful when a payment is disputed.

A bank account of an individual is a valuable record of his income and expenditure.

A bank account is an education to the depositor; acquaints him with the value of keeping a record; gives him a better idea of business affairs; keeps him in touch with the affairs of his community; gives him the benefit of the bank's experience, knowledge and advice pertaining to investments and other matters.

A bank account is a great help in saving money. It becomes the one ambition of the man who has a sum of money, large or small, to his credit in the bank to strive to increase that sum.

The richest men in the country never carry money in their pockets, but put it in the banks. If you have no bank account start one at once, no matter how small the beginning. This bank accords careful consideration to the small as well as to the large depositor.

TO OUR FRIENDS.

This compilation is intended for the use of those who desire to have at hand some convenient means of reference to the general laws of West Virginia without being compelled to resort to the bulky volume of our revised statutes, or to the numerous acts of the legislature. The work is not an abridgment of all of the laws of the state, but a compilation of those provisions of the statutes believed to be of most concern to the people in general. Such topics as arise in the every-day lives of our citizens are discussed by Hon. A. A. Lilly, Attorney General, and Hon. Frank Lively, Assistant Attorney General, for the State of West Virginia.

These law topics are clothed in plain language, and can readily be understood by all. This work has been prepared at a large expense, and we present it to our friends, believing that it will give them a fair knowledge of the laws of our state, and after a careful reading of the same they will prize it as a souvenir of no little value, and one that can be consulted with pleasure and profit for many years to come.

THE NATIONAL BANK OF FAIRMONT,
FAIRMONT, WEST VIRGINIA.

(Fourth Page Reading Matter.)

LAWS AND FACTS CONCERNING BANKS AND BANKING.

The incentive to accumulate wealth is the principal power which impels men to activity in all business walks of life. The first step is to acquire money, the second to save it. In framing the laws under which banks are organized and conducted legislative bodies have always kept in mind that banking houses are absolutely necessary in all commercial centers for convenience and safety in carrying on business. The law-makers have wisely put into the laws such safeguards and restrictions as protect the people in their transactions with banks, thus furnishing the public a place of safety in which to deposit money, as well as a place to borrow when in need of funds.

National Banks, organized under laws passed by congress, are subject to rigid examination by national bank examiners twice each year. The comptroller of the currency calls on National Banks for statements showing their condition five times each year. Such statements must be duly signed by the president or cashier, attested by three directors, and published in a local newspaper. The directors of a National Bank must hold regular stated meetings and make an examination of the assets and liabilities of the bank. A complete record of such examinations must be made and kept and submitted to the bank examiner. The law makes it a crime for bank officers to make false statements or false entries in the books of the bank, or to receive deposits when the bank is in an unsound condition.

The depositor in a National Bank has the integrity of the banker and the strong arm of the United States to protect his interests, as well as the double liability of the stockholders.

In the daily newspapers we often read of money hidden in the home being stolen. Under the United States banking laws the farmer, mechanic, merchant and all others can deposit money in a National Bank and feel assured of being amply protected against the lawless characters who are seeking opportunities to steal the accumulations resulting from the industry and economy of others.

West Virginia State Laws

(ABRIDGED.)

ACTIONS.

Classes of actions, or suits, are divided into two general classes, civil and criminal. A civil action or suit is where the plaintiff demands of the defendant in court his right for the redress or prevention of some wrong or the protection of some right. Civil actions or suits are divided into two general classes, legal and equitable. A legal action, or "action at law" is where a jury is empanelled to pass upon the facts; an equitable action, or suit in chancery, is where no jury is required, and the court passes upon questions of law and fact; unless the judge should desire some question of fact passed upon by a jury in which case there is what is called an issue out of chancery and a jury empanelled to try those certain questions referred to them. A criminal action or suit is where the state is plaintiff against a defendant charged with the commission of a felony or misdemeanor.

An example of an action at law is where a suit is instituted for damages for an injury or upon a note. An example of a suit in chancery is where a suit is instituted to enforce a lien upon real estate, or to obtain a divorce. Before instituting a suit at law or in chancery a good lawyer should be consulted. Sometimes an informal proceeding in court is made by a motion for a judgment where any person is entitled to recover money by action on any contract. In order to avail himself of this method of obtaining judgment by motion the plaintiff must give the defendant notice of the time and place when such motion will be made at least twenty days beforehand and shall return the notice to the clerk's office of the court at least fifteen days before the motion is heard.

COMMENCEMENT OF SUITS—A suit is commenced by filing with the clerk a writing which must state the names of the parties, plaintiff and defendant, the nature of the suit, the amount for which it is instituted and the day on which the defendant or defendants are required to appear and answer. The clerk then issues a summons, which is a command to the sheriff or other officer to warn the defendants to appear on a given day and take such proceedings as they may desire to protect their interests.

LIMITATION OF ACTIONS—Actions to recover lands must be instituted within ten years. Every action to recover money founded upon an award or other contract, other than a judgment or recog-

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OF
A SOLID, WELL EQUIPPED BANK.

nizance, upon an indemnifying bond, upon a contract in writing, within ten years; upon any other contract, within five years; actions by personal representatives for death by wrongful act, must be commenced within two years after the death of the person for whose wrongful death the right of action accrues. Action for personal injuries must be instituted within one year from the date of the injury. A suit to enforce the lien of a deed of trust or mortgage must be brought within twenty years from the date of the execution and recordation thereof. Claim against the state must be asserted within five years from the time it might have been presented or asserted. If the person having such claim be an infant, married woman, insane or imprisoned at the time it might have been presented or asserted the claim will remain alive for two years after the removal of such disability. Rent may be distrained for within one year after the time it becomes due, but not afterwards, whether the lease be ended or not. A judgment rendered in another state cannot be enforced in West Virginia if such a time has elapsed that it could not be enforced in the state where rendered, and whether it could be enforced in such state or not, if ten years have elapsed.

RENEWAL OF RIGHT TO SUE—If any person against whom the right of suit shall have accrued on an award, or on any contract, shall by writing signed by him or his agent, promise payment of money on such award or contract, the person to whom the right shall have so accrued may maintain an action or suit for the moneys so promised within the same number of years after the new promise as was given under the old promise. This is called a "new promise in writing" and it is absolutely necessary to have such promise in writing as a verbal promise will be of no value.

AMOUNT IN CONTROVERSY—The jurisdiction of a justice extends to all civil actions for recovery of money or the possession of property including actions in which damages are claimed as compensation for any injury or wrong where the amount of money or damage or the value of the property does not exceed \$300 exclusive of interest and costs. But a justice has no jurisdiction of actions:

1. For false imprisonment.
2. For malicious prosecution.
3. For slander, verbal or written.
4. For breach of marriage promise.
5. For seduction.

An appeal lies from the judgment of a justice where the amount in controversy is more than \$15 exclusive of interest and costs.

All other actions may be instituted in the circuit court which has jurisdiction generally of all suits where the amount in controversy exceeds \$50 exclusive of interest and costs. In some counties courts of criminal jurisdiction exist and in such counties criminal actions must be instituted in the criminal courts. Appeals lie from the crim-

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

inal court to the circuit court and thence to the supreme court of appeals. In civil actions the appeals lie from the judgment of the circuit court to the supreme court where the amount in controversy exceeds \$100 exclusive of interest and costs.

WHERE TO INSTITUTE SUIT—A suit is usually instituted where any of the defendants may reside. If a corporation be defendant in the county where its principal office is or where its president or other chief officer resides. If it be a non-resident or foreign corporation in the county where the cause of action arose and process may be served upon the auditor who is statutory attorney for acceptance of process or on whom process may be served. If the suit is to recover on an insurance policy, either upon property or life wherein the property insured was situated at the date of the policy, or where the person whose life was insured resided at the date of his death, or at the date of the policy. If the suit be to recover land, or subject it to a debt, wherein such land or any part thereof may be. If a suit be against a defendant who resides out of the state, but has property, or debts owing to him within the state, in the county where such estate or debts or any part thereof may be; or in any county wherein he may be found and served with process. A suit may be maintained against a non-resident defendant in any county wherein he may be found and served with process, even though he may have no estate or debts owing to him in this state. Suits to recover claims due the state may be instituted in the circuit court of Kanawha county. A suit may be instituted in any county wherein the cause of action or any part thereof arose, although none of the defendants reside therein, if process can be legally served.

ACKNOWLEDGMENT.

Acknowledgment of deeds and other writings should be in form or effect as follows:

ACKNOWLEDGMENT—SINGLE—State of West Virginia, County of....., to-wit: I,....., a....., of said county, do certify that..... whose name..... signed to the writing above bearing date on the.....day of....., 191...., ha.... this day acknowledged the same before me in my said County.

Given under my hand this.....day of....., 191....

My commission expires.....

ACKNOWLEDGMENT—HUSBAND AND WIFE—State of West Virginia, County of....., to-wit: I,aof the said County of.....do certify that and..... his wife, whose names are signed to the writing above bearing date the.....day of....., 191...., have this day acknowledged the same before me in my said County.

Given under my hand this.....day of....., 191....

My commission expires.....

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

ACKNOWLEDGMENT—MARRIED WOMAN—SEPARATE—State of West Virginia, County of....., to-wit: I,.....aof the said County of.....do certify thatthe wife of.....whose names are signed to the writing above bearing date the.....day of....., 191...., ha.... this day acknowledged the same before me in my said County.

Given under my hand this.....day of....., 191...
My commission expires.....

ACKNOWLEDGMENT—CORPORATION—State of West Virginia.....County, to-wit: I,a Notary of the said County of.....do certify that.....personally appeared before me in my said County, and being by me duly sworn, did depose and say that he is the.....of the Corporation described in the writing above, bearing date the.....day of , 191...., authorized by said Corporation to execute and acknowledge deeds and other writings of said Corporation, and that the seal affixed to said writing is the corporate seal of the said Corporation, and that said writing was signed and sealed by him in behalf of said Corporation by its authority duly given. And the said.....acknowledged the said writing to be the act and deed of said Corporation.

Given under my hand this.....day of....., 191...
My commission expires.....

.....Notary Public.

ADOPTION OF CHILDREN.

An unmarried person, or a husband and wife jointly, or a husband with the consent of wife or wife with husband's consent may petition the circuit court of their county for leave to adopt a minor child, not theirs by birth, and for a change of the name of the child. If the child be over fourteen years of age his or her written consent duly acknowledged must be had and filed with the petition and also the consent of each of the child's living parents not insane, or who has not abandoned the child. Where there are no parents known, the consent of the guardian of the child must be had, or if there be no guardian, then by some person appointed by the court to act in the proceedings

When all this is done and the court is satisfied that the petitioner is able to provide for the child it will make an order, setting out the facts, and declaring that to all legal intents and purposes, the child is then the child of the petitioner, and that its name be changed. By this court order, the natural parents are divested of all rights and obligations in regard to the child, and the child of all legal obligations to them; and the child is in the eyes of the law, the child and heir at law of the person or persons making the adoption.

WE INVITE NEW ACCOUNTS

Upon Our Merits For

STRENGTH AND SAFETY.

ADULTERATION.

If a person knowingly sell or expose for sale any diseased, corrupt or unwholesome drugs or provisions, whether food or drink, without making same known to the buyer, he shall, upon conviction thereof, be confined in jail not more than six months and fined not exceeding \$100.

If a person fraudulently adulterate, for the purpose of sale, anything intended for food or drink, or if he knowingly sell or barter anything intended for food or drink, which is not what it is represented to be, or what it is sold for, he shall be confined in jail not more than one year and fined not exceeding \$500; and the adulterated or other articles shall be forfeited and destroyed.

A person who manufactures, sells or offers for sale any substance, purporting to be, or having semblance of, butter or cheese, which substance is not made wholly of pure cream or pure milk, unless each package, roll or parcel thereof, and each vessel containing one or more packages of the same, has distinctly printed, stamped or marked thereon the true and appropriate name of each substance and also the fact that it is not wholly made from pure cream or pure milk, as the case may be; or any person who sells to a consumer, any such substance not so marked or stamped, or without delivering to the consumer a written or printed statement that it is not wholly made of pure cream or pure milk shall be fined not less than \$10 or more than \$100 and may be confined in jail until the fine and costs are paid but not exceeding three months. But this shall not prevent the use of skimmed milk, salt, rennet or harmless coloring matter in the manufacture of butter or cheese.

AFFIDAVIT.

AFFIDAVIT IN WEST VIRGINIA—An oath or affidavit required by law, which is not of such nature that it must be made in open court, may be made before a justice of peace and certified by him. And where it may be made before a justice, it may also be made before a notary, a commissioner in chancery, a commissioner appointed by the governor, or a court, or court clerk, or clerks of city or common councils.

IN OTHER STATES—An affidavit may be made in another state before any officer authorized by the laws of such state to administer oaths. If such officer is a notary, his signature and seal is usually sufficient proof of the signature. If the officer is other than a notary, his signature and authority to take affidavit must be certified by the clerk of the court of the county or city in which the affidavit was made, under his official seal.

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

AGE OF CONSENT.

The age of consent is fourteen years for a female and eighteen years for a male. Any person having unlawful carnal knowledge of a female under the age of fourteen may be punished by death, or confined in the penitentiary not less than seven nor more than twenty years.

The age of consent means that in such cases the accused cannot plead the consent of the female as a defense.

ALIENS.

An alien, except an alien enemy, may acquire and hold property by descent or purchase in West Virginia, and the same may be transmitted or transferred in the same manner as other property held by citizens.

ANIMALS.

DOMESTIC—Stock in the legal sense, means cattle, hogs, sheep, horses, mules and the like. The term animals means all domestic animals which may be restrained. Trespassing stock or animals refers to those unlawfully running at large, or upon land contrary to law or police regulations. The term owner, when used in this connection, means anyone entitled to the present possession of any animals or having care or charge of them.

STOCK LAW—Under what is called "stock law" the voters of each county or district determine whether stock, as defined above, shall be permitted to run at large, or shall be restrained during the whole year or any part thereof. It is necessary that the stock law be adopted by a majority of the voters of a county or district at an election at which the question shall be submitted for their adoption or rejection. The county court upon the petition of fifty voters of any district therein must submit to a vote of the district at a general or school election the question of adopting the stock law in such district. A majority vote is necessary for the adoption of the stock law. It is unlawful to allow any stallion, jack or bull over one year old, buck sheep over four months old or boar over two months old, to run at large on any of the highways, commons, or unenclosed lands; and any person finding any such animal so at large may take up the same. Notice shall be then promptly given to the owner and the place where the animal is kept. It is the duty of the owner to pay the costs of keeping such animal and the costs of taking it up and of giving notices, under the penalty of having the animal sold at public auction for the purpose of paying the same.

PROCEEDINGS WHERE ANIMALS ARE RESTRAINED—Where the stock law has been adopted, and the animals have been taken up for violation of the stock law, the taker up must immediately notify the owner of the fact as well as the amount of damages which have

WE RECEIVE

DEPOSITS

SUBJECT TO CHECK.

been sustained and the costs of keeping; if the taker up and the owner cannot agree upon the damages and costs the same may be settled by arbitration, each party to select one free holder and the two free holders thus appointed to select the third, or umpire. If the damages claimed are approved by the arbitrators the owner shall pay the costs; but, if reduced, the costs of the arbitration shall be paid by the taker up. If the owner be not known or does not reside in the county, publication shall be made of the taking up by posting notices at three public places in the county in which notices shall be stated the time, terms and place of sale of the animals so taken up.

If the animals are sold the proceeds thereof, after deducting the damages and costs, shall be paid to the owner if application be made therefor within six months. But if no application be made for same the residue must be paid to the sheriff for the benefit of the free schools of the district. A person may, instead of restraining trespassing animals, sue the owner for damages.

WILD ANIMALS—Only qualified property rights exist in wild animals and ownership attaches when such are reclaimed by the power or skill of man. It is sufficient to keep them in such a way as to deprive them of their liberty and render escape impossible. The title to all wild animals is in the State of West Virginia.

BEES—Bees are regarded as wild by nature, and the one who hives them becomes the owner. Bees in a tree belong to the owner of the land and the mere finding of such tree by another gives him no title to the bees or honey. Both belong to the owner of the land on which the tree stands.

BOUNTIES FOR KILLING CERTAIN ANIMALS AND BIRDS—The county court may offer reasonable bounties or rewards for the destruction of noxious animals and birds of prey and provide for the payment out of the county treasury.

CRIMINAL LIABILITY—If a person maliciously administer poison to, or expose it with intent that it should be taken by any horse, cattle or other beast, of another person; or if any person maliciously maim, kill, or cause the death of any horse, cattle or other beast of another person of the value of \$20 or more, he shall be confined in the penitentiary not less than one nor more than five years; and if of less value than \$20 he shall be confined in jail not more than three months and fined not more than \$50. This shall not be construed to include dogs.

CRUELTY IN GENERAL—A penalty of not less than \$5 nor more than \$100, and possible imprisonment in jail, at the discretion of the court or justice, may be imposed on a person that cruelly, unnecessarily or needlessly beats, tortures, torments, mutilates, kills or overloads, or overdrives or wilfully deprives of necessary food, any horse or other domestic animal, whether his own or that of another person.

**PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.**

ESTRAYS—Estrays may be taken up by any person on whose land they are found. Notice shall be immediately given by posting and publication and if the owner do not appear and claim the property within four weeks and pay the costs of keeping, a justice of the peace shall issue his warrant to three free holders requiring them under oath to view and appraise the estray and make a certificate thereof to the clerk of the county court who shall record it and post copy thereof on the door of the court house. If the owner makes failure to claim the property within thirty days, after these proceedings, and if the value be over \$15, after publication thereof three times in the nearest newspaper, the estray shall belong to the owner of the land on which it was taken, if these proceedings have been carefully complied with.

RIGHT OF OWNER—The owner of an estray may reclaim the same at any time before the title vests in the taker up by paying costs and expenses above indicated. He may, at any time after, recover the valuation money, except the amount of the clerk's and printer's fees and such compensation for keeping the property as shall be certified under oath as reasonable, by any two free holders in the county where the property was valued.

DOGS—Any person may kill any dog that he may see chasing, worrying, wounding or killing any sheep, lambs, goats or kids, outside of the enclosure of the owner of such dog unless the same be done by the direction of the owner.

OWNER OF DOG—The owner or keeper of the dog which shall have killed or assisted in killing, wounding or worrying any sheep, lambs, goats or kids outside of the enclosure of the owner is liable to the owner of the sheep for damages; but if damages be recovered, then it will preclude the owner of such animals from compensation from the county court; and if compensation is made by the county court, then that body may recover the damages against the owner or keeper of the dog. The owner or keeper of the dog which has been killing or worrying sheep, etc., as above set out, shall within forty-eight hours after having received notice thereof in writing, from reliable and trusty source, under oath, cause such dog to be killed. If he fail to do so, proceedings may be had by warrant before a justice of peace in which it may or may not be adjudged that the dog shall be killed, depending, of course, upon the evidence.

ARBITRATION AND AWARD.

Persons who desire to end any controversy, whether there is a suit in regard to it pending or not, may submit it to arbitrators for their decision. The usual mode is to submit it to two, and if they cannot agree, a third is called in by them. The agreement to submit the question may be entered of record in the court proceedings. And such submission to arbitration if entered or agreed to be entered of

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

record in a court, cannot be revoked by either party to the agreement without consent of court. Persons occupying fiduciary positions may submit matters pertaining to the estate under their control to arbitration. Any such submission made in good faith shall be binding, and the award of the arbitrators entered as a judgment of the court. In case the award is adverse to the fiduciary, he is not liable to the estate which he controls for any loss, unless caused by his fault or neglect.

ASSIGNMENTS.

ASSIGNMENT FOR THE BENEFIT OF CREDITORS—Any person, partnership or corporation when in financial straits may make an assignment of all his or its property to some third person designated an assignee for the purpose of converting the property so assigned into cash and paying creditors who are usually named in the deed together with the amounts owing. The assignment must be for the benefit of all the creditors and without preference to any of them. If any creditor has previously secured a lien and is entitled to a preference thereby, he will receive such preference whether or not so stated in the deed of assignment. Where a valid assignment has been made the title passes from the owner of the property to the assignee and is held in trust by him for the benefit of all creditors.

ASSIGNMENT DOES NOT RELEASE DEBTOR UNLESS ALL CREDITORS ARE PAID IN FULL—A debtor does not free himself from his debts except by paying them in full or by a contract made between him and his creditors whereby they agree to accept a less sum than in full; so if a debtor makes an assignment for the benefit of his creditors and his property so assigned should fail to pay them in full then any creditor may sue the debtor for the balance of his debt and reduce such balance to judgment which may be collected as other judgments are collected if perchance any property liable thereto can be found.

ESSENTIALS—The assignment must be in writing, setting forth the name of the debtor and the name of the assignee, a description of the property conveyed for the purposes of the assignment and if possible the names of all the creditors and the amounts due them respectively. The deed should be signed and acknowledged by the debtor and must be recorded in the office of the clerk of the county court of each county, wherein there is any of the assigned property located, especially if it be real estate. The assignee should then take possession and control of the property assigned to him and reduce all such to cash, and where necessary may sue any person who owes the debtor and collect the same for the benefit of the trust fund.

BOND OF ASSIGNEE—If required by any party in interest the assignee must give a bond and file the same, conditioned for the faithful performance of his duties as such assignee and for faithfully

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

accounting for and paying over all money or property which may come into his hands as such assignee. And the bond should be in such sum as to cover the estimated amount which may come into his hands.

ATTORNEY—Assignees are entitled to have the advice of competent attorneys to assist in the management of the property and they are to employ, if necessary, reliable and competent attorneys to advise in the management, control and disbursement of the fund; and should at all times be protected by proper orders of a court if any doubt exists as to what should be done.

CLAIMS OF CREDITORS—All persons having claims against the debtor should present them to the assignee, who has the power to pass upon such claims in the first instance. If he should reject a claim the claimant may take exception and bring the question into court for adjudication.

DISBURSING PROCEEDS—The assignee after converting the property or portion thereof into cash may make disbursements from time to time until the trust fund is fully settled and if a court proceeding has not been instituted by him or by some of the creditors he should then make his settlement before a commissioner of accounts and his settlement so made is then filed and recorded in the county clerk's office.

Disbursements are made according to the order of the court if a court decree has been entered. Or if no court proceeding has been instituted then the usual rule is to pay first the costs attending the execution of the trust including commissions to the assignee and attorneys' fees, if any, then the payment of taxes, and next, the payment of any liens which may take preference; and then the payment to the creditors of the remainder, pro rata, and without preference.

ATTACHMENTS.

DEFINITION—An attachment is a proceeding in a pending suit, or in one about to be instituted, to obtain a lien upon property to satisfy the final judgment or decree of the court, and thereby prevent the transfer of the property by the owner.

WHAT FOR—Attachments may be for the recovery of any claim or debt arising out of contract or to recover damages for any wrong, and is begun by the plaintiff or some creditable person making an affidavit stating the nature of the claim and the amount at least which affiant believes the plaintiff is justly entitled to recover, and that the following grounds exist for the attachment:

1. That the defendant, or one of the defendants, is a foreign corporation, or is a non-resident of the state.
2. Has left or is about to leave the state, with intent to defraud his creditors.

WE TRY TO PLEASE OUR CUSTOMERS
AND CAN PLEASE YOU.

3. So conceals himself that a summons cannot be served upon him.

4. Is removing or is about to remove his property or the proceeds of the sale thereof or a material part of the property or proceeds, out of the state, so the process of execution on a judgment or decree, when it is obtained, will be unavailing.

5. Is converting or is about to convert his property or a material part thereof, into money or securities, with intent to defraud his creditors.

6. Has assigned or disposed of the same, or is about to do so, with like intent.

7. Has property or rights of action which he conceals.

8. Fraudulently contracted a debt or incurred the liability for which the action or suit is about to be or is brought.

Attachments may be levied on any estate of the defendant whether real or personal.

AUTOMOBILES.

DEFINITION—The term "motor vehicle" includes all vehicles propelled by any power other than muscular power, excepting such motor vehicles as run only upon rails or tracks; "public highways" shall include any highway, county road, state road, public street, alley, avenue, park, parkway, driveway or public place in any city, village or town. "Closely built-up" means (1) The territory of such village or town contiguous to a public highway which is at that point built up with structures devoted to business, (2) the territory of such village or town contiguous to a public highway not devoted to business, where for not less than one quarter of a mile the dwelling houses on each highway average less than one hundred feet apart, and (3) the territory outside of the city, village or town contiguous to a public highway within a distance of one-half mile from any post office, provided that for a distance of at least one-quarter of a mile within such limits the dwelling houses on such highway average less than one hundred feet apart and provided however, that the local authorities shall have placed thereon signs of sufficient size to be easily read, bearing the words "slow down." "Local authorities" includes all officers of counties, cities, villages or towns as well as other public officials. "Chauffeur" shall mean any person operating a motor vehicle as a mechanic, employee or for hire.

REGISTRATION—An automobile license must be obtained from the auditor, and there numbered consecutively and in addition thereto the auditor must furnish to every licensee two metal tags or plates bearing the same number as the license and the word "licensed" printed on such tag or plate in plain letters. One tag or plate must be securely attached in a conspicuous place on the front and the other on the rear of the automobile. Duplicate tags or plates may be

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IS A GREAT AID
IN SAVING MONEY.

issued by the auditor by the payment of a fee of \$1 for each. A record of all licenses and plates or tags is kept by the auditor in his office. All licenses must be renewed annually on or before the first day of July and the annual license tax is \$10 for each automobile. Failure to obtain the license and tags is punishable by a fine of not less than \$20 nor more than \$100.

NON-RESIDENT OWNERS EXEMPT—A non-resident who has properly complied with the provisions of the law of his state relating to automobiles and who displays on his car the license number issued to him by his state is not required to take out a license in this state, if by the laws of his state a like privilege and exemption is accorded to owners of automobiles of this state.

EQUIPMENT—Every motor vehicle used on a public highway shall be provided with good brakes, a speedometer and suitable bell, horn or other signal and be so constructed as to exhibit during a period from one hour after sunset to one hour before sunrise two lanterns showing white lights and showing the registration number of such vehicle and in separate arabic numerals, not less than one inch in height and not less than one-quarter inch in width and also a red light visible in the reverse direction.

RULES OF THE ROAD—When a person operating a motor vehicle is met on a public highway by any other person riding or driving a horse or other draught animal, or any other vehicle, the person operating such motor vehicle shall turn the same to the right of the center of the highway so as to pass without interference. When overtaking any such horse, draught animal, or other vehicle, pass on the left side thereof, and the rider, or driver of the other vehicle shall turn to the right so as to allow free passage on the left. At the intersection of public highways the motor vehicle shall keep to the right of the intersection of the center of such highways when turning to the right and pass to the right of such intersection when turning to the left.

STOP ON SIGNAL—When signalled by putting up the hand of a person riding, leading or driving a horse or other draught animal, the operator of the motor vehicle, motor cycle or motor bicycle must bring the same immediately to a stop and if driving in the opposite direction remain stationary a reasonable time to allow such horse or other animal to pass and if driving in the same direction use reasonable caution in passing the same.

FRIGHTENED HORSES—If it appears that such animal be badly frightened the machine must cease running so long as reasonably necessary to prevent accident and insure the safety of others.

WARNINGS—Reasonable warning of the approach of the machine must be given to a person walking in the roadway or riding or driving there, and reasonable precaution must be used to insure the safety of persons and animals.

**BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.**

RATE OF SPEED—On approaching bridges, dams, sharp curves or steep descents the machine must be under control and run at a rate of speed not exceeding five miles an hour and upon approaching or crossing intersecting highways at a reasonable speed having regard to the traffic and the safety of the public. Where the territory is closely built up the speed must not be greater than ten miles an hour, or elsewhere in a city or village at a greater rate than fifteen miles, or outside the city or village at a greater rate than twenty miles, subject, however, to regulation by local authorities. Where rate of speed has been set by ordinance by local authorities, such rate must be posted on sign boards on each main public highway where the city or village line crosses said highway.

ACCIDENTS—In case of accident to person or property on highway, machine operator must stop, and upon request give name and address of himself, the owner, and of all persons in car at time of accident.

CHAUFFEUR'S LICENSE—Any person desiring to operate a motor vehicle as chauffeur must apply to the auditor giving name and address, and the trade name and motive power of the machine he is able to operate and pay a registration fee of \$2. The auditor then assigns him a number and delivers to him an oval badge on which is stamped "Registered Chauffeur, Number —, West Virginia Motor Vehicle Law" with his number inserted therein. He must wear the badge on his person in a conspicuous place while operating on public highways.

THROWING GLASS, TACKS, ETC., ON STREETS AND HIGHWAYS—No person shall drop, place or throw and suffer to remain upon any highway, road, street, alley, lane, square or other public place, any glass, scrap iron, nails, wires, tacks or offensive matter of any kind, unless authorized by competent local authority and for some public purpose; subject to a penalty of \$2 for each offense.

BANKS.

NATIONAL BANKS—National banks are such as are organized under the laws of the United States, and are required to have a capital of not less than \$25,000. In cities and towns the capital required is regulated in accordance with the population of said city or town. In cities of more than 3,000 and less than 6,000 not less than \$50,000 capital. In cities of more than 6,000 and less than 50,000 the capital must not be less than \$100,000. In cities of more than 50,000 inhabitants the minimum capital is \$200,000. Each stockholder in a national bank is liable not only for the amount of his stock in such bank, but is liable in an additional amount of such stock. The business of the bank is managed by its directors, who are required to exercise due care and good faith, and they are responsible in a civil suit, and criminally, for any fraud or mismanagement of the bank's affairs. Any person engaged in the banking business who receives deposits after the bank has become insolvent is guilty of a criminal offense.

PRIVATE BANKS—Private banking is not allowed under West Virginia laws.

READ

**"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.**

STATE BANKS—Capital stock of every state bank or banking company cannot be less than \$25,000 nor more than \$500,000, and divided into shares of the par value of \$100 each. It is unlawful for any individual to use, in connection with his business, the term bank, banker or banking company or trust company until a charter shall have been taken out complying with the banking laws. The charter to begin a banking business is issued by the secretary of state, but that officer will not do so until it shall have been approved by the commissioner of banking. It is unlawful to begin business as a bank until the commissioner of banking shall have examined the charter, constitution and by-laws and issued his permit, or certificate of authority to begin business.

PAYMENT OF CAPITAL STOCK—At least one-half of the capital stock must be paid in before the bank can begin business and the remainder must be paid in installments of at least 10 per centum each on the residue of the capital stock each succeeding three months from the time it is authorized to commence business.

DOUBLE LIABILITY—Under Article 11, Section 6 of the Constitution stockholders of a state bank shall be personally liable to the creditors thereof, over and above the amount of stock held by them respectively to an amount equal to the respective shares so held, for all liabilities accruing while they are such stockholders.

EXAMINATION—At least twice a year the commissioner of banking or his assistant must make a thorough examination of the books and affairs of every bank, carefully examining all notes and mortgages and other assets, and shall ascertain the full amount of liabilities. It is his duty to see that the books are kept properly posted and balanced, and complete trial balances struck at regular intervals. He is required to see that all irregularities in the conduct of the business are corrected; and he may make calls for special statements concerning the affairs of the bank. Should a bank neglect or refuse to make such special reports for a period of ninety days, or if the commissioner should find it in an insolvent condition or if it should neglect or refuse to correct irregularities or violations of the bank law to which he may have directed the attention of the president, cashier or board of directors, the commissioner has authority to take charge and report the same to the governor; and he has power with the consent of the governor to appoint a receiver.

RESERVE—State banks are required at all times to maintain on hand a reserve in money equal to at least 15% of the aggregate of all its deposits which are subject to withdrawal on demand; but in lieu of lawful money three-fifths of the said 15% may consist of balances payable on demand from any national or state bank, or any solvent banking institution outside of the state, that may be approved by a supervisor in said state.

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

IMPAIRMENT OF CAPITAL—The capital cannot be impaired either in the form of dividends or otherwise. If losses have been sustained equal to or exceeding its undivided profits then on hand no dividend shall be made.

RETURN OF CAPITAL—Whenever the capital stock has been impaired from any cause the board of directors is required to restore the same within three months by pro rata assessment on the stockholders.

FALSE REPORTS ABOUT SOLVENCY—To maliciously spread false reports about the solvency of a bank or banking institution is a serious offense under the common law.

MINORS' CHECKS—Where a minor has funds in bank, deposited in his name it is lawful for the bank to pay out that money upon check of the minor same as in cases of depositors of legal age unless the bank has been specially directed to do otherwise in writing by the parent or guardian.

BIRDS.

NON-RESIDENT HUNTER—A non-resident is required to obtain a hunting license to hunt in the state either birds or animals and then only to hunt during the open season. The license is obtained through the state game and fish warden.

RESIDENT HUNTERS—A license to hunt in the county where one lives is required and can be obtained without charge from the county clerk. A state license may be obtained from the same source, giving the holder the right to hunt in any county in the state upon payment of \$3 therefor.

SHIPPING OUT OF STATE—It is unlawful to have in possession with the intention of transporting the same, or having the same transported beyond the limits of the state, any game bird.

OPEN SEASON—Quail, November 1 to December 1; Pheasant and wild turkey, October 15 to December 1; wild turkey, duck, goose or brant, October 1 to January 16; wood cock, October 1 to December 1; snipe, October 15 to December 16.

There is no open season on Hungarian partridge, Reeve's pheasant, English pheasant, Lady Amherst pheasant, Chinese pheasant, or any foreign game bird.

It is unlawful to catch or kill any non-game bird or destroy the nests or eggs of the same without a permit from the proper authority.

It is unlawful to buy or sell game birds.

BAG LIMIT—It is unlawful to kill more than twelve quail, six pheasants, two wild turkeys, or twelve squirrels in a day or more than ninety-six quail, twenty-five pheasants, six wild turkeys or one hundred squirrels in a season.

WE LOAN MONEY

On the Most Favorable Terms
Consistent with Sound Banking.

CHATTEL MORTGAGE.

Chattel mortgages in this state have almost been entirely superseded by deeds of trust. A deed of trust on personal property to secure payment of a debt, accomplishes the same purpose as a chattel mortgage and in a more expeditious and satisfactory way; hence, chattel mortgages have become practically obsolete in this state.

FORM—Use the form given for deed of trust.

PROPERTY PLEDGED, EXEMPTION—A person may convey personal property in trust, or by chattel mortgage, to secure the payment of a debt, but the conveyance will not be effective if the grantor claims the property therein as exempt from distress or levy under his right of personal property. See "Exemption."

REMOVAL OF MORTGAGED PROPERTY FROM COUNTY, PENALTY—A mortgagor of personal property or grantor in a deed of trust conveying personal property, in possession of same, who, without the consent of the owner of the claim secured by such mortgage or deed of trust, and with intent to defraud, removes or causes to be removed any of the property mortgaged or covered by such deed of trust out of the county where it was situated at the time it was mortgaged or conveyed by deed of trust; or with intent to defraud, secretes or sells the same, or converts the same to his own use, shall be guilty of misdemeanor and upon conviction, fined not more than \$500.00 or imprisoned not more than six months, or both.

CHECKS.

DEATH OF MAKER OF CHECK—Upon notice of the death of the drawer of a check the same should not be paid by the bank until a reasonable time thereafter and until an administrator has been appointed and qualified and the matter taken up with him.

"BOGUS" CHECKS—If a person issue and deliver a check and thereby obtain credit, money, goods or property of value from another and has no funds or insufficient funds in the bank to pay the same he shall be guilty of a misdemeanor if the check is less than \$20; but if greater than \$20 he shall be guilty of a felony. However, criminal prosecution may be avoided by the payment of the check within twenty days from the time he receives actual notice verbal or written of the protest of the check.

INFANT'S CHECK—See the heading "Banks."

CHECK DRAWN BY DRUNKEN PERSON—Any bank may refuse to pay a check drawn on it when it is known that the person signing the same was so under the influence of liquor or drugs, or otherwise not sound in mind, and incapable of attending to business.

WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.

CHILDREN.

EMPLOYMENT OF CHILDREN UNDER FOURTEEN PROHIBITED—It is unlawful to employ any child under the age of fourteen years in or about or in connection with any factory, mill, workshop, mine or manufacturing establishment. It is unlawful to employ, without written permission from the state commissioner of labor or county superintendent of free schools, any child under fourteen years of age in any business or service during the hours when a public school of the district in which the said child resides is actually in session.

CHILDREN UNDER SIXTEEN YEARS—If a child under the age of sixteen is employed in a factory, mill, workshop, or manufacturing establishment the employer must keep on file, accessible to any truant officer, inspector of factories or authorized agent of the humane society, an employment certificate, which certificate shall be only issued by the superintendent of schools or by persons authorized by him in writing, or if there be no superintendent of schools then by a person authorized by the local school board. Before issuing the certificate the person authorized shall not do so until he has made certain investigations and received certain papers and evidence which would entitle him under the statute so to do.

FEMALES NOT PERMITTED TO WORK IN MINES—It is unlawful to employ female persons of any age to work in any coal mine, and to knowingly do so subjects the offender to a fine of not less than \$10 or more than \$500, or imprisonment in the county jail in the discretion of the court.

CONDITIONAL SALE OF PERSONAL PROPERTY.

To retain title to personal property or a lien on same to secure the payment of the remainder of the purchase price in order to protect the vendor against an innocent purchaser for value a writing must be signed by the vendee retaining the title or lien and placed in the county clerk's office for recordation and may be signed by both parties. It must set out the date and payments to be made and a description of the property and stating that the title is retained by the vendor.

CONTRACTS REQUIRED TO BE IN WRITING.

There are certain contracts which a court will not enforce unless the same are in writing, and signed by the party to be charged. They are embraced in what is known as the "Statute of Frauds," and are:

- (1) A special promise of an administrator or executor to answer out of his own estate for any debt or damages against the estate of the decedent.
- (2) A promise to answer for the debt, default or miscarriage of another.

WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.

- (3) Any contract made in consideration of marriage.
- (4) Any contract made for the sale of real estate, or the lease thereof for more than one year.
- (5) Any contract not to be performed within the space of one year.

CORPORATIONS.

Corporations may be formed for the following purposes:

1. Manufacturing, mining or insuring.
2. Telegraphs, telephones, transportation of oils or other fluids, and carrying on the business properly pertaining to these.
3. Hotels, springs companies, gas works, water works, cemeteries, building and loan associations.
4. Universities, colleges, and the like, or for promoting religion, morality, military science, or other diffusion of knowledge, including library companies and literary and scientific associations.
5. Agricultural and industrial societies.
6. Benevolent associations, societies and orders including lunatic asylums, hospitals and all societies and orders of like character.
7. Gymnastic purposes.
8. Railroads and other works of internal improvements.
9. Banks and savings institutions.
10. For any purpose of business useful to the public for which a firm or co-partnership may be lawfully formed.

However, any church or religious denomination is not allowed to be incorporated; or any corporation the object of which is to purchase land and re-sell the same for profit.

MODE OF INCORPORATION—Corporations above enumerated may be formed by no fewer than five persons who shall sign an agreement setting forth:

1. Name of the corporation.
2. Location of its principal place of business and chief works.
3. Object or objects for which formed.
4. The amount of the total authorized capital stock, the number of shares into which divided, and par value of each, and the amount of capital stock paid in.
5. The names and addresses of the incorporators and the number of shares subscribed by each.
6. The duration of the incorporation.

When this agreement is properly signed and acknowledged it should be forwarded to the secretary of state, together with the charter fees and license tax, which latter is based upon the amount of authorized capital stock, he will then issue the charter.

**MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.**

CLASSES OF BUSINESS CORPORATIONS—Corporations are divided into two general classes, foreign and domestic. Domestic corporations are further divided into resident and non-resident domestic corporations.

Foreign corporations are those which are chartered under the laws of another state, territory or nation and are admitted to hold property and transact business in this state upon application to the secretary of state and payment of the admission fees and license.

A resident corporation is one which has its principal office or place of business in the state; non-resident domestic corporations are those which have their principal office or place of business located outside of the state.

ATTORNEY IN FACT—All corporations are required to appoint an attorney in fact for the purpose of having process in suits, and for notices, served upon him, which is equivalent to service of such process and notices upon the corporation. Foreign and non-resident domestic corporations are required to appoint the auditor of state as their attorney in fact by a paper duly signed and acknowledged and filed with that officer; and for his services as such they must pay annually the sum of \$10 to the auditor which is by him turned into the treasury of the state.

ANNUAL LICENSE TAX—Every corporation is required to pay its annual license tax on or before July 1st. If not paid the auditor is required to certify to the governor and secretary of state a list of such delinquencies and within thirty days after receiving the list the governor issues his proclamation declaring the delinquency of every such corporation, which proclamation is duly published. Within sixty days after the date of the publication the attorney general is required to institute suit against such delinquents for the purpose of recovering the amount of license tax due for nullification of the charter if a resident or non-resident domestic corporation, and to forfeit the right of a foreign corporation to hold property and do business in the state. A receiver may be appointed in this suit for winding up the affairs of any such corporation.

BY-LAWS—By-Laws may be adopted for the government and management of the corporate business but not inconsistent with the state laws. Annual meeting of the stockholders is required at which a board of directors must be selected by them of not less than five but the by-laws may prescribe that the board shall consist of three, but in no case shall there be a less number than three.

COURTS.

SUPREME COURT OF APPEALS—The supreme court of appeals is the court of last resort in the state and is at the head of our judicial system. It is composed of five judges who are elected by the people for a term of twelve years at a salary of \$5,500 per year. Its jurisdiction is almost entirely appellate; and in cases involving monetary

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

controversies its minimum jurisdiction is limited to \$100 exclusive of interest and costs. All cases involving life or liberty may be appealed to this court if error has been committed by the lower court. It has original jurisdiction in cases of habeas corpus, mandamus, and prohibition.

CIRCUIT COURT—The state is divided into twenty-three judicial circuits for each of which a judge is elected by the people for a term of eight years; and at least three terms a year are held within each county included in the circuit. These courts practically have jurisdiction of all matters civil and criminal, legal and equitable. The legislature has the right to create courts of inferior jurisdiction to that of the circuit courts and in some counties criminal courts have been established which have jurisdiction over criminal cases with appeals therefrom to the circuit court and thence to the supreme court. In Kanawha county there are two courts of inferior jurisdiction, one denominated a court of common pleas, which has practically the same jurisdiction over civil causes both at law and in equity as that of the circuit court except the jurisdiction is limited to \$100,000. The intermediate court of Kanawha county has jurisdiction of law cases up to \$500 in controversy, as well as jurisdiction of all criminal cases.

JUSTICE COURTS—In each magisterial district in a county there are elected two justices of the peace for a term of four years. They have civil jurisdiction throughout the county, in the district for which elected. The jurisdiction in civil cases, in all civil actions for recovery of money or possession of property including actions in which damages are claimed for an injury or wrong, is to the extent of \$300 exclusive of interest and costs. A justice has no jurisdiction on any action:

- (1) For false imprisonment.
- (2) Malicious prosecution.
- (3) For slander, verbal or written.
- (4) Breach of marriage promise.
- (5) For seduction.

CRIMINAL JURISDICTION—Justices have jurisdiction of the following:

- (1) In cases of assault and battering unless the offense was committed on the sheriff or other officer of justice, or with intent to commit a felony.
- (2) In cases of trespass to personal property.
- (3) Wilfully interrupting, molesting or disturbing any school, literary society or other society formed for intellectual, social or moral improvement or any Sunday school, or school exhibition or Fourth of July celebration, church or other festival, or any society lawfully carried on.

WE INVITE NEW ACCOUNTS
 Upon Our Merits For
STRENGTH AND SAFETY.

(4) Any cases of adultery, fornication and any other cases where the punishment is limited to a fine not exceeding \$10 or an imprisonment not more than ten days.

(5) In cases of petty larceny.

(6) Carrying of pistol, or other deadly weapon of like kind or character. In felony cases, the justice sits as an examining court and if he finds that there is probable cause that a felony has been committed he will hold the defendant to answer an indictment in the circuit or criminal court and place him under bond in a penalty of not less than \$500 for his appearance to answer at court.

APPEALS FROM JUSTICE COURTS—In all civil actions where the amount in controversy exceeds \$15 exclusive of interest and costs an appeal will lie from the judgment of a justice to the circuit court upon giving of a proper bond by the person desiring the appeal. In criminal cases an appeal will lie where the fine is not less than \$10 or where there is imprisonment imposed. In all cases the defendant may require that the fine shall not be less than \$10.

CRIMES.

Crimes are divided into two general classes, (1) felony and (2) misdemeanor. A felony is any crime which is punishable by death or confinement in the penitentiary. All other crimes are called misdemeanors and are subject to fine, or imprisonment in the county jail, or both. Felony cases are always tried in the circuit or criminal courts; while misdemeanors may be tried either in the circuit or criminal court or often before a justice of the peace.

CURTESY.

Curtesy is the right which a man has, at the death of his wife, to hold and enjoy for the term of his life, all of the real estate owned by his wife and in possession at the time of her death, if the marriage relation has continued to that time. At common law, it was necessary in order that a husband should be entitled to curtesy in his wife's lands that issue should be born alive during the coverture; but this has been changed in this state and it is not necessary that issue be born so as to entitle a husband to the right of curtesy.

DAILY BUSINESS LAWS.

Ignorance of the law excuses no one.

A contract made with a person of unsound mind is voidable.

A contract made with a minor is voidable, though it may be ratified by the minor after he becomes of age.

It is a fraud to conceal a fraud.

Signatures may be legally made with a lead pencil; however, the use of pen and ink is safer, and always preferable.

**A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.**

If a note be lost or stolen, the maker is not thereby released; the amount and consideration may be orally proved. A note is not the debt; it is only one evidence of the debt. If this, the best evidence, be lost, then it may be established by other competent evidence.

Principals are responsible for all acts of their agents, acting within the scope of their employment and authority.

Each individual in a partnership is liable for any and all legal debts of the partnership. While a stockholder in a corporation is not liable for the debts of his corporation, except to the extent of the paid-up par value of his stock; when it is fully paid his liability ceases. A few states place a double liability on stockholders. This is true of bank stockholders in West Virginia.

An agreement without consideration is void.

A contract made on Sunday is not void.

A note obtained by fraud cannot be collected by law.

The acts of one partner bind all partners.

Intoxication is no excuse for the commission of a crime. It may be pled where intent is an essential feature of the crime. It may under proper instructions, will determine the right of such defense.

No one can be twice tried for the same offense.

He who seeks equity must do equity.

He who comes into equity must come with clean hands.

Equity aids the vigilant, not the slothful.

Equity suffers no wrong without a remedy.

Any contract not to be performed within the year is not binding unless in writing, unless it is partly performed or a consideration passes therefor.

You cannot legally condone an offense by receiving back stolen property.

Where an offense is committed, if the person wronged agrees not to prosecute, in consideration of the offender making good the wrong, then the person wronged is guilty of compounding the offense and is guilty of the same offense as the original offender.

Every man is legally bound to obey the call of a peace officer in making arrest.

Grand larceny is the stealing of property of any kind of the value of \$20 or more. If less than value of \$20, it is petit larceny.

A felony is any crime punishable by death or confinement in the penitentiary. A misdemeanor is an offense punishable by a fine or imprisonment in common jail, not to exceed one year, or both.

Mayhem, though usually believed to refer to an injury to the eye, tongue, ear, lip or nose, really applies to injury to any part of the body, and is punishable as a felony.

An accident can never be a crime, unless criminal carelessness is fully proved.

WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.

Burglary can only be committed in the night time at common law, but under our statutes it may be committed at any time.

Larceny is the felonious, or unlawful, taking of the property of another.

Murder is the taking of human life, with malice aforethought; manslaughter is the taking of human life in sudden heat and passion, or in sudden affray, without malice.

DEEDS.

DEFINITION—A deed is an instrument in writing conveying real estate and must be signed, sealed, and delivered. A deed of general warranty makes the guarantor responsible for the title; that is, he warrants the title "against the world." A special warranty deed makes the title good only as against the guarantor and those claiming title under him. Under a general warranty deed if the guarantor conveys more land than he owns, and he subsequently acquires such estate conveyed it will inure to the benefit of his grantee.

QUIT CLAIM—A person taking title to real estate or any estate therein by a quit claim deed takes such interest as the grantor may then have; and has notice of possible claims.

ACKNOWLEDGMENT—Deeds are good as between the parties without being acknowledged or recorded, but no writing affecting real estate can be recorded in the county clerk's office until acknowledged before some person authorized to take acknowledgments. No deed is good as against subsequent purchasers for a valuable consideration without notice unless it be duly recorded in the office of the clerk of the county court where the land is situated.

INTEREST OF WIVES—It is necessary for the wife of the grantor to join in the deed in order to pass whatever interest she might have therein. Where the wife is the owner of the real estate conveyed her husband must join in the deed.

DEED BY ATTORNEY IN FACT—Any person capable of conveying real estate by deed may do so through an attorney in fact, that is, by some person he has appointed to act for him in making the deed, under a written power of attorney, signed and acknowledged the same as a deed, and recorded in the proper office in the county in which the land to be conveyed is situated.

SAMPLE FORM OF DEED—This deed made this.....day of, 191....., between.....and....., his wife, of the first part, and.....of the second part,

Witnesseth, that for and in consideration of the sum of \$..... in hand paid, receipt of which is hereby acknowledged, said parties of the first part do hereby grant, sell and convey unto the party of the second part the following real estate, situated, lying and being in the county of..... in the State of West Virginia, and bounded

**PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.**

and described as follows: (Here describe by metes and bounds.) The said grantor warrants generally the real estate hereby conveyed. To have and to hold unto the said party of the second part, his heirs and assigns forever. Witness the following signatures and seals.

.....(Seal.)

.....(Seal.)

(Acknowledgment.)

DENTISTRY.

STATE BOARD—The West Virginia Dental State Board of Examiners consists of five practical dentists appointed by the governor for a term of five years, and has supervision of the dental law.

LICENSES—No person is allowed to practice dentistry without first obtaining a license so to do from the dental board of examiners, and then registering the same; unless the person was engaged in the practice of dentistry before any law was passed regulating such practice. The applicant must show he is of good moral character, 21 years old, and has a diploma from a reputable dental school or dental department of a reputable university; and furnish a photograph of himself. He must pass the examination which is both clinical and written. After receiving the license and paying the fee of \$25 therefor, he must register the same with the county clerk in the county where he proposes to practice. He must then display his license and registration in a conspicuous place in his office. Licenses may be revoked for various causes, including fraudulent advertising, or unprofessional conduct.

Biennial registration of each dentist with the secretary of the board is required and the payment of \$1 therefor.

DENTISTRY DEFINED—Any person shall be regarded as practicing dentistry who shall diagnose or profess to diagnose, or treat, or profess to treat any of the diseases or lesions of the oral cavity, teeth, gums, maxillary bones, or shall prepare or fill cavities in human teeth, correct malposition of teeth or jaws, or supply artificial teeth as substitutes for natural teeth, or administer anaesthetics, general or local, or any other practice included in the curricula of recognized dental colleges; but this does not prevent regular licensed physicians and surgeons from pulling teeth or treating any disease within the practice of medicine, nor to prohibit an unlicensed person from performing merely mechanical work upon inert matter in a dental office or laboratory, or extracting teeth.

It is unlawful to practice under the name of a company or corporation.

RECIPROCITY—A licensed dentist coming from another state may be licensed in this state without a strict examination, provided the laws of that state accord the same recognition to a licensed dentist of this state.

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

PENALTIES—It is a misdemeanor to practice without license, or to violate any of the dental laws, and subjects the offender to a fine of not less than \$25 nor more than \$100 for each offense.

DAIRY PRODUCTS.

(See Adulteration).

The public health council of the department of health at Charleston has power to make regulations to provide clean and safe milk and fresh milk products, and when promulgated these regulations are to be the minimum requirements to be enforced by local health authorities throughout the state.

DESCENT AND DISTRIBUTION.

HOW PROPERTY DESCENDS—If a person die without a will having title to any real estate by inheritance the persons to whom it descends are:

- (1) To his children and their descendants.
- (2) If there be no children nor the descendants of any child, then to his father.
- (3) If there be no father, then to his mother, brothers and sisters and their descendants.
- (4) If there be no mother, nor brother nor sister nor any descendant of either, then one-half shall go to the paternal, the other to the maternal kindred in the following course:
 - (5) First to the grandfather.
 - (6) If none, then to the grandmother, uncle and aunts on the same side, and their descendants.
 - (7) If none such, then to the great grandfathers or great grandfather, if there be but one.
 - (8) If none, then to the great grandmothers or great grandmother, if there be but one, and the brothers or sisters of the grandfathers and grandmothers and their descendants.
 - (9) And so on in every case without end, passing to the nearest lineal male ancestors and every one of them to the nearest female lineal ancestors in the same degree, and the descendants of such male and female ancestors.
 - (10) If there be no father, mother, brother or sister or any descendant of either, nor any paternal kindred, the whole shall go to the maternal kindred; and if there be no maternal kindred the whole should go to the paternal kindred. If there be no maternal nor paternal kindred the whole shall go to the husband or wife of the intestate; or if husband or wife be dead to his or her kindred in the like course as if such husband or wife had survived the intestate and died entitled to the estate.

Collaterals of the half blood shall inherit one-half as much as those of the whole blood.

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

BASTARDS—Bastards shall be capable of inheriting and transmitting inheritance on the part of their mother; and an illegitimate child, if afterwards the father intermarry with the mother shall be deemed legitimate.

POSTHUMOUS CHILDREN—If a child be born in ten months after the death of the intestate it is capable of taking up inheritance in the same manner as if living at the time of the parent's death.

DISTRIBUTION OF PERSONAL ESTATE—If a person die without a will to his personal estate or any part thereof the surplus, after payment of funeral expenses, charges of administration and any debts, shall be distributed to and among the same persons and in the same proportion to whom and in which real estate is directed to descend, except as follows:

(1) Alienage in any person claiming distributive share shall be no impediment to his receiving the same share that he would have been entitled to if he had been a citizen.

(2) If the intestate be a married woman and leave children surviving her her husband shall be entitled to one-third of the said surplus, and if she leaves no children he shall be entitled to the whole.

(3) If the intestate leave a widow and children by the same or a former marriage the widow shall be entitled to one-third of the said surplus, and if he leave no children she shall have the whole.

ESCHEATS—If a person die intestate and leave no heirs his land reverts to the state, and an officer called an escheator, whose duty it is to see that the real estate is properly taken over by the state, is appointed by the governor in each county.

A MURDERER CANNOT INHERIT FROM THE PERSON HE KILLS—A person who has murdered one from whom he would be entitled to inherit property cannot inherit from such deceased if it be established that the deceased came to his death by the felonious act of the person who would otherwise inherit.

DIVORCE.

VOID MARRIAGES—All marriages between a white person and a negro; all marriages which are prohibited by law on account of either of the parties having a former wife or husband then living; all marriages prohibited on account of consanguinity; all marriages solemnized when either party was unsound, or incapable from physical causes of entering into the marriage state, or under the age of consent shall, if solemnized in this state, be void from the time they are so declared by a decree of divorce.

JURISDICTION—The circuit courts have jurisdiction to grant divorces, but it is necessary that one of the parties shall have resided

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AND CAN PLEASE YOU.**

in the state one year prior to beginning the suit. Pending the divorce proceedings the judge, in his discretion, may require the man to pay into court such sums of money as are necessary to pay the costs of the proceedings. This is called "suit money."

KINDS OF DIVORCE—Divorces are of two kinds: (1) absolute, and (2) from bed and board (sometimes called legal separation).

GROUND FOR ABSOLUTE DIVORCE—An absolute divorce may be decreed for adultery, or for natural or incurable impotency of body existing at the time of the marriage; where either of the parties is sentenced to confinement in the penitentiary (and no pardon shall restore such parties to his or her rights); where prior to the marriage either party, without the knowledge of the other, had been convicted of an infamous offense; where either party wilfully deserts the other for three years a divorce may be given to the party abandoned; where, at the time of the marriage, the wife, without the knowledge of the husband, was enceinte by some person other than the husband, or prior to such marriage had been without the knowledge of the husband notoriously a prostitute such divorce may be decreed to the husband; or where, prior to such marriage, the husband without the knowledge of the wife had been notoriously a licentious person, a divorce may be given the wife; but if the party applying for divorce after knowledge has condoned the offense by living with the defendant the right to divorce has been lost and none will be given.

GROUND FOR SEPARATION—A divorce from bed and board may be given for cruel or inhuman treatment, reasonable apprehension of bodily hurt, abandonment, desertion or where either party after marriage becomes a habitual drunkard. A false charge of prostitution made by the husband against the wife is deemed cruel treatment within the meaning of the law.

ALIMONY—The court granting a decree of divorce of either kind may enter such order as it sees fit in regard to alimony to be paid to the wife and also in regard to care, custody and maintenance of the children. The amount of alimony, that is, the money to which the wife is entitled from the husband, depends upon the amount of property owned by the husband and his ability to make money.

LEGAL SEPARATION MAY BE MADE ABSOLUTE—Where a legal separation has been decreed on account of desertion and three years have elapsed since such desertion the party so deserted may apply to the court, set up these facts, and obtain an absolute divorce. Other causes of legal separation may be ripened into a decree for absolute divorce by application to the court three years after the decree of separation was entered.

DOWER.

DEFINITION—Dower is the right of a widow to a life interest in one-third of all the real estate which her husband may have been possessed of at any time during coverture (the time during which they

**A BANK ACCOUNT
IS A GREAT AID
IN SAVING MONEY.**

were married), as to which she has not relinquished her right. The fact that the husband conveyed the property to someone in no way bars or affects such right; provided, of course, that she has not joined in such conveyance and thereby relinquished her right.

FRAUDULENT CONVEYANCES—A widow is not precluded from claiming dower in land which has been recovered from her husband, either by a judgment by default or collusion, if she would have been entitled to dower if there had been no such judgment.

HOW DOWER MAY BE ASSIGNED—Dower may be assigned as at common law, or may be assigned by commissioners appointed by the court on the motion of the heirs, devisees, alienees or any of them. Until dower is assigned the widow is entitled to occupy the mansion house without charge for repairs, rent, taxes or insurance; and she is entitled to demand of the heirs one-third of all the rents and profits of all the other real estate in which she has a dower right.

EDUCATION.

(Compiled by Wm. G. Gist, Assistant State Superintendent).

THE STATE SUPERINTENDENT—The state superintendent has large and varied official duties, which give him an opportunity to shape the educational policies of the state and to unify and co-ordinate the work from the State University down to the most remote rural school. Among his more important duties are the following:

- (1) To serve as a member of the state board of regents.
- (2) To serve as a member of the state board of education and to appoint the other five members.
- (3) To serve as a member of the state board of public works.
- (4) To serve as a member and secretary of the state text-book commission.
- (5) To serve as a member of the board of the school fund.
- (6) To inspect and classify all high schools.
- (7) To examine and certify all teachers in the state.
- (8) To apportion state school moneys to the various counties and districts.
- (9) To interpret the school law.
- (10) To prepare, print and distribute all school forms and to collect and compile school statistics.
- (11) To pay county superintendents.

THE STATE EDUCATIONAL INSTITUTIONS—All the state educational institutions, including the university, the two preparatory schools, the six normal schools and the two colored institutes, are under the joint control of the state board of regents and the state board of control.

BOARD OF REGENTS—The state board of regents has charge of all matters relating to the educational part of the work, appoints professors and instructors, establishes departments, determines courses of study, etc.

**BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.**

BOARD OF CONTROL—The state board of control has charge of all matters relating to the financial management, purchases sites, lets contracts for new buildings, makes repairs and improvements and pays salaries. This board consists of three men appointed by the governor for a term of six years.

THE STATE BOARD OF EDUCATION—This board is charged with the duties of preparing a state course of study for the elementary and secondary schools of the state, of inspecting private and denominational schools, offering normal courses of study, of designating and inspecting normal training high schools and of examining credentials and recommending certificates to all persons submitting school work in lieu of examinations. This board is composed of six members, all professional school men, appointed by the state superintendent for a term of five years, the state superintendent being a member, ex-officio.

THE STATE TEXT BOOK COMMISSION—The board is charged with the duty of selecting uniform text books for the elementary and high schools of the state, cities and towns having a population of 3,500 and over excepted. This board consists of nine members, eight appointed by the governor for a term of five years and the state superintendent, ex-officio.

LOCAL CONTROL AND MANAGEMENT OF SCHOOLS—The district (township) board of education has general and immediate control of all schools of the district, laying necessary levies, building school houses, making repairs, fixing salaries, length of term, etc. Many districts have complete supervision, the board employing all teachers, while others hold to the school trustee system.

COUNTY SUPERINTENDENT—The county superintendent acts as county financial secretary for all boards of education in the county, exercises more or less supervision over all schools and has a veto power over boards of education in matters relating to locations and plans of school buildings and the closing of small schools.

SCHOOL TREASURER—The sheriff acts as the school treasurer for all boards in his county and settles annually with the county financial secretary.

COUNTY AND DISTRICT INSTITUTES AND LOCAL READING CIRCLES—These are provided by law for the advancement of teachers while in service.

SUBJECTS REQUIRED—The subjects to be taught in the elementary schools include:

Orthography, reading, penmanship, arithmetic, English grammar, physiology and hygiene, civil government, United States and West Virginia history, geography, theory and art of teaching and agriculture.

In addition to these subjects boards may provide for work in industrial subjects, continuation and night schools, etc. High school subjects and courses of study are determined by the state board of education.

READ

**"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.**

ELECTIONS.

PRIMARY LAW—All political committees, delegates to national conventions of political parties, and all candidates of political parties, except judges, candidates voted for at special elections to fill vacancies, presidential candidates and electors, and candidates for office to be filled by cities, towns and villages of less than 5,000 inhabitants, are to be selected by a primary election held on the first Tuesday in June before presidential elections, and on the first Tuesday in August before any other general election. |

A political party which can so nominate candidates is defined to be an affiliation of electors representing a political party or organization, which at the last preceding general election polled for its candidates for representatives in congress in the several districts, at least five per cent of the entire vote cast for that office in the state.

The time for holding primary for municipalities must be fixed in its charter or by ordinance, but cannot be held on the day of the general primary nor within twenty-five days immediately preceding it.

METHOD OF CONDUCTING PRIMARY—On the second Tuesday of the month preceding the primary, the county court appoints three election commissioners and two poll clerks for each precinct in the county who shall be legal voters in such precinct. They are selected from the two largest political parties in the county as shown by the vote at the last general election. The executive committee of such parties may select and recommend to the court in writing such primary election officers, and if qualified and fit, the court must appoint them. A list of the officers selected by the court must be published at least two weeks before the primary in two newspapers of opposite politics. Before serving, the commissioner and clerks must be duly sworn to conduct the primary according to law.

Upon entering the election room a voter who has been duly registered, must write his name and residence in a book of the party whose ballot he desires to cast, and subscribe to an oath to the effect that he is a member of that party, that the ballot he is about to cast will be the only one cast by him that day, and that he has not received nor been promised anything of value to influence his vote. He is then allowed to cast his party ballot and the clerks record his name. He must prepare his ballot in the booth, and may receive help in its preparation from the clerks. When the polls are closed in the primary election, officers proceed to ascertain and certify the result of the primary; the county court canvasses the returns and declares the result in the county. Candidates for United States senator shall pay \$500.00; for governor and all other state offices, \$300.00; for state senate, \$20.00; for county clerk, circuit clerk, sheriff, assessor and prosecuting attorney, \$25.00 each; for all other county offices, \$10.00; and for house of delegates, \$10.00. These

**WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.**

sums are designed to pay the primary election expenses, and go into the various county treasuries.

Candidates may be nominated otherwise than by direct primary by obtaining on a certificate at least five per cent of the entire vote cast at the last general election in the political division for which the nomination is made. No one is allowed to sign the certificate who participated in the primary, under heavy penalty, and the certificate shall not be circulated for signature until after the primary is held.

Conventions for the purpose of promulgating party platforms and to select presidential electors and candidates for the office of judge of the supreme court should be held by political parties between the 1st and 15th day of August in presidential years. Likewise when candidates for circuit, intermediate and criminal courts are to be elected, they shall be nominated by similar conventions in their respective districts and counties held between the 1st and 15th day of August.

Presidential candidates are placed on the primary ballot, and a delegate selected to a national convention is required to file with his announcement as a candidate the statement as to whether or not he will support the popular choice.

GENERAL ELECTIONS—On the Tuesday after the first Monday in November, every fourth year from the year 1904, there is elected a governor, secretary of state, state superintendent of free schools, treasurer, auditor, attorney general, and commissioner of agriculture for the state; a prosecuting attorney, surveyor, sheriff, assessors, justices and constables for each county; every eighth year, judge of the circuit court; in the year 1916, and every twelfth year thereafter two judges of the supreme court, and every twelfth year from 1908, one judge of the supreme court, and every twelfth year after 1912, two judges of the supreme court. Every second year after 1904, members of the house of delegates from each county and one senator from each senatorial district are elected, and also a commissioner of the county court.

ELECTION PRECINCTS AND OFFICERS—The magisterial districts are laid off into election precincts by the county court and a place designated in each as the voting place. There shall be as nearly as practicable 200 electors in each precinct, and the boundaries of any precinct shall not be changed within ninety days next preceding any election. Three commissioners of election are appointed by the county court to conduct the election at each voting place from the major political parties in the county not more than two of whom shall be selected from the same party, on the first Tuesday of the month preceding the election. The dominant political parties may select two of these commissioners, and if they are proper persons, shall be appointed by the county court when so selected and recommended. The commissioners select two poll clerks. All election

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On the Most Favorable Terms

Consistent with Sound Banking.

officers take a solemn oath, before opening the polls to properly conduct the election.

WHEN AND HOW POLLS ARE OPENED—The polls are opened at sunrise or as soon as possible thereafter, and closed at sunset, and the opening and closing is duly proclaimed in a loud voice by direction of the commissioners.

MODE OF VOTING—Voting shall be by ballot and is under the "Australian ballot" system. The voter shall be left free to vote either open or secret ballot as he may select.

WHO IS ENTITLED TO VOTE AND WHERE—The male citizens of the state shall be entitled to vote at all elections held within the precincts of the counties in which they respectively reside; but no person who is a minor or of unsound mind, or a pauper or who is under conviction of treason, felony or bribery in an election or who has not been a resident of the state for one year and of the county in which he offers to vote for sixty days next preceding such election, and who is not at the time of the election an actual and bona fide resident of the election precinct in which he offers to vote, shall be permitted to vote at such election, while disability continues.

CONDUCTING THE ELECTION—There shall be not less than two nor more than five booths in each voting place, where the voter may retire and prepare his ballot. Not more than one voter for each booth shall be allowed in the election room at one time. On entering the room the voter must give his name and residence, and if found to be a legal voter, shall receive a ballot, which he may prepare openly or secretly as he may choose. He can demand and receive the aid of the poll clerks in preparation of his ballot. But one voter may occupy the booth at one time, and then only for not more than five minutes. He must retire from the election room immediately after casting his ballot.

CERTIFYING RESULT—Immediately after the polls are closed the commissioner and clerks ascertain the result of the election at their respective precincts, make proper record thereof and sign the same, seal up the ballots, poll books and so forth and within three days afterwards, Sunday excluded, one of the commissioners shall deliver said ballots and records all sealed up to the clerk of the county court.

On the fifth day after the election the county court sits at the court house as a canvassing board and ascertains the result of the election and declares the same and enters it of record. The poll books, ballots, tally sheets and precinct certificates are carefully sealed and preserved by the clerk for one year, and then if no contest is pending the same are destroyed by fire without being opened. Certificates of the result are made by the court and filed in the proper

WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.

offices. Certificate respecting the election of all county and district officers shall be sent to each person for whom votes were cast.

PENALTIES—Numerous and stringent penalties are provided for all election offences ranging from heavy fine to confinement in the penitentiary.

REGISTRATION—No person shall be allowed to vote unless he has been duly registered and it is the duty of every voter to see that he is properly registered while the registration lists are being prepared. However, a person who has not been registered may apply on the day of the election to be registered on that day by the commissioners of election before voting, but before being registered by them and before voting he must make and sign an affidavit which shall contain the same allegations and information as may be required by the registrars in listing voters, and in addition thereto, such person shall state under oath, the cause and reason of his not having registered; and the affidavit shall contain the names of two credible and reliable qualified voters of the precinct in which said person offers to vote, who shall be known to the commissioners, or to the person before whom the affidavit is taken, to be credible and reliable qualified voters of said precinct, and said two persons shall also make and sign an affidavit, stating that said person so desiring to vote, and who has made the affidavit required, is well known to them and that they believe the statements made by him in his affidavit to be true. Upon the making and filing of these affidavits the person is entitled to be then registered, and allowed to vote.

EMBALMERS.

There is a state board of embalmers, consisting of one from each congressional district, appointed by the governor. It meets regularly once each year and in special meeting as may be proper for the efficient discharge of its duty. It is the duty of all persons engaged in the business of embalming to be registered with the board, giving name, residence and place of business. Any person desiring to engage in the business of embalming hereafter shall have had at least one year's practical experience under some competent licensed embalmer, and shall apply to the board for a license. After due examination by the board if it finds the applicant is of good moral character, possessed of skill and knowledge of sanitation, preservation of the dead, disinfecting the bodies of deceased, apartments, clothing and bedding, in cases of death from infectious or contagious diseases, a license is awarded upon the payment of the examination fee of \$25. A non-resident embalmer is entitled to have a license issued to him upon the payment of said fee and upon exhibiting to the board of certificate from his state that he is a duly licensed embalmer therein. Each embalmer is required to renew his license annually and pay a fee of \$1.00.

PENALTY—To engage in the business of an embalmer without being registered and having a license so to do subjects the person to pay a fine of not less than \$25 nor more than \$500, or imprisonment not exceeding one year, or both, at the discretion of the court, for each offense.

**WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.**

ESTRAYS.

(See Animals).

EXEMPTION.

PERSONAL PROPERTY—Any husband or parent residing in this state or a widow, or the infant children of deceased parents may set apart and hold personal property to the value of not exceeding \$200, and hold the same exempt from execution or other process. Any mechanic, artisan or laborer residing in this state, whether he be husband or parent or not, may hold the working tools of his trade or occupation to the value of \$50 exempt from forced sale or execution. This exemption of personal property is effected by delivering to the officer who holds the execution or other process a list of all the personal property, and claims and demands of every kind by separate items and giving the value of each and stating therein that the person who claims the exemption belongs to the class above set out, for example, that is a husband or parent. If the personal property so listed exceeds the value of \$200 such items as may be desired therein can be claimed as exempt at the option of the person claiming the exemption. If the person for whose benefit the execution or process is issued desires to test the value of the articles so listed he is entitled to do so, and in such cases two disinterested householders of the neighborhood are chosen, one by the debtor and the other by the creditor, and these two, if they cannot agree, select a third, whose joint duty it will be to appraise the property. If any of the appraisers fail to act the officer holding the process shall fill the vacancy. The award of the appraisers is returned under oath, giving a fair cash valuation of the property as described. If the appraisal exceeds \$200 the excess is subject to the execution or other process. If any officer, after these steps have been taken, shall sell any of the property covered by the \$200 exemption as set out by the debtor, he shall forfeit double the value of the property so sold, which may be recovered against him and his sureties; and if the officer fail to deliver any such property so exempted upon request shall forfeit \$5 a day for as long as such failure may continue.

NO EXEMPTION FOR PURCHASE MONEY OR TAXES—No exemption shall affect or impair any claim for the purchase money of the personal estate in respect of which such exemption is claimed, or any proceeding for the collection of taxes or county or district levies.

HOMESTEAD EXEMPTION—Any husband or parent residing in this state or the infant children of deceased parents may hold a homestead of the value of \$1,000 (one thousand dollars), exempt from forced sale, provided that said exemption shall in no wise exempt property from sale for taxes due thereon, or for the payment of purchase money due upon said property, or other debts contracted for the erection of improvements thereon. Any person desiring to take the benefit of this exemption may do so by writing executed and acknowledged in

**MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.**

the same manner that deeds are executed and acknowledged and set out the specific real estate which is desired to be homesteaded and declare that it is to be set aside as a homestead for the benefit of the persons named therein. From the time such writing is filed with the county clerk for recordation the real estate therein set aside is exempt from all debts and liabilities thereafter contracted, except for purchase money, permanent improvements thereon, and claims for taxes. Of course, all debts and liabilities incurred prior to such delivery to the clerk would be valid as against such exemption. It is designed by this homestead exemption law that the real estate so set aside shall not exceed \$1,000 (one thousand dollars), and if any creditor can see that the real estate so exempted was actually worth more than \$1,000 (one thousand dollars) at the time it was set aside he may have such claim litigated in court, and if successful the excesses over \$1,000 (one thousand dollars) would be liable to debts.

EXECUTORS AND ADMINISTRATORS.

LETTERS OF ADMINISTRATION—When a person dies without leaving a will and leaves property an administrator must be appointed by the county court, or by the clerk in vacation of the court. The distributees who apply will be appointed, preference being given first to the husband or wife and next to such others as may seem to the court most fit. If no distributee applies within one month of the death, the court may appoint some creditor if any there be, or any other proper person. Bond is required of the administrator, and also of the executor of a will, unless such will direct that no security be given, and even then the court may require a bond, in its discretion. Marriage of a female who has qualified as an administratrix will extinguish her authority. The appointment and qualification by the court is termed "taking out letters of administration," and is evidenced by a copy of the court's order.

AUTHORITY OF ADMINISTRATOR—An administrator is also called "personal representative of the deceased." His authority extends only to the personal estate of the decedent and he has nothing to do with the real estate, unless the personal estate is insufficient to pay the funeral expenses and debts, and in that case the administrator may cause the real estate, or so much thereof as is necessary to be sold by a suit in court for the payment of the indebtedness. Generally the functions of an administrator are to assemble all the personal property, notes, debts and demands owing to the decedent and convert the same into cash, pay off and discharge all the debts against the estate, and distribute the remainder to the distributees.

AUTHORITY OF EXECUTOR—An executor administers upon all the estate both personal and real according to the terms and requirements of the will. He must do as the will directs, of course, he must see that all the just debts of the testator are paid whether the will so directs or not. His appointment and qualification is termed "taking

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TO
SMALL OR LARGE DEPOSITORS.

out letters testamentary." Sometimes the person named as executor in the will refuses to act, is dead, or has removed from the state, and in such cases the court will appoint an administrator who carries out the directions in the will and he is then termed an "administrator with the will annexed."

PAYMENT OF CLAIMS—Where the assets in the hands of the administrator after payment of funeral expenses are insufficient to pay all the claims against the estate, he shall apply them. (1) To debts due the United States; (2) To taxes and levies assessed against the decedent prior to his death; (3) To debts owing as personal representative, guardian or committee where the qualification was in this state, (in which debts shall be included a debt for money received by a husband acting as such fiduciary in right of his wife); (4) To all other debts ratably, except voluntary obligations which shall be last paid.

SETTLEMENTS—The administrator must make a settlement of his accounts before a commissioner of accounts within 18 months of his qualification, and thereafter yearly settlements

DISTRIBUTION—After paying the funeral expenses, charges of administration and debts, the remainder of the personal estate is paid in the same proportion and to the same persons as real estate is directed to descend; but alienage of a distributee shall be no impediment to receiving his share which he would have been entitled to if he had been a citizen; and if the intestate was a married woman, and leave children surviving, her husband shall be entitled to one-third of the surplus, and if she leave no children he shall have all thereof; if the intestate leave a widow and children by the same or a former marriage, the widow shall be entitled to one-third the surplus, and if there are no children she shall receive all.

INVENTORY AND APPRAISEMENT—Upon the appointment of an executor or administrator the court will also select and appoint three disinterested and competent persons who together with the executor or administrator will carefully list all the property of the deceased and give the location and a description thereof, with the value of each item of property, and make oath to the same and return it to the county clerk for recordation. This list is named the "appraisal bill."

USURY—It is the duty of an executor or administrator to protect the estate against all usury in claims against the estate by asserting a plea of usury.

LIMITATION—Likewise, where a claim has been barred by the statutes of limitation it is the duty of the executor or administrator to refuse to pay it.

EXEMPTION—A widow or minor children may claim as exempt from any debts personal estate to be selected by her from the apprais-

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Upon Our Merits For

STRENGTH AND SAFETY.

ment bill at the appraisement price not to exceed \$200.00 in all, but the exemption shall not be good as against purchase money on the property claimed as exempt, nor against taxes, county and district levies.

DOWRY, MANSION HOUSE—The widow, until dower is assigned her (see "Dower") is entitled to receive one-third of the issues and profits of the real estate which was willed or decended to the devisees or heirs, and in the meantime may hold the mansion house and curtilage without charge.

FOOD FOR FAMILY—The dead victuals (or so much thereof as may be necessary) which at the death of any person, shall have been laid in for consumption in his family, shall remain for the use of such family, if the same be desired by any member of it, without account thereof being made.

EMPLOYER AND EMPLOYEE.

WORKMEN'S COMPENSATION LAW—The legislature of 1913 passed the workmen's compensation law, which is administered by the State compensation commissioner at Charleston. The employers are divided into groups or schedules according to the hazard of the employment as shown by actual experience, and pay into the state treasury a rate of premium, based upon the amount of the pay roll, and the risk of the employment. Casual employees are excepted, as well as those in domestic or agricultural service, persons prohibited by law to be employed, traveling salesmen, employes wholly without the state, and members of the firm, officers of the corporation, including managers, superintendents, assistant managers and assistant superintendents.

ELECTION—An employer desiring to operate under the act must first make application to the state compensation commissioner, giving the full detail of the character of his business, and, if accepted, shall pay the premiums in advance for two months, and he shall then post notices at his plant or place of business in conspicuous places, informing his workmen that he has elected and is operating under the compensation act. If his employees continue to work thereafter they shall be deemed to have waived the right to sue for injuries and will look to the compensation fund for payment of injuries.

PAYMENTS—The employer must pay into the fund the premiums fixed for his schedule or classification and based upon the amount of his pay roll, and is authorized to deduct 10 per cent thereof from the wages of his employees; that is, the employer pays 90 per cent of the premiums and the employee 10 per cent. If an employer fails to elect to come under the provisions of the act he cannot set up as a defense in any suit for damages for personal injuries any of the so-called common law defenses, such as negligence of a fellow servant, assumption of risk and contributory negligence.

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

INJURIES—The fund is disbursed by the commissioner to employees whose employers have paid the premiums required and which employees have received injuries in this state in the course of and resulting from the employment, or to the dependents, if any, in case of death from injury. Reasonable medical, nurse and hospital services are also paid, but not to exceed \$100. No compensation is allowed for self-inflicted injuries, nor for injuries resulting from wilful misconduct or intoxication of an injured employee, or violation of reasonable rules of the employer. Reasonable funeral expense not to exceed \$75 is allowed in addition to the award of compensation.

AWARDS—Awards are based upon the seriousness of the injury, whether partial or total, together with the amount of wage earned. In case the injury causes death within a period of twenty-six weeks the compensation shall be paid to the dependent of the deceased, if any. If the deceased leave a widow, or invalid widower, the payment shall be \$20 per month, until the death or re-marriage of the widow, or widower, and in addition \$5 per month for each child under the age at which he or she may be lawfully employed in any industry to be paid until such age is reached; but the total payment shall not exceed \$35 a month in such cases. If the deceased be a widow or widower and leave a child or children under the age of 15 the payment shall be \$10 per month to each such child until she or he reaches the age of 15, the total payment in any case not to exceed \$30 per month.

DEPENDENTS—Dependent means a widow, invalid widower, child under 15 years, invalid child over such age, or a posthumous child, who, at the date of the injury causing death is dependent in whole or in part for his or her support upon the earnings of the employee. Also a step-child under 15, child under 15 legally adopted prior to the injury, father, mother, grandfather or grandmother who, at the time of injury, is dependent in whole or in part upon the earnings of the employee.

APPLICATION FOR COMPENSATION—Application must be made in due form within six months from injury or death and all proofs of dependency in fatal cases must be filed with the commissioner within nine months from and after the day of death. Non-resident aliens may be officially represented by the consular officers of the country of which such aliens may be subjects.

EMPLOYERS CARRYING THEIR OWN RISK—Employers who are of sufficient financial responsibility to insure payments equal to the compensation provided in the act, or those who maintain their own benefit funds or systems to which their employees are not required to contribute, or such employers as shall furnish bond or other security to insure such payments, may elect to pay directly to the employees compensation and expense to their injured and fatally injured employees. However, this is only permitted when the commissioner is satisfied that no employee will suffer financially by reason of allowing such to be done; and the same compensation is to be paid

WE RECEIVE

DEPOSITS

SUBJECT TO CHECK

for injuries and fatal injuries as is set out in the act, the amount thereof to be determined by the compensation commissioner. The compensation commissioner in such cases acts as a kind of arbitrator in ascertaining the amount to be paid to the employees, and his finding is final. And such employers so electing to carry their own risks are required to pay into the compensation fund their proportionate part of the expense for maintaining the compensation department.

EXTRADITION.

The governor may, on demand, deliver to the executive of any other state or territory any person charged therein with treason, felony or other crime committed therein, and he may, on application, appoint an agent to receive from such other executive any offender fleeing from the justice of this state. However, such demand or application must be accompanied by sworn evidence that the person charged is a fugitive from justice and that the application is made in good faith for the punishment of crime and not for the purpose of collecting a debt or removing the alleged fugitive to a foreign jurisdiction with a view to there serve him with civil process, and also by a proper copy of a complaint made before the court or other authority authorized to take the same, such complaint to be accompanied by affidavits of the facts constituting the crime charged by persons having actual knowledge thereof. The governor may pay out of the civil contingent fund any reasonable expense incurred for extradition of fugitives.

FENCE LAWS.

DIVISION FENCE—Where two or more persons shall have lands adjoining each of them shall make and maintain a just proportion of the division fence between them, except the owner or owners of either of the adjoining lands shall choose to let such land lie open. If, afterwards, he shall enclose his land he must refund to the owner of the adjoining land a just proportion of the value of the division fence that shall have been made. In case they cannot agree as to the amount to be paid it shall be determined by three persons to be agreed upon by them, and if they cannot so agree then by three disinterested persons to be appointed by the county court on motion of either party, after reasonable notice to the other.

LAWFUL FENCES—(1) If built of common rails, known as worm fence, 4½ feet high; (2) if built with posts and rails, or posts and plank or pickets, 4 feet high; (3) if built with stone two feet wide a base and 3½ feet high; (4) if hedge fence, 4 feet; (5) if built with posts and wire or pickets and wire, 4 feet high, and shall consist of not less than six strands, the first strand 5 inches, the second 10 inches, third 17 inches, fourth 25 inches, the fifth 36 inches and the sixth 48 inches from the ground.

PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.

FERTILIZERS.

Every person who shall sell or offer for sale any commercial fertilizer or manure must affix to every package thereof a plainly printed statement, truly certifying the number of net pounds, the name, brand or trade-mark under which it is sold, the name and address of the manufacturer, place of manufacture and stating the percentage of nitrogen or its equivalent in ammonia, of potash soluble in distilled water and of phosphoric acid in available form, soluble in distilled water and reverted, as well as phosphoric acid and the materials from which said constituents are derived. But he shall first file with the director of the West Virginia agricultural experiment station, under oath, the statement above set out. Upon filing this sworn statement the director of said station shall issue a certificate to the person entitled thereto, stating that he has made the payment of fees required for registration and that he is authorized to sell the fertilizer in the state for a period of one year from the first day of January of that year. The director also issues certain tags or labels and delivers them to the person making the affidavit, sufficient in number, to be affixed to one ton of fertilizer, for which a fee of 40 cents must be paid for the use of the experiment station. Samples of such fertilizer sold in this state may be analyzed by the director of the experiment station on his own initiative, or when any purchaser of the same shall send him a sample for analysis, with a view to ascertaining if any false representation has been made in regard to said fertilizer. Severe penalties are imposed for failure to comply with the requirements of the fertilizer act and also for removal and change of labels, brands or the tags affixed to the bags of fertilizer.

FISCAL YEAR.

The fiscal year begins on the first day of July and ends on the 30th day of June.

FISH AND FISHING.

OWNERSHIP—The ownership of and title to all wild game and all fish is in the State of West Virginia.

UNLAWFUL TO SELL—It is unlawful to sell or expose for sale or have in possession for the purpose of selling trout of any species, salmon of any species, pike, bass or silver perch, or any fish prohibited to be caught or killed under the game law, or transport the same out of the state.

GAME WARDEN—The game warden may seize and take in possession without process any fish found in possession of another, contrary to law.

LICENSE—A license is required to allow a non-resident to fish in this state, and may be procured from the clerk of the county court upon payment of the license tax of \$5. The applicant may fill out an

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application and sign and swear to the same before some notary public and send the same to the clerk, together with the license tax, which application must state the name of the applicant, his age, occupation, weight, height, place of residence and color of hair, eyes and complexion. The license may be obtained by applying to the clerk in person. However, a non-resident owner of lands in this state, or his children are not required to obtain a license to fish in the waters on said land.

NETS AND TRAPS—Any person at any time may remove or destroy any nets, traps or other devices placed in any creek, runs or river within the state, and shall not be subject to damage for destroying same.

FISH LADDERS—Persons or corporations constructing dams in any river, creek or water-course which in any way may prevent the easy passage of fish up and down must place and maintain on such dam a good and sufficient ladder or way to allow fish easily to ascend or descend. The fish ladder or way must be constructed according to the plans and in a manner and at a place satisfactory to the game and fish warden.

THROWING OF DELETERIOUS MATTER IN STREAMS—It is unlawful to throw or cause to enter any stream or water-course in this state sawdust or other matter deleterious to the propagation of fish. However, water drain from a mine that naturally collects in such mine and the water from any coal washery may be discharged into any stream, provided that the same is kept in a sanitary condition before it enters the stream. The state board of health has the right to enter any such mine in order to see that the waters drained therefrom are free from objectionable substances. Before any prosecution is instituted in this regard the consent and approval of the game and fish warden must be obtained in writing and entered in the record of the court before whom the case is pending.

LANDS OF ANOTHER—It is unlawful to fish upon the enclosed or improved land of another person without permission.

OPEN SEASON—For trout or land locked salmon April 1 to August 1. All other species of fish July 1 to April.

FIRE ARMS

If any person without a state license therefor carry about his person any revolver or pistol, dirk, bowie knife, sling shot, billy, metallic or other false nuckles or any other dangerous or deadly weapon of similar character he shall be punished by a jail sentence of not less than six nor more than twelve months, for the first offense; for the second he shall be guilty of a felony and sent to the penitentiary for not more than five years, and in either case fined not less than \$50 nor more than \$200, at the discretion of the court. A license may be obtained by application to the circuit court after publishing a

**THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.**

notice in some newspaper in the county, setting forth the name, residence and occupation of the applicant and that on a day certain he will apply to the court for such license. This notice must be published at least ten days before the time of application, and it must be shown to the court that the person making application is of good moral character, of temperate habits and not addicted to intoxication and has not been convicted of a felony or any other offense involving the use on his part in an unlawful manner of any such weapon. He must show to the court the purposes for which he desires to carry such weapon and good reason therefor. If the license be granted a fee of \$10 must be paid to the sheriff, a bond in the penalty of \$3,500, with good security given, with the condition that all costs and damages accruing to anyone by the improper or negligent or illegal discharge or use of said pistol shall be paid. This license is good for one year.

FIRE MARSHAL.

The auditor is ex-officio insurance commissioner, and as the latter he appoints a state fire marshal, who serves for four years, and he has a right to appoint a deputy fire marshal. It is the duty of the fire marshal and his assistant to investigate the cause of fires where the property has been damaged to more than \$50. They have the right to conduct examinations and investigations and to summon and place witnesses under oath for the purpose of ascertaining the cause of fires. If upon investigation he shall be of the opinion that there is evidence sufficient to charge any person with the crime of arson or incendiarism he shall arrest or cause such person to be arrested, charged with such offense and furnish to the prosecuting attorney the evidence secured by him in his investigation or otherwise, including a copy of the testimony taken, and shall assist in every way the prosecuting attorney during the progress of a trial if an indictment has been made. Witnesses who fail to obey the summons of the fire marshal or his deputy for the purpose of examination may be punished as for contempt. These officers have the right at any time in the performance of their duties to enter and examine any building and premises where any fire has occurred or any other building or premises adjoining or near the same. If the fire marshal or his deputy should find a building or other structure which for want of repair or from dilapidated condition or any other cause is especially liable to fire, and which from its proximity to other buildings may spread fire and be dangerous to the safety of other buildings they may make reasonable order for the repair or removal of such dangerous building, and the owner shall be compelled to forthwith comply with such reasonable order. Failure to comply with an order of the fire marshal or his deputy, which order remains unreversed will subject the owner or occupant of the property to a fine of not less than \$10 nor more than \$50 for each day of neglect.

**WE TRY TO PLEASE OUR CUSTOMERS
AND CAN PLEASE YOU.**

FORGERY.

DEFINITION—Forgery consists of falsely making or materially altering, with intent to defraud, any writing which, if genuine, might apparently be of legal efficacy or the foundation of legal liability. The word is taken metaphorically from the blacksmith "who beateth upon his anvil and forgeth what fashion and shape he will."

PENALTY—If a person forgeth any writing to the prejudice of another's right or utter or attempt to employ as true such forged writing, knowing it to be forged, he shall be confined in the penitentiary not less than two nor more than ten years.

GAMBLING.

LOTTERIES—Lotteries are forbidden by the constitution as well as the selling and buying and transferring of lottery tickets. Keeping faro banks or aiding and abetting in the keeping of such banks or playing thereat is specially forbidden.

HORSE RACES—If any horse race be run on any public road or bridge the rider of any horse in such race, or owner of any horse, if he consent to such race, and every person who shall bet on such race shall be fined not less than \$10.

POOL ROOMS—It is unlawful to set up, conduct or be interested in any pool room where any person receives any certificate or promise or money or other thing of value contingent upon any horse race, prize fight, game of chance, skill or science or other sport or contest, the result of which is obtained by telegraph, telephone, wireless telegraphy or other electrical device. It is also unlawful for any person engaged in the telegraph business, or any like business, to transmit any token or information of the result of any horse race, prize fight, etc., as above set out, to any such pool room. The fine in either case is not less than \$200 nor more than \$1,000 and confinement in jail, in the discretion of the court, not exceeding one year.

SLOT MACHINES—It is unlawful to operate any slot machine or automatic device with respect to which, or its operation, services or supplies there is any element of chance (being a gaming table within the meaning of the law), and no license issued to operate a slot machine shall protect the holder from prosecution if his slot machine is of the kind above described.

PRIVATE BETTING—If any person at any place, public or private, bet or wage money or other thing of value on any game of chance, or shall knowingly furnish any money or other thing of value to any other person to bet or wage on any such game he shall be fined not less than \$5 nor more than \$100, and may be required by the court to give security for his good behavior for one year.

HOTEL KEEPERS—It is unlawful for the keeper of any hotel to permit gambling in his hotel, or in any building or upon any ground

**A BANK ACCOUNT
IS A GREAT AID
IN SAVING MONEY.**

owned by him which was at the time appurtenant to or held with the hotel kept by him. The fact that betting was carried on in such place is prima facie evidence that the proprietor knew of it, and the punishment for such keeper is the same as if he were one of the players.

GARNISHMENT.

Any person having obtained judgment against another may summon before the court, upon a process issued by the clerk, any person indebted to the judgment debtor to answer and state if he owes any money to the judgment debtor or has in his possession any property belonging to such debtor; and if upon the answer of the person so summoned it appears that he has money or other things belonging to the judgment debtor the court may order such money or other thing to be paid, or delivered over to the officer of the court, to be by him applied to the satisfaction of the judgment.

GINSENG.

It is unlawful for any person to dig ginseng or other medical roots on the lands of another in the counties of Pocahontas, Greenbrier and Webster without the consent of the owner first obtained. The county court of any other county, upon the petition of 100 voters of the county, may apply the above provision of law to the county or any district therein. The punishment for violation of this law is a fine of not more than \$50 and confinement in the county jail not exceeding two months, in the discretion of the court.

HOLIDAYS.

The first day of January, commonly called New Year's Day; the twenty-second day of February, commonly called George Washington's Birthday; the fourth day of July, commonly called Independence Day; the thirtieth day of May, commonly called Memorial Day; the twenty-fifth day of December, commonly called Christmas Day; the first Monday in September, commonly called Labor Day; the twelfth day of February, commonly called Lincoln's Birthday; the twelfth day of October, commonly called Columbus Day; any national or state election day, and all days that may be appointed or recommended by the governor of this state or the president of the United States as days of thanksgiving, or for the general cessation of business, are legal holidays; and when either of said days or dates falls on Sunday, then it shall be lawful to observe the succeeding Monday as such holiday; provided, that when the return day of any summons or other court proceedings or any notice or time fixed for holding any court or doing any official act shall fall on either of said holidays the ensuing secular day shall be taken as meant and intended.

**BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.**

HOMESTEADS.

(See Exemptions).

HOTELS.

DEFINITION—Every house where food and lodging is usually furnished to travelers and payment required therefor shall be deemed a hotel for purposes of regulation.

REGULATION—A hotel inspector is appointed by the governor for a term of four years with a salary of \$1,500 per annum and expenses. All hotels and restaurants are required to apply to him for an inspection and a certificate, which certificate expires June 30, when it must be renewed. The fee for inspection for a hotel is \$2, and 25 cents additional for each bed in excess of seven; for a restaurant \$2, and 25 cents additional for each five chairs or stools in excess of the first ten.

The state board of health shall make rules and regulations not inconsistent with law for the protection of the public health and convenience at hotels, and the inspector must assist in enforcing the same, and also the provisions of the pure food laws relating to hotels and restaurants. No license shall be issued to a hotel or restaurant until it shall have had the inspection certificate or permit from the inspector. Hotels must be properly lighted, plumbed and ventilated in every department for the health and comfort and safety of guests. They must have proper fire escapes, fire extinguishers, public wash room convenient to guests, and in each bedroom and public wash room there shall be furnished to each registered guest clean, individual towels of cotton or linen, not less than twelve inches wide and eighteen inches long; but roller towels may be placed in main wash room for other than registered guests. List of charges for rooms and meals must be posted in the office or main room; but if on European plan it shall not be required to quote charges for meals so served. The bed rooms must be thoroughly disinfected if a person has occupied same known to have an infectious disease at the time. Each bed must be provided with pillow slips and under and top sheets of sufficient length and width, made of white cotton or linen, and all pillow slips and sheets must be washed and ironed after use by one guest before used by another. All beds, mattresses, quilts, blankets, carpets, etc., must be thoroughly aired, disinfected and kept clean. Violations of any of the above provisions is a misdemeanor and is punishable by a fine.

EXEMPTED HOTELS—The above does not apply to a hotel where there are fewer than ten bed chambers, nor to "summer hotels" not open to guests from November 15 to May 15, nor to any hotel where the transient rate is \$1.50 or less.

DEFRAUDING HOTELS, RESTAURANTS, ETC.—Persons who obtain food or accommodations from a hotel or boarding house with intent to defraud the proprietor thereof, or any person obtaining credit

READ

**"LAWS AND FACTS CONCERNING BANKS AND BANKING"
ON FOURTH PAGE OF READING MATTER.**

by means of a false show of baggage, or by means of false representations, or who with such intent remove baggage or effects from such hotel or boarding house may be punished by a fine of not less than \$25 nor more than \$200, and in the discretion of the court imprisoned not less than ten nor more than thirty days.

INTEREST.

The legal rate of interest in West Virginia is 6 per cent.

INTOXICATING LIQUORS.

A constitutional amendment was proposed by the legislature of 1911 and adopted by the people at the 1912 election prohibiting the manufacture, sale and keeping for sale any intoxicating drink, mixture or preparation of like nature in the state, to take effect July 1st, 1914. The manufacture and sale of such liquors for medicinal, pharmaceutical, mechanical, sacramental, and scientific purposes; and the manufacture and sale of denatured alcohol for industrial purposes may be allowed by law. The legislatures of 1913 and 1915 passed stringent and comprehensive laws carrying into effect this amendment to the constitution.

LIQUORS DEFINED—All liquids, mixtures and preparations which will produce intoxication, and all beverages containing so much as one-half of one per centum of alcohol by volume, are "liquors" within the meaning of the law.

PENALTY FOR MANUFACTURE, SELLING OR SOLICITING ORDERS FOR LIQUORS—First offense, fine of not less than \$100 nor more than \$500 and imprisonment from two to six months. Second offense, not less than one or more than five years in the penitentiary.

HOME MADE WINE, CIDER AND VINEGAR—A person may manufacture for his own domestic consumption wine or cider; may manufacture from fruit grown exclusively within the state, vinegar, and non-intoxicating cider for use or sale; or manufacture and sell to druggists only, at wholesale, pure grain alcohol for medicinal, pharmaceutical, scientific and mechanical purposes, or wine for sacramental purposes by religious bodies.

DRUGGISTS, PHYSICIANS, PRESCRIPTIONS—A druggist can sell alcohol only for the purposes above named, and wine only for sacramental purposes, and when for medicinal purposes shall be upon a prescription from a physician in good standing, under strict regulations, and only one sale can be made under the prescription. A complete register of all such prescriptions and sales must be kept by the druggist. Grain alcohol for the purposes above named, and wine for sacramental purposes can be sold only upon comprehensive affidavits made and filed with and preserved by the druggist and a complete record thereof kept by him.

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

Severe penalties are prescribed for druggists who knowingly sell in violation of the statute. Likewise any collusion or evasion practiced by a physician giving prescriptions is severely punished by fine and imprisonment.

CLUB HOUSES—Every person connected in any way with a club house assisting or abetting in the use, gift, barter or sale of intoxicating liquors among the members, is liable to fine of \$100 to \$500 and confinement in jail, and the members and all other persons are required to give evidence although such evidence might tend to incriminate the person testifying.

LIQUORS AT CERTAIN PLACES PROHIBITED—It is unlawful to keep for personal use, or otherwise, liquors at any restaurant, store, office building, club, place where soft drinks are sold (except drug store), fruit stand, news stand, room or place where bowling alleys, billiard or pool tables are maintained, livery stable, boat house, public building, park, road, street or alley. A person may have at his home and there give to another intoxicating liquors; unless it be a scheme or device to avoid the prohibition laws.

SHIPPING INTO STATE—No common carrier for hire, no other person for or without hire is allowed to bring or carry into this state, or carry from one place to another within the state, intoxicating liquors for another even when intended for personal use. It is unlawful for any person in this state to receive or possess directly or indirectly intoxicating liquors from a common or other carrier. This does not apply to pure grain alcohol or wine shipped to druggists and sold by them as hereinbefore set out. The constitutionality of this provision preventing the shipment into the state by common carrier is now (year 1916) before the supreme court of the United States.

ADVERTISING LIQUORS—It is unlawful to advertise liquors in any way, by bill board, newspaper, periodical, to distribute price list, circulars, or other written or printed papers, or for any one to allow any such advertisements to be posted or remain on his premises. The penalty is not less than \$100 nor more than \$500 fine.

ARRESTS, SEIZURES, ETC.—Any one suspected of violating the prohibition laws may be arrested upon proper complaint before a justice or court and examined and held under bond to answer indictment, and the prohibition officers may enter premises and make search for and seizure of liquors stored or held for illegal purposes, and the liquors so found may be destroyed.

NUISANCES—All places where liquors are manufactured, sold, stored, given away or furnished contrary to law may be declared common and public nuisances, and all persons connected with the nuisance shall be fined and imprisoned. Injunctions may be granted by the circuit court to abate such nuisances at the beginning of the proceedings and no injunction bond shall be required; violations of

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On the Most Favorable Terms

Consistent with Sound Banking.

the injunction shall be treated as contempt of court and the offender summarily punished by fine and imprisonment.

COMMISSIONER OF PROHIBITION—The state tax commissioner is ex-officio state commissioner of prohibition and he and his deputies and agents superintend the enforcement of the prohibition laws, and have the powers of prosecuting attorneys, sheriffs, constables and police officers for that purpose.

REMOVAL OF OFFICERS—Any county, district or municipal or police officer who refuses to perform or neglects any duty imposed on him by the prohibition laws may be removed from office, upon charges, by the circuit court. Any citizen or the commissioner of prohibition may prefer such charges.

JURORS MAY BE SUMMONED FROM ANOTHER COUNTY—When any violation of the prohibition law is being tried and the court is of the opinion that the state cannot have a fair and impartial trial by the jury in that county, a jury may be summoned from another county to try the case.

AMOUNT BROUGHT INTO STATE FOR PERSONAL USE—Only one-half gallon can be brought into the state by any person for personal use, or from one part of the state to another part, unless there is plainly printed or written on the side or top of the container in large display letters, in the English language, the contents, and the quantity and kind of liquors contained therein. A violation of this provision is a misdemeanor and the same penalty is imposed as provided for unlawful selling, and the liquor may be seized. Injunctions have been granted preventing the railroads and common carriers from carrying such marked containers as personal baggage. A test case on these injunctions is now (year 1916) pending in the supreme court of appeals of West Virginia.

APPEALS BY STATE—In all cases arising under the prohibition law the state has the right to appeal.

CONSTRUCTION OF ACT—The entire statute is deemed an exercise of the "police power" of the state for the protection of public health, peace and morals and is to be liberally construed.

INHERITANCE TAX.

When the property or any beneficial interest therein passes by any such transfer where the amount of the property shall exceed in value the exemption hereinafter specified, and shall not exceed in value \$25,000, the tax hereby imposed shall be

(a) Where the person or persons entitled to any beneficial interest in such property shall be the wife, husband, child, lineal descendant or lineal ancestor of the decedent at the rate of 1 per centum of the market value of such interest in such property.

(b) Where the person or persons entitled to any beneficial interest in such property shall be further removed in relationship from

**WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.**

the descendant than wife, husband, child, lineal descendant, lineal ancestor, brother or sister, at the rate of 5 per centum of the market value of such interest in such property.

(c) Where the person or persons entitled to any beneficial interest in such property shall be the brother or sister of the decedent (and the term brother and sister shall not include a brother or sister of the half blood), at the rate of 3 per centum of the market value of such interest in such property.

Where the interest so transferred shall be in excess of \$25,000 and not more than \$50,000, one and one-half times the foregoing named rates; more than \$50,000 and not over \$100,000, two times the primary rates; all in excess of \$100,000 and up to \$500,000, two and one-half times the primary rate; and upon all in excess of \$500,000, three times the primary rates.

EXEMPTIONS—The following exemptions from the tax are hereby allowed:

(1) All property transferred to a person or corporation in trust or use solely for education, literary, scientific, religious or charitable purposes, or to the state or any county or municipal corporation thereof for public purposes; provided the property so transferred is used for the purposes herein mentioned in this state, shall be exempt.

(2) Property of the market value of fifteen thousand dollars transferred to the widow of the decedent, and ten thousand dollars transferred to each of the other persons shall be exempt.

JURIES (Petit).

PERSONS LIABLE TO SERVE—All male persons from 21 years of age and not over 60, and who are citizens of this state shall be liable to serve as jurors except as below.

EXEMPTIONS—The governor, practicing attorneys and physicians, druggists, postmasters, officers of any court or telegraph operators actually engaged, every commissioned officer and an enlisted man of the National Guard shall be exempt from serving on juries.

PREPARING LIST OF JURORS—There are two jury commissioners for each county, of opposite politics, and residents of the county, appointed by the Circuit Court. They serve for four years, from June next after they are appointed. At the levy term of the county court thereof annually they prepare a list of jurors not exempted as aforesaid, being persons of sound judgment and free from legal exemption of not less than 200 nor more than 600 persons. But the name of no person shall be put on the list who has requested the jury commissioner, either by himself or another, to have his name placed on such list. At the time the list is made the jury commissioners cause the names thereon to be fairly written on a separate ballot and then fold the same so as to resemble each other and so that the names thereon shall not be

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OF
A SOLID, WELL EQUIPPED BANK.

visible on the outside and place the same in a jury ballot box kept by the clerk of the circuit court and opened only by order of the jury commissioners. Jurors are then selected by drawing ballots from the box at a time not less than twenty days before the term of court at which they serve, shall begin. The juries are drawn from the box after the ballots therein have been shaken and mixed together, by one of the jury commissioners. When any person is drawn, the jury commissioners shall cause to be endorsed on the ballot containing his name the word "drawn" and place it in another box kept for the purpose by the circuit clerk and the date thereof shall be entered on the jury list opposite the name of the person so drawn.

ATTENDANCE AND PAY OF JURORS—After the jurors have been selected they are summoned by the sheriff to attend the court on a certain day in the summons set out and failure to attend without any sufficient excuse subjects the juror to a fine not exceeding \$50. Jurors are entitled to receive not less than \$1.50 and not more than \$2.50 and mileage the same as witnesses to be paid out of the county treasury. When a juror serves on a felony case, he is allowed \$2.50 for each day. Mileage shall be allowed but once during the term.

LANDLORD AND TENANT.

LEASE—A lease of property for more than one year must be in writing. If for five years or more, the lease should be recorded in the county clerks' office where the property is situated. A verbal lease, where there has been no agreement as to the time during which it will run is deemed to be in the absence of evidence to the contrary, a lease from year to year.

NOTICE TO TERMINATE TENANCY—A tenancy from year to year may be terminated by either party giving notice in writing to the other prior to the end of any year, for three months, of his intention to terminate the same. No notice is necessary where, by special agreement, no notice is to be given; nor shall it be necessary from or to a tenant whose term is to end at a certain time.

DISTRESS FOR RENT—Rent may be distrained for within one year after the time it becomes due, and not afterwards, whether the lease be ended or not; and is made by the sheriff or any constable of the county under a warrant from a justice.

GOODS ON WHICH LEVY MAY BE MADE—Any goods of the lessee, his assignee, or any tenant, found on the property or which have been removed from the property within thirty days of the time when the levy is made are liable to distress for rent. But goods which are brought on the premises which are subject to a lien at the time they are brought on, the lessee's interest therein only is liable; and goods on the premises, on which a lien has been created while they have been there are liable for distress for not more than one year's rent.

**MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.**

WHEN OFFICER MAY ENTER PREMISES—The officer having the distress warrant may break in and enter any house in which there are goods liable to the distress provided he do so in the day time. He may break in and enter any house where goods liable to distress have been placed, clandestinely or fraudulently, either in the day or night time.

LICENSES.

The following is a partial list of license tax on occupations and businesses imposed by the tax laws:

REAL ESTATE AGENTS—Real estate agent includes any person or corporation that for a commission or reward is engaged in the selling of or who negotiates the sale of real estate belonging to others, or obtains loans for others on real estate, or advertises for sale or solicits the sale of real estate belonging to others, or collects rent and attends to the letting and sale of houses and lands. On every license to practice the business of real estate agent, \$50.

TOBACCO, CIGARS, CIGARETTES—To sell at retail cigarettes, cigarette paper or wrappers, cigars, tobacco, snuff and other preparations of tobacco \$10; to sell at retail cigars, tobacco, snuff and other preparations of tobacco other than cigarettes or cigarette paper, \$5.

DRUGGISTS—License tax \$2.

BOWLING ALLEYS—Bowling alleys for public use, \$40; but if more than one be kept in one house by the same person, \$40 for the first, and \$15 for each additional.

BILLIARD TABLES—Public billard or pool table where charge is made for the use of same, \$50; if more than one be kept in the same house by the same person, \$50 for the first and \$25 for each additional one.

JUNK DEALERS—License \$25; and on every agent or canvasser appointed by any junk dealer, \$10. Junk dealers agent's license shall be co-existing with the state.

TRADING STAMPS—On trading stamps, premium stamps and the like \$500.

SLOT MACHINE—On penny slot machines or other automatic device, which is not a gambling device, \$2 for each machine; on every other slot machine or device not a gambling device, \$5 for each.

AUTOMOBILES—\$10.

ROLLER COASTER—On roller coaster, merry-go-round, scenic railway or the like for one week \$10; four months \$30; six months, \$50; one year, \$100.

PISTOLS, DIRKS, ETC.—A license to sell pistols, revolvers, dirks and the like, \$10.

WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.

ROLLER SKATING RINKS—On every license for roller skating rink for public use in a town of 10,000 population or more, \$100; in a town of more than 5,000 but less than 10,000, \$50, and in a town of population not exceeding 5,000, \$25.

FORTUNE TELLER—\$5.

LABOR AGENCY—\$100.

BILLIARD TABLE AND THE LIKE AT PUBLIC WATERING PLACES—At public watering places, a license may be granted to keep bowling alley, billiard table and pool table, or like kind, or roller skating rink, for four months or two months from the commencement thereof, and if for four months, the state tax shall be one-half, and if for two months, one-third of the annual tax.

AUCTIONEERS—\$5.

PAWN BROKERS—\$100.

PATENT RIGHTS—\$10.

COLLECTION AGENCY—\$10.

HAWKERS AND PEDDLERS—A license is charged hawkers and peddlers depending upon the extent of the business, regulated by the use of one or more horses or wagon, and inquiry for the amount in each case should be addressed to the state tax commissioner at Charleston. No tax or fee is imposed on any soldier of the late Civil War, to act as a hawker or peddler.

SHOOTING GALLERIES—\$25.

LIENS.

DEFINITION—Comprehensively stated a lien is a right which a creditor has by contract, expressed or implied, or by operation of law, to take or to hold certain property belonging to the debtor for the purpose of satisfying or securing the payment of the debt to the creditor. Under this head we will only deal with implied liens or liens arising by operation of law.

(1) **STATE'S LIENS**—Whenever any person is indebted to the State of West Virginia and is insolvent, or his estate is insufficient to pay his debts in full, the debt to the state must first be satisfied, and where the debt is in the nature of taxes on real estate such debt becomes a specific lien on the real estate against which the taxes were levied. The only exception to the priority of the state's general lien is found in estates of deceased persons where certain necessary expenses, such as burial expenses, have priority out of the personal property of the deceased.

(2) **EQUITABLE LIENS**—Where a plaintiff, by contract, expressed or implied, or by operation of law claims to have a lien upon the property and desires to enforce the lien by proper legal procedure he must give proper notice to all persons of his claim to such lien. If

WE INVITE NEW ACCOUNTS

Upon Our Merits For

STRENGTH AND SAFETY.

real property is involved he must give notice to the public generally of his rights therein by filing notice of his suit in the office of the recorder of deeds, which notice shall express the nature and character of his claim and the extent to which the property involved is likely to be affected.

(3) **MECHANICS' AND MATERIAL MEN'S LIENS**—Every mechanic, builder, artisan, workman, laborer, or other person, who shall perform any work or labor upon or furnish any material or machinery for constructing, altering, repairing or removing a house, mill, manufactory or other building, appurtenances, fixtures, bridge or other structure, by virtue of a contract with the owner or his agent, shall have a lien to secure the payment of the same, upon such house or other structure, and upon interest of the owner in the land on which the same may stand or to which it may be removed. But the aggregate amount of the liens shall not exceed the amount stipulated in the contract with the owner to be paid therefor, and there shall be no priority of liens as between parties claiming under this law. But if such owner fails to have the contract recorded, the contractor shall be held to be his agent; and the house or other structure and the land on which it is situated then be held liable for the true value of all labor done, and material and machinery furnished therefor, prior to such recording, although the same may exceed, in the aggregate, the price stipulated in the contract between the owner and the contractor.

(4) **LIEN MUST BE RECORDED**—Every lien shall be discharged, unless within sixty days a just and true account of the amount due be filed with the clerk of the county court. If the work is done for the contractor, the laborer or mechanic, or material man, shall, within thirty-five days, after the same is performed or furnished, file with the owner, or his authorized agent, an itemized account of the labor done or material or machinery furnished, duly verified by affidavit.

(5) **HOW ENFORCED**—Mechanics' liens shall be discharged unless within six months from the time of filing same a suit has been instituted to enforce the lien.

(6) **LIEN OF HOTEL AND BOARDING HOUSE KEEPERS**—Hotels and boarding houses have a lien upon the personal property of their guests, which is kept in the hotel or boarding house by such guests. This lien may be enforced as provided by statute.

(7) **LIEN OF CONTRACTORS AND OTHERS AGAINST RAILROADS**—All contractors, material men, and laborers shall have a lien against the road bed, rolling stock, etc., of any railroad company for any work done or material furnished the said company, but in order to obtain such a lien and enforce the same it is necessary that all the provisions of the statute be strictly followed.

(8) **LANDLORD LIENS**—A landlord leasing real estate to a tenant for farming or agricultural purposes has a lien on the crop pro-

A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.

duced and stock raised upon said leased premises which may be enforced by distress warrant or other proper process.

(7) **VENDOR'S LIEN**—Any person selling real estate and any part of the purchase price remaining unpaid at the time may have a lien for this unpaid part by expressly reserving the same in the face of the deed.

LIVERY STABLE KEEPERS.

PENALTY FOR DESTROYING PROPERTY—Whenever any bailee for hire or loan of any property of a livery stable keeper, in cities of over 3,000 population, shall wilfully or with gross negligence damage or destroy the property while the same is in his custody he shall be punished by a fine or imprisonment, at the discretion of the court, and shall be liable to the owner for the value thereof of the injury done in civil action before either the circuit court or justice of the peace. If damage be done to such property by careless driving or improper conduct, the same penalty attaches.

MARRIAGE.

WHO MAY PERFORM—Marriage may be performed by any minister of the gospel who has appeared before the circuit court or county court, or the clerk of the county court when neither of such courts is in session and has produced proof that he is in regular communication with his religious society, duly licensed, and has executed bond. The fee for performing the ceremony is \$1.

MARRIAGE LICENSE NECESSARY—No person can be married in this state without a license, which is issued by the clerk of the county court of the county where the female to be married usually resides.

MARRIAGE LICENSE TO MINORS—If any person intend to marry, under twenty-one years old and has not been previously married, the consent of the father or guardian, or, if there be none, the mother of such person, shall be given either personally to the clerk of the county court, or in writing subscribed by a witness, who shall make oath before the clerk that said writing was signed or acknowledged in his presence by such father, guardian or mother, as the case may be.

PROHIBITED DEGREES—No man shall marry his mother, grandmother, stepmother, sister, daughter, granddaughter, half sister, aunt, uncle's wife, son's wife, wife's daughter or her granddaughter or step daughter, brother's daughter, sister's daughter or wife of his brother's or sister's son. No woman shall marry her father, grandfather, step father, brother, son, grandson, half brother, uncle, daughter's husband, husband's son or his grandson or step-son, brother's son, sister's son or husband of her brother or sister's daughter

**WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.**

MARRIAGE BETWEEN WHITE PERSONS AND NEGROES—

Any white person who shall intermarry with a negro shall be confined in jail not more than one year and fined not exceeding \$100 and any person who shall knowingly perform the ceremony of marriage between a white person and a negro shall be fined not exceeding \$200.

MARRIED WOMEN.

Under the common law a married woman could not hold property and any property which she had at the time of marriage became the property of her husband. This has been changed largely by the law of this state. Now a married woman has the right to acquire, hold and use the property as if she were unmarried. The property of the wife is not subject to the husband's debts, nor has he any title to the rents and profits of her separate estate. He has the right to curtesy (which is a life interest in her real property after her death) and the wife cannot, by her sole act, deprive him of it.

A wife can contract, sue and be sued as if she were unmarried.

EVIDENCE IN CRIMINAL CASES—In the trial of any criminal case, neither the husband nor wife can testify against the other; and unless the crime was committed by one on the other, the consent of the party accused must be had before the other party to the marriage can give evidence.

MECHANICS' LIENS.

(SEE LIENS.)

MONUMENTS.

If any person should break down, destroy, injure, deface or remove any monument erected for the purpose of designating boundaries of ground, tract of land or any tree marked for that purpose he shall be fined not less than \$20 nor more than \$200 and may be confined not less than one nor more than six months.

MERCHANDISE.

SALES IN BULK—The sale in bulk of any part or whole of the stock of merchandise otherwise than in the ordinary course of trade in the regular and usual prosecution of the seller's business, shall be fraudulent and void as against the creditors of the seller, unless the seller and purchaser, at least five days before the sale, make a written statement showing the nature and character of the sale and property to be sold and the price to be paid therefor and unless the purchaser demands and receives from the seller a written list of names and addresses of creditors of the seller, with the amount of indebtedness due or owing to each and certified by the seller under oath, to be to the best of his knowledge and belief a full, accurate and complete list of his creditors and of his indebtedness; and unless the purchasers shall, at least five days before taking possession of

**PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.**

such merchandise so paid therefor, notify personally or by registered mail every creditor whose name and address is stated in said list, of the proposed sale and of the price, terms and conditions thereof. This law shall not apply to sales by executors, administrators, receivers, assignees, trustees in bankruptcy or any official under judicial process.

MORTGAGES AND DEEDS OF TRUST.

DEFINITION—In West Virginia, mortgages have been almost entirely superseded by deeds of trust. In effect, a deed of trust accomplishes the same purpose as a mortgage, but in form there is a difference between the two. A mortgage is a conveyance from the debtor to the creditor with a condition in the deed that if the debt for which the mortgage is given as security is paid, the lien of the mortgage will be released. A deed of trust is a conveyance from the debtor to a third party, the trustee. Like a mortgage, it states on the face of the conveyance that it is given to secure a debt, and there is a condition that on payment of the debt the trustee will release to the debtor the property conveyed.

FORM OF DEED OF TRUST—There is no set form for a deed of trust but the following is a form very generally used:

This deed made and entered into this.....day of....., 191...., by and between....., party of the first part, and trustee, party of the second part, witnesseth: that the said..... doth grant unto the said.....trustee, the following property: (Here insert description of the property.) In trust to secure (Here insert description of the debts to be secured, and insert covenants or any other provisions the parties may agree on.) Witness the following signature and seal.

PROVISIONS AS TO SALE OF PROPERTY CONVEYED—In order to enforce the lien of a mortgage it is necessary to procure an order of the court before doing so. This, however, is not necessary in case of a deed of trust. There should always be written in the face of the conveyance a provision authorizing the trustee to sell the property in case the debt is not paid when it becomes due, pay the debt and deliver to the grantor the residue, if there be any.

DUTIES OF THE TRUSTEE—Since a trustee has no powers other than those given him in the deed of trust, he must follow the provisions of the deed exactly. The time, place and manner of sales, the way in which payments may be made, whether in cash or notes, should appear in the face of the deed and the trustee must follow these provisions exactly. His fee for acting as trustee is usually 5% on the first \$300 and 2% on the remainder of the amount the property sold for, of course, provided a sale is necessary. The trustee is required, within four months of the time of a sale, to make a report to a commissioner of accounts, failing to do so, he forfeits his commissions.

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

After making a sale, the proceeds should be distributed by the trustee in the following manner, and a provision to this effect should be inserted in the face of the deed. He should pay first, the costs and expenses of administering his trust, including his own commission, next he should pay the debt secured by the deed and lastly, he should pay the residue to the grantor (the debtor.)

RELEASE DEED OF TRUST—When the debt secured by trust deed has been satisfied it should be released in order that the property to that extent may be free from the encumbrance. The release of the trust deed should be in writing and is sufficient if it describe the lien to be released by any words that will identify and show an intent to discharge the same. The statute prescribes a form which may be followed and which is:

"I, A..... B..... hereby release a deed of trust made by C..... D..... to me or to E..... F....., my trustee, dated.....day of.....19..... and recorded in the office of the clerk of the county court of..... County, West Virginia, in Deed Book.....Page.....

A..... B.....

Acknowledged before the subscriber this..... day of..... 19....

G..... H.....

Notary Public, or Justice of the Peace in and for.....County, West Virginia."

This release, when executed, should be filed and recorded in the office of the county clerk.

RECORDING—Although a deed of trust, whether recorded or not, is binding between the parties thereto, it is necessary, in order that it be good against creditors and subsequent purchasers, that the deed be recorded in the clerk's office of the county in which the property is situated.

DURATION OF THE LIEN OF A DEED OF TRUST—Twenty years.

NAMES.

Any person who desires to change his name, or the name of his child or ward, may apply to the circuit court of the county wherein he resides. On such application the court may, in its discretion, order the name changed, and thenceforth the new name shall be in place of the former.

NEGLECTED AND DEPENDENT CHILDREN.

The legislature of 1915 passed an act concerning dependent, neglected or delinquent children, and defined the terms and provided for the treatment, control, maintenance, protection, adoption and guardianship of such children. Also provided for punishment of anyone guilty of offenses therein set out; also giving county authorities

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

the right to establish and maintain a detention home for the temporary care and custody of such children and to levy a tax to pay the cost of its establishment and maintenance. This statute is too long and prolix to set out the various provisions thereof and should be inspected in cases where any child is dependent or neglected. Chapter 70, Acts, 1915.

NEGLIGENCE CAUSING DEATH OR PERSONAL INJURY.

Whenever the death of a person shall be caused by wrongful act, neglect or default, and the act, neglect and default is such as would, if death had not ensued, have entitled the party injured to maintain an action to recover damages in respect thereof; then and in every such case, the person who or corporation which would have been liable if death had not ensued shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death shall have been caused in such circumstances as amount in law to murder in the first or second degree, or manslaughter. At the common law, a suit could not be maintained for damages where the neglect or default had caused death. The law above stated completely changes this common law rule.

LIMITATION OF SUIT—A suit for wrongful act causing death must be instituted within two years from the time of the death. Where personal injuries have been sustained by reason of some neglect or wrongful act of the person causing the injury, the suit must be brought within one year from the time the injury was received.

Actions for death or personal injuries between employer and employee have largely been superseded by the provisions of the Workmen's Compensation Act. (See Employer and Employee.)

NEGLIGENCE AT RAILROAD CROSSINGS—It is the duty of every person intending to cross the tracks at a railroad crossing to stop, look and listen before crossing, and failure to do so is contributory negligence, should there be an accident, and would prevent the recovery of damages.

NATURAL HISTORY.

The forest game and fish warden may grant a certificate to any proper person above the age of fifteen, permitting him to collect birds, their nests or eggs for scientific purposes only. The person applying for such certificate must present written testimonials from two well known resident ornithologists, certifying to the good character and fitness of the applicant to be entrusted with such privilege. A fee of \$1 must accompany the application to defray the expense of granting same. If the holder of such certificate kills any bird or takes the nest of any bird for other than strictly scientific purposes, the certificate shall be revoked and he shall be fined not exceeding \$100 or imprisoned not exceeding thirty days or both.

**WE TRY TO PLEASE OUR CUSTOMERS
AND CAN PLEASE YOU.**

NEGOTIABLE INSTRUMENTS.

DEFINITION—A negotiable instrument must be in writing and signed by the maker or drawer; must contain an unconditional promise or order to pay a sum certain in money; must be payable on demand or at a fixed or determinable future time; must be payable to order of a specified person or to bearer; and where it is addressed to a drawee, he must be named or otherwise indicated therein with reasonable certainty.

PROMISSORY NOTE—A negotiable promissory note is an unconditional promise in writing made by one person to another, signed by the maker, engaging to pay on demand or at a fixed or determinable future time a sum certain in money to order or to bearer; where it is drawn to the maker's own order, it is not complete until endorsed by him.

MAY CONTAIN A PLEDGE—A negotiable instrument may contain a pledge of collateral security, with authority to dispose thereof.

WHERE TIME IS NOT SPECIFIED—A negotiable instrument which does not specify the time of payment is payable immediately.

PLACE OF PAYMENT NOT SPECIFIED—A negotiable instrument which does not specify a place of payment is payable at the residence or place of business of the maker, or wherever he may be found.

INSTRUMENT PAYABLE TO A PERSON OR HIS ORDER—An instrument otherwise negotiable in form, payable to a person named, or with the words added "or to his order," or "to bearer," or words equivalent thereto, is, in the former case, payable to the written order of such person, and in the latter case, payable to bearer.

ENDORSE NOTE; WHEN NEGOTIABLE—A negotiable instrument made payable to the order of the maker, or of a fictitious person, if issued by the maker for a valuable consideration, without endorsement, has the same effect against him, and all other persons having notice of the facts, as if payable to the bearer. A negotiable instrument made payable to the order of a person obviously fictitious is payable to bearer.

PRESUMPTION OF CONSIDERATION—The signature of every drawer, acceptor and endorser of a negotiable instrument is presumed to have been made for a valuable consideration before the maturity of the instrument, and in the ordinary course of business.

ENDORSEMENT—One who writes his name upon a negotiable instrument otherwise than as a maker or acceptor, and delivers it, with his name thereon, to another person, is called an endorser, and his act is called endorsement. One who agrees to endorse a negotiable instrument is bound to write his signature upon the back of the instrument if there is sufficient space thereon for that purpose. An endorsement may be general or special. A general endorsement is

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IN SAVING MONEY.

one by which no endorsee is named. A special endorsement specifies the endorsee.

GENERAL ENDORSEMENT; HOW MADE SPECIAL—A negotiable instrument bearing a general endorsement cannot be afterwards specially endorsed, but any lawful holder may turn a general endorsement into a special one by writing above it a direction for payment to a particular person. A special endorsement may, by express words for that purpose, but not otherwise, be so made as to render the instrument not negotiable.

IMPLIED WARRANTY OF ENDORSER—Every endorser of a negotiable instrument, unless his endorsement is qualified, warrants to every subsequent holder thereof, who is not liable thereto to him: (1) that it is in all respects what it purports to be; (2) that he has a good title to it; (3) that the signatures of all prior persons are binding upon them; (4) that, if the instrument is dishonored, the endorser will, upon notice thereof, duly given to him, or without notice, where it is excused by law, pay the same, with interest, unless exonerated under special provisions of the statute concerning delays in presentment.

ENDORSER; WHEN LIABLE TO PAYEE—One who endorses a negotiable instrument before it is delivered to the payee is liable to the payee thereon as an endorser.

ENDORSEMENT WITHOUT RECOURSE—An endorser may qualify his endorsement with the words, "without recourse" or equivalent words; and upon such endorsement he is responsible only to the same extent as in the case of a transfer without endorsement; except as provided in the preceding sentence an endorsement without recourse has the same effect as any other endorsement.

ENDORSEE PRIVY TO CONTRACT—An endorsee of a negotiable instrument has the same rights against every prior party thereto that he would have had if the contract had been made directly between them in the first instance.

EFFECT FOR WANT OF CONSIDERATION—The want of consideration for the undertaking of the maker, acceptor or endorser of a negotiable instrument does not exonerate him from liability thereon to an endorsee in good faith for a consideration, and before maturity.

ENDORSEE IN DUE COURSE—An endorsee in due course is one who, in good faith, in the ordinary course of business, and for value, before its apparent maturity or presumptive dishonor, and without knowledge of its actual dishonor, acquires a negotiable instrument, duly endorsed to him, or endorsed generally, or payable to bearer. An endorsee of a negotiable instrument in due course acquires an absolute title thereto, so that it is valid in his hands, notwithstanding any provision of law making it generally void or voidable, and notwithstanding any defect in the title of the person from whom he acquired it.

**BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.**

INSTRUMENT LEFT BLANK—One who makes himself a party to an instrument intended to be negotiable, but which is left wholly or partly in blank for the purpose of filling afterwards, is liable upon the instrument to an endorsee thereof in due course in whatever manner, and at whatever time it may be filled, so long as it remains negotiable in form.

EFFECT OF WANT OF DEMAND ON PRINCIPAL DEBTOR—It is not necessary to make a demand for payment upon the principal debtor in a negotiable instrument in order to charge him.

APPARENT MATURITY; WHEN—The apparent maturity of a negotiable instrument, payable at a particular time, is the day on which by its terms it becomes due; or when that is a holiday, then the next business day.

DISHONOR—A negotiable instrument is dishonored when it is either not paid or not accepted, according to its tenor, on presentment, for the purpose, or without presentment, when that is excused.

NOTICE; BY WHOM GIVEN—Notice of the dishonor of a negotiable instrument may be given: (1) By a holder thereof; or (2) by any party to the instrument who might be compelled to pay it to the holder, and who would, upon taking it up, have a right to reimbursement from the party or parties to whom the notice is given. Notice of dishonor, when given by the holder of an instrument, or his agent, otherwise than by mail, must be given on the day of dishonor, or on the next business day thereafter. Where notice is given by mail it must be deposited in the postoffice in time for the first business day succeeding the dishonor for the place to which the notice should be sent. A notice of the dishonor of a negotiable instrument, if valid in favor of the party giving it, inures to the benefit of all other parties thereto whose right to give the holder notice has not then been lost.

FORM OF NOTICE OF DISHONOR—A notice of dishonor may be given in any form which describes the instrument with reasonable certainty, and substantially informs the party receiving it that the instrument has been dishonored.

BILL OF EXCHANGE—A bill of exchange is an instrument, negotiable in form, by which one who is called the drawer requests another, called the drawee, to pay a specified sum of money. The rights and obligations of the drawer of a bill of exchange are the same as those of the first endorser of any other negotiable instrument. An inland bill of exchange is one drawn and payable within this state. All others are foreign.

DAYS OF GRACE—Days of grace are not allowed.

PROTEST—Notice of the dishonor of a foreign bill of exchange can be given only by notice of its protest. Protest must be made by a notary public, if, with reasonable diligence, one can be obtained, and, if not, then by any reputable person in the presence of two wit-

READ

“LAWS AND FACTS CONCERNING BANKS AND BANKING”
ON FOURTH PAGE OF READING MATTER.

nesses. Protest must be made by an instrument in writing, giving a literal copy of the negotiable instrument, with all that is written thereon, or annexing the original, stating the presentment and the manner in which it was made; the presence or absence of the drawer or acceptor, as the case may be; the refusal to accept or to pay, or inability of the drawee to give a binding acceptance; and, in case of refusal, the reason assigned, if any; and, finally, protesting against all parties to be charged. A protest must be noted on the day of presentment, or on the next business day; but it may be written out at any time thereafter. Notice of protest must be given in the same manner as notice of dishonor, except that it may be given by the notary who makes the protest.

CHECK DEFINED—A check is a bill of exchange drawn upon a bank, payable on demand, without interest.

RULES APPLICABLE TO CHECKS—A check is subject to all the provisions of the code concerning bills of exchange, except that: (1) The drawer and endorsers are exonerated by delay in presentment only to the extent of the injury which they suffer thereby; (2) an endorsee, after its apparent maturity, but without actual notice of its dishonor, acquires a title equal to that of an endorsee before such period.

NON-SUPPORT.

It is unlawful for a man to neglect, fail or refuse to provide reasonable support and maintenance for his wife or minor children, who may need such support; and upon complaint of the wife or any agent of the West Virginia Humane Society and upon conviction, he shall be adjudged guilty of a misdemeanor and committed to jail for not more than sixty days unless it appear that from physical incapacity or other good cause he is unable to furnish such support. But the justice of the peace before whom such conviction is had may, in lieu of sentencing the man to jail accept from him a bond payable to the state with surety conditioned for the support of the wife or child or children for the term of six months thereafter; and after the person has been sentenced to jail the justice may at any time release him upon the giving of the bond.

NOTARY PUBLIC

HOW APPOINTED—The governor may appoint and commission such number of notary publics for the several counties as he shall deem necessary for the public convenience, and who shall hold their office for a term of ten years from the date of their commission. But they may be removed for cause. The applicant must obtain from the county court of his county a certificate showing that he is competent, of good moral character, of age, and a resident of the county.

A woman cannot be appointed to the office of notary public because no person is allowed to hold office in this state who is not entitled to vote.

**WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.**

GENERAL DUTIES—It is the duty of notaries public:

(1) When requested to demand acceptance and payment of foreign, domestic and inland bills of exchange or promissory notes and generally all negotiable and non-negotiable paper, and protest the negotiable paper for non-acceptance and non-payment and to exercise such powers and duties as by the law of nations, and agreeable to commercial usages, or by the laws of any other state, government or country may be performed by them. They are conservators of the peace in the county in which they are appointed.

(2) To take the acknowledgments of powers of attorney, mortgages, deeds, grants, transfers and other instruments of writing executed by any person and to give a certificate of such proof or acknowledgment endorsed on or attached to the instrument.

(3) To take depositions and affidavits and administrator's oaths and confirmations in all matters incident to the duties of the office or to be used before any court, judge, officer or board in this state.

(4) To provide and keep official seal and attach the same to any instrument when requested and to attach the same upon any instrument executed before them which is to be used or recorded outside of the state.

EXTENT OF JURISDICTION—The jurisdiction of a notary extends only throughout the county in which he is appointed.

FEES—For protesting paper under his official seal and notice of dishonor to one person beside the maker, \$1.

For every additional notice, 10 cents.

For taking and certifying the acknowledgment of any deed of writing, 50 cents.

For administering and certifying an oath, 25 cents.

For taking and certifying affidavits or depositions of witnesses, for each hour so employed, 75 cents.

For other services the same fees as are allowed by law to the clerk of the circuit court for similar services.

NOTICES.

Whenever the law requires a notice to be given within a certain time before any motion or proceeding, a notice must be served within such time exclusive of the day set for the motion or proceeding, but the day on which such notice is given may be counted as a part of the time.

NUISANCE.

DEFINITION—A nuisance is anything that unlawfully worketh hurt, inconvenience or damage. Nuisances are public or private. A private nuisance is anything done to the hurt or annoyance of the lands or tenements of another. A public nuisance is such an inconvenience or troublesome offense as annoys the whole community in general and not merely some particular person.

WE LOAN MONEY

On the Most Favorable Terms

Consistent with Sound Banking.

ABATEMENT—The county court may provide for the abatement or removal of nuisances prejudicial to the health of the inhabitants in any part of the county or may require or direct the abatement or removal of any particular nuisance of the county. The common council of the town or city has the right to abate or cause to be abated anything which, in the opinion of the majority of the whole council shall be a nuisance. A private nuisance may be abated by any person affected thereby in a proceeding in court for that purpose.

NURSES.

All persons desiring to practice professional nursing must be examined by a board appointed for that purpose by the governor and receive a certificate of such examination. Thereafter the person holding such certificate shall be known as a "registered nurse." The board is composed of five members, two of whom may be women. The board is required to meet not less frequently than once a year and give notice of its meeting in the public press, and any nursing journal one month previous to the meeting.

QUALIFICATIONS OF APPLICANTS—Each applicant for examination must furnish satisfactory evidence that he or she is twenty-one years of age, of good moral character, and has received the equivalent of a high school education and has graduated from a training school connected with a general hospital where two years of continuous training, with a systematic course of instruction is given.

REVOCATION OF CERTIFICATE—The state board of examiners of graduate nurses may revoke any certificate for sufficient cause but before this is done the holder of the certificate shall have thirty days' notice and have a full and fair hearing of the charge. The revocation requires a majority vote of the whole board.

PRACTICING WITHOUT CERTIFICATE—It is unlawful for any person to practice professional nursing as a registered nurse, without the certificate above set out. This does not apply to gratuitous nursing of the sick by friends or members of the family; nor to any person nursing the sick for hire but who does not in any way assume to be a registered nurse.

OATHS.

(SEE AFFIDAVIT.)

OBSCENE LITERATURE.

If any person import, print, publish, sell or distribute any book or other thing containing obscene language, or any print, picture, figure or description manifestly tending to corrupt the morals of youth or introduce into any family or place of education or buy or have in his possession any such thing for the purpose of sale, exhibition or circulation, or with intent to introduce it into any family or place of education, he shall be confined in jail not more than one year and fined not exceeding \$200.

**WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.**

OPERA HOUSE.

It is the duty of owners, or lessees of theaters, public halls and opera houses to provide suitable and sufficient exits to the building providing a safe means of egress in case of fire. The doors must be kept unlocked during all performances and must open outwardly.

WEARING HATS OBSTRUCTING THE VIEW OF OTHERS—Any person attending any performance at a theater, hall or opera house or where theatrical or other performances are given, when admission fee is charged and shall wear upon his or her head any hat, bonnet or covering which may obstruct the view of any person during the performance and refuses or fails to remove the same at the request of any person whose view may be obstructed he or she shall be guilty of misdemeanor and fined not less than \$2 nor more than \$10.

OPIUM.

It is unlawful for any person, firm or corporation to sell or give away or in any other manner to supply or furnish any person in this state opium in any form. This does not apply to the sale of opium by registered pharmacists upon the written prescription of any practicing physician in good standing nor any reputable physician in the regular course of his practice. To violate this law makes a person liable to a fine of not less than \$10 nor more than \$25 for the first offense and for each subsequent offense to a fine of not less than \$25 nor more than \$300, and on failure to pay the fine and costs to work out same on the public roads.

OPTOMETRY.

The practice of optometry is defined to be the employment of any means other than the use of drugs, medicine or surgery for the measurement of powers of vision, the employment of tests or examinations for the determination of any functional deficiencies of the eye and the adaptation of lenses for the aid thereof.

EXAMINATION FOR LICENSE—Everyone desiring to practice optometry must stand an examination before a board of examiners of five who are appointed by the governor. He must show that he is twenty-one years of age, of good moral character and if he is successful in passing the examination shall be registered and receive from the board a certificate thereof. A photograph of the person registered shall be filed with the record and duplicate affixed to his certificate. Anyone claiming to be qualified to examine eyes for the adjustment of glasses shall be deemed as practicing optometry. The fee for examination is \$15 and for certificate of registration, \$10. The board may revoke a certificate for conviction of crime, habitual drunkenness, fraud or deceit in the practice, but before acting the board shall give written notice of the charges and a chance to the accused to be heard and produce his testimony. Severe penalties are imposed for practicing optometry without complying with the act. However, the opto-

WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.

metry law is not construed to apply to physicians and surgeons authorized to practice, nor to prohibit any established merchant or jeweler from keeping and offering for sale and selling spectacles or eye glasses to any person wishing to purchase the same.

ORCHARDS.

A comprehensive statute has been passed in 1915 to provide for the eradication and control of the San Jose scale and other dangerous insects and injurious plant diseases affecting nursery orchard, forest, shade trees, shrubs, vines, cuttings, seeds and bulbs. The administration of this law is placed with the commissioner of agriculture and strict inspection is required of nursery stock raised and sold in this state and of all that may be shipped into this state from outside nurseries. The state entomologist and his assistants, or legal inspectors under the direction of the commissioner of agriculture have the right to examine all orchards, trees, nurseries, stock, and the like, to ascertain if they are infected with any dangerous or injurious plant disease and to make rules and regulations not inconsistent with the law for the eradication and control thereof. It is unlawful for any person knowingly to permit any dangerous insect or plant disease to exist on his premises unless efforts are being made to eradicate the same, and it is unlawful, and subjects the offender to heavy penalty, to sell or offer for sale any stock infested or infected with any insect or plant disease.

PARDON

THE GOVERNOR—The governor has power to remit fines and penalties in such cases and under such regulations as may be prescribed by law. He can commute capital punishment and grant reprieves and pardons after conviction. He has the right to grant pardons upon conditions as may be deemed proper by him and assented to by the person pardoned.

PARDON ATTORNEY—The legislature has provided for a pardon attorney who is appointed by the governor and whose duty it is to make careful and diligent investigation of every application made to the governor for pardon, commutation of sentence or remission of fine and penalties. Upon such investigation he makes such recommendation to the governor as the case in his judgment may warrant. This is designed to relieve the governor of the arduous work connected with such cases. But the pardoning power alone is with the governor.

PAROLE—The governor has authority under such rules and regulations as he may prescribe to parole or permit to go at large any convict imprisoned in the penitentiary and under sentence other than life sentence, and who may have served the minimum term provided by law for the crime for which he was convicted and who has not previously served two terms of imprisonment in any penal institution for felony. A parole is simply a permit granted to the coa-

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

vict to go without the enclosure of the penitentiary under good behavior and while so at large he shall be deemed as serving out the sentence and shall be entitled to "good time" as if he were confined in the penitentiary. A paroled person cannot leave the state without the consent of the governor, and before he can be paroled, someone must agree to furnish him employment; and he must be a law-abiding citizen and properly conduct himself while paroled, as he is likely to be returned to the penitentiary by order of the governor for violation of any law or improper conduct.

PARTNERSHIP.

DEFINITION—Partnership is the association of two or more persons for the purpose of carrying on business together, and dividing its profits between them.

FORMATION OF PARTNERSHIP—A partnership can be formed only by the consent of all the parties thereto, and thereafter no new partner can be admitted into a partnership without the consent of every existing member thereof.

PARTNERSHIP PROPERTY—The property of a partnership consists of all that is contributed to the common stock at the formation thereof, and all that is subsequently acquired thereby.

PARTNERS' INTEREST IN PARTNERSHIP—The interest of each member of a partnership extends to every portion of its property. His share of such property is determined by the partnership agreement. In the absence of such agreement partners are presumed to share equally.

PARTNERS' SHARE IN PROFITS AND LOSSES—In the absence of any agreement on the subject the shares of partners in the profit or loss of the business are equal, and the share of each in the partnership property is the value of his original contribution, increased or diminished by his share of profit or loss.

WHEN DIVISION OF LOSSES IMPLIED—An agreement to divide the profits of a business implies an agreement for a corresponding division of its losses, unless it is otherwise stipulated.

APPLICATION OF PARTNERSHIP PROPERTY—Each member of a partnership may require its property to be applied to the discharge of its debts, and has a lien upon the shares of the other partners for this purpose, and for the payment of the general balance, if any, due to him. Property, whether real or personal, acquired with partnership funds, is presumed to be partnership property.

MUTUAL LIABILITY OF PARTNERS TO ACCOUNT—Each member of a partnership must account to it for everything that he receives on account thereof, and is entitled to reimbursement therefrom for everything which he personally expends for the benefit thereof, and to be indemnified thereby for all losses and risks which he necessarily incurs in its behalf.

**WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.**

POWER OF PARTNERS—Unless otherwise expressly stipulated a decision of the majority of the members of the general partnership binds it in the conduct of its business. Every general partner is agent for the transaction of business, and has the authority to do whatever is necessary to carry on such business in the ordinary manner, and for this purpose may bind his co-partners by an agreement, in writing.

LIABILITY OF PARTNERS TO THIRD PERSONS—Every general partner is liable to third persons for all the obligations of the partnership. A partner, general or special, is liable as such to third persons to whom he makes representation, and who, on account of such representation, give credit to the partnership.

DURATION OF PARTNERSHIP—If no term is prescribed by agreement for its duration a general partnership continues until dissolved by the parties, or by operation of law.

DISSOLUTION OF PARTNERSHIP—A general partnership is dissolved as to all partners: (1) By lapse of time prescribed by the agreement for its duration; (2) by the express will of any partner, if there is no such agreement; (3) by the death of a partner; (4) by the transfer to a person not a partner of the interest of any partner in the partnership property.

PHARMACY.

BOARD—The board of pharmacy consists of five members, voters of the state, licensed as pharmacists and actively engaged in the practice, appointed by the governor for a term of five years.

LICENSE NECESSARY—No person not a registered pharmacist shall conduct the business of selling at retail, compounding or dispensing drugs, medicines or poisons, or chemicals for medical use, or compounding or dispensing physicians' prescriptions as a pharmacist, nor allow anyone who is not a registered pharmacist to sell, compound or dispense such drugs, medicines, poisons or chemicals, or physicians' prescriptions, except such as are assistants to, and under the supervision of, one who is a registered pharmacist and except also physicians who dispense their own prescriptions.

EXAMINATIONS—The board two times annually and at such other times as it may deem advisable, and in such manner as it may determine shall examine all persons desiring to engage in business as registered pharmacists. If such applicants are found competent their names must be entered in the registry book of certificate holders. The applicant must be at least twenty-one years of age and present evidence that he has had four years' experience in pharmacy under the instructions of a licensed pharmacist, and passed the examination. In order to be licensed as an assistant pharmacist the applicant must be not less than eighteen years of age, have sufficient education and not less than two years' experience in pharmacy under the instruction

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of a licensed pharmacist, and pass the examination. The fee for the examination for license as a pharmacist is \$10; for assistant pharmacist, \$5.

RENEWAL—Every license and renewal thereof shall be for a period of two years; and anyone who desires to continue in the practice shall within thirty days next preceding the expiration of his license or permit file with the board an application for the renewal thereof, and the renewal fee of \$1 for a pharmacist and for assistant pharmacist, 50 cents.

RECIPROCITY—Pharmacists licensed by other states may be licensed in this state without examination upon presentation of satisfactory evidence of qualification equal to those required from licentiates in this state, provided that such other state accords similar recognition to the licentiates of this state.

PARTITION OF REAL AND PERSONAL PROPERTY.

REAL PROPERTY—When any real property is held in joint tenancy, tenancy in common or copacenary, including estates in fee, for life, or for years, tenancy by curtesy and in dower, it shall be lawful for one or more of the parties interested therein, whether adults or minors (if minors, then by their guardians) to file a petition in the circuit court of the proper county, asking for the admeasurement and set-off of any dower interest therein, and for the partition in kind of the remainder of said real estate if the same may be partitioned in kind, and if it cannot be partitioned in kind without great prejudice to the parties in interest, then for a sale of such premises and a division of the proceeds thereof among the parties entitled thereto according to their respective rights and interests.

SUIT; WHERE BROUGHT—Such suit shall be brought in the county where the land or a majority thereof (by acreage) is situate.

The petition shall give a description of the real property to be partitioned, together with the names, rights, titles, and interests of all the parties interested therein and every person having an interest in said lands as appearing from the petition shall be made a party to such suit.

If names or interest of parties are unknown, or are contingent or uncertain, such facts shall be fully stated in the petition and the source of the uncertain title fully described and the source from whence the unknown parties derived their title and the extent of such title so far as is possible to be stated.

MINORS—If any party to such suit is a minor and has a duly, legally appointed guardian or curator, such guardian or curator shall represent such minor in the suit, and in addition thereto the court shall appoint a guardian ad litem.

PARTITION IN KIND—Upon the hearing of said suit if the court finds that such partition may be made in kind without great injury

**A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.**

or prejudice to the rights of the respective parties, then the court will so decree, and will appoint three disinterested free holders of the county as commissioners to review, set-off and admeasure, and appraise the property and divide the same among the parties thereto according to their respective rights and interests as shown by the decree. The commissioners shall first take an oath to faithfully and impartially discharge their duties. Their report shall be in writing and if they find that the land can be partitioned in kind according to law, and the decree of the court, they will set off in their report of partition, the parcels of land assigned to each of the parties by metes and bounds or other definite descriptions. This report will be signed and duly acknowledged by each of the commissioners, whereupon it will be filed in court.

REPORT CONFIRMED—The court will hear the parties concerning the report. If found equitable and just, and a fair division, the court by its decree will confirm the report of the commissioners, whereupon the respective parties will take absolute title as provided by the decree to the parcels of land set off to them respectively in the report. The report may be set aside and new commissioners appointed, or upon receiving the report it may show that the land can not be divided in kind.

LANDS SOLD; WHEN—When it appears that the land can not be divided in kind without great prejudice to the respective interests, then the court will order the land sold for the purpose of making partition of the proceeds thereof and in connection with the sale the court will ascertain and determine the rights and interests of the respective parties in and to the proceeds of such sale.

SALES; HOW MADE—Partition sales will be made ordinarily by a commissioner appointed by the court. Upon sale being made, which will be at public vendue to the highest bidder for cash or upon such terms as the court may direct, the officer making such sale will report to the court his actions thereon. If sale is confirmed, the court will order deeds to be executed and delivered to the purchaser upon the purchaser complying with the terms of the sale.

ALL PROCEEDINGS TO BE RECORDED—In order to preserve full records of the proceedings of the partition of real estate, a certified copy of the decree should be filed in the office of the recorder of deeds.

PERSONAL PROPERTY—Personal property if not partitioned by the parties may be partitioned by proper suit in the court where the proceedings will be very similar to the proceedings providing for the partition of real estate.

PUBLIC SERVICE COMMISSION.

THE COMMISSION—In 1913, the legislature created the public service commission and amended that act in 1915. The commission

**WE RECEIVE
DEPOSITS
SUBJECT TO CHECK.**

consists of three members appointed by the governor who are citizens and residents of the state and one of whom must be a lawyer of not less than ten years actual experience at the bar. The salary of each commissioner is \$6,000 a year and the commission has the right to appoint a secretary at a salary of \$5,000 a year. It has the right to employ actuaries, clerks, stenographers, inspectors and such other help as may be necessary to expedite the public business. It may employ in its discretion counsel to look after legal matters of the commission and fix his compensation which shall be paid as other employees of the commission.

JURISDICTION—The public service commission has under its jurisdiction all questions relating to the building, extension or operation of public service corporations or individuals or partnerships furnishing public utilities, such as common carriers, railroads, express companies, toll bridges, ferries, telephone and telegraph companies, gas companies, electric light companies, and municipalities furnishing gas or electricity for lighting, heating and power purposes; hydro-electric companies for the generation and transmission of light, heat, power; water companies, in short all utilities of a public nature.

CONTROL OF SERVICE—The commission has the control and regulation of the prices charged for the service rendered and the character and quantity of the commodity furnished by any public service utility.

CONTROL OF RATES—The commission has the right to control and fix all charges, tolls, fares and rates and is empowered to see that the same are just and reasonable; and no change shall be made in any tariffs, rates, joint rates, fares, tolls, schedules or classifications except with the consent of the commission.

RAILROAD COMPANIES—The commission may require railroad and other transportation companies to establish and maintain suitable public service facilities and conveniences as may be reasonable and just; to make connection with trains on branch lines and with all connecting railroad lines; to require passenger trains to stop at junctions or intersections with other roads, and may prescribe the number of men required to constitute safe crews for the handling of trains on any steam railroad.

EXTENSIVE POWERS—The commission has power to investigate all methods and practices of public service corporations or other persons subject to the provision of the act and to require them to conform to the laws of the state and to all rules, regulations and orders of the commission not contrary to law; and to require copies of all reports, rates, classifications, schedules and time tables in effect and all other information desired by the commission relating to such investigation and requirements. It may compel obedience to its lawful orders by a proceeding of mandamus or injunction. It may change any intra-state rate, charge or toll which is unjust or unreasonable and may prescribe such rate, fare, charge or toll as would be just and reasonable, and

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change or prohibit any practice, device or method of service in order to prevent discrimination or favoritism, as between persons, localities or classes of freight.

PROCEDURE BEFORE THE COMMISSION—The method of procedure before the commission and of filing complaints and of the hearing thereof is controlled by rules and regulations formulated by the commission and the same should be inspected before any action is begun.

APPEALS—Any party feeling aggrieved by the entry of a final order of the commission affecting him may appeal therefrom to the supreme court of appeals by filing a petition praying for a suspension of such order. If the appeal be granted the case takes precedence over all other matters before the court excepting the correction of assessments and the court shall decide the matter in controversy as may seem to be just and right.

RESIDENCE.

RULES FOR DETERMINING—Every person has in law a residence. In determining the place of residence the following rules are to be observed:

(1) It is the place where one remains when not called elsewhere for labor or other special or temporary purpose, and to which he returns in seasons of repose.

(2) There can be only one residence.

(3) A residence cannot be lost until another is gained.

(4) The residence of the father, during his life, and after his death, the residence of the mother, while she remains unmarried, is the residence of the unmarried minor children.

(5) The residence of the husband is the residence of the wife.

(6) The residence of an unmarried minor who has a parent living cannot be changed by either his own act or by that of his guardian without the parents' consent.

(7) The residence can be changed only by the union of act and intent.

(8) A person attending to any special or temporary business or in the discharge of official business will have his legal residence at the place of his permanent domicile or home though he resides at another place within or without the state for the purpose of attending to such temporary or official duties or business or any special business. A person may temporarily reside in one place but his domicile, i. e., his permanent and proper place of abode, may be in another place. The question of legal domicile, or residence in the sense of domicile, is one that rests largely, within the discretion and intent of the person in question.

RAILROADS.

CONSTRUCTION—A railroad has the right to construct its roads through private lands and take private lands for that purpose, however, compensation therefor must be paid. The constitution and statute provides that private property shall not be taken for public purposes without just compensation. If the compensation cannot be agreed upon between the land owner and the railroad a suit may be

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You Have a Record
WHICH CANNOT BE DISPUTED.

instituted for that purpose in the circuit court of the county in which the real estate is situated; thereupon if it appear that the railroad has the right to condemn, commissioners are appointed by the court to view the land and take evidence and assess damages, taking into consideration the peculiar advantages, if any, which may result to the land owner by reason of the construction of the road. Upon the filing of the report of the commissioners with the court, if there be no exceptions thereto, and if the court perceives none, and the commissioners are not required to make further investigation and report, and the amount of damages so ascertained is satisfactory to the land owner, then upon payment of the damages assessed by the commissioners the suit will end; but any land owner feeling aggrieved by the report of the commissioners and that he has not been given just compensation may demand that a jury be empanelled and the question of damage tried before them, the verdict of the jury, unless some reversible error has been committed in the trial of the case, shall be final as to the amount of compensation.

INJURY BY FIRE—Every railroad company shall on such part of its road as passes through forest land subject to fires from any cause, at least twice a year, cut and remove from its right of way all grass, brush and other inflammable material and in specially dry seasons keep sufficient trackmen to promptly put out fires on its right of way; it must also provide the locomotive with a netting of steel or wire so constructed as to prevent escape of fire or sparks from the smoke stack and also adequate devices to prevent the escape of fire from ash pan and furnaces.

INJURY BY FIRE—It is the duty of a railroad company to keep its right of way reasonably clear of grass, brush and other inflammable material where the same passes through farm and improved lands in order that fire may not thereby spread to the adjoining lands, and if it does not do so, and fire is communicated from its locomotives to its right of way and thence to the adjoining lands and damage is occasioned thereby, a right of suit for damages accrues to the person so injured. It is the duty of the railroad company to equip its locomotives with proper screens so as to lessen the danger of fire therefrom.

INJURY BY WATER—Should a railroad company by improper construction of its roads, bridges and culverts, cause an overflow of water from a creek or river or the like and thereby cause injury to crops or lands, or when the natural drainage is so changed as to bring a like result, the company is liable in damages for all such injuries so caused. It should so construct its bridges and road bed as not to cause the water to be diverted from its natural channel to the detriment of others. Likewise it would be liable if in the construction of its road bed or building of a bridge it should narrow the channel of a stream so as to cause it to overflow its banks and injure crops, buildings, lands or fences.

KILLING OF LIVE STOCK—A railroad company will be responsible for killing live stock trespassing upon its railroad track only under certain conditions. It is the duty of those in charge of a train to keep a reasonable lookout for animals trespassing upon the track, consistent with their other duties; and if live stock is perceived on the track or in dangerous proximity thereto it is the duty of the trainmen to use reasonable precaution not to injure or kill them. Because they are on the track they should not be wantonly killed. And if under all the circumstances such live stock so trespassing could have been seen by reasonable diligence, or having been seen injury could have been avoided by the use of ordinary care and precaution, and such diligence,

THE BEST
BUSINESS MEN DEPOSIT THEIR MONEY
IN A BANK.

care and precaution has not been used by the train men, and, as a result, the stock is killed, the railroad company will be liable for the value of the stock in a suit for damages.

FARM CROSSINGS AND FENCES—A railroad company is not bound to fence its line from adjoining improved land except where it has condemned land for its use. It is only where there is legal condemnation that a railroad is required to fence improved land. No right-of-way purchased or donated or that runs through unimproved land need be fenced, unless it has been agreed otherwise between the land owner and the company. Farm crossings are also a matter of contract, but in all cases where the right-of-way has been condemned the company shall permit the owner of the land to construct and maintain suitable crossings thereon, and where such land has been cleared and fenced shall construct and maintain suitable farm crossings, cattle guards and fences on both sides of the land thus taken.

INJURY TO PASSENGERS—The railroad company is bound to use the greatest possible care to safely transport a passenger from the beginning to the end of his journey. Any injury to a passenger caused by the defects in its machinery or by the negligence of its officers and agents, or by the wilfulness or wantonness of the men in charge of the train would make the company liable to pay for the same. For the rough or unusual handling of the cars, for failure to have a clear track to run on, and for many other acts the company is liable to its passengers.

PASSENGER CAR LOCKED WHILE IN MOTION—It is a misdemeanor, subjecting to a fine the agent, conductor or other person in charge of passenger cars in which passengers are being carried to have the same locked while such cars are in motion. For such offense the railroad company is subject to a fine of not less than \$100.

NOTICE OF ARRIVAL AND DEPARTURE OF PASSENGER TRAINS—At stations where there is an agent the company must keep near the entrance of the passenger depot a table, giving the time and arrival and departure of all trains carrying passengers and which stop regularly at such station; and if there is a telegraph office the company shall keep a blackboard near the entrance of said office, upon which notice shall be given at least fifteen minutes before the schedule time of any train carrying passengers and stopping at such station, whether such train is on the schedule time or not, and if late how much.

DEPOT—Every passenger station must be open and kept open for at least one hour before the arrival of each passenger train. Suitable depots and waiting rooms with proper convenience must be constructed and kept comfortable in bad weather. Defect in the station platform or a failure to have the platform properly lighted at night, if injury results, will make the company liable for damages. But the company is not liable for failure to light portions of its platform or grounds which are not necessary for the use of its passengers in going to or from its trains.

INJURY TO LICENSEES—A person who is at a railroad station or on its track who has no business there is a licensee and does not have the same rights as persons who were there in pursuit of legitimate business. The company owes him no duty except not to wilfully or intentionally injure him. Then, whenever such a person is discovered to be in a position of peril or danger it is the duty of the company to use every effort not to injure him, and for a failure to use such efforts the company is liable for his injury.

**WE TRY TO PLEASE OUR CUSTOMERS
AND CAN PLEASE YOU.**

REAL ESTATE.

The term real estate includes lands, tenements, hereditaments and all rights thereto and interests therein equitable as well as legal.

QUIETING TITLE—Any person owning real estate may bring an action against another from claiming an adverse estate or interest in the same. For the purpose of determining such estate and quieting the title thereto and whether there is some legal claim or lien upon the estate which is not just a suit may also be instituted for the removing of such claim or lien which is sometimes called "removing a cloud from the title."

ALIENS—Any alien, not an enemy, may take and hold by inheritance or purchase real estate within this state as if he were a citizen. Any such alien may convey or devise any real estate held by him, and if he die without a will it will descend to his heirs-at-law, and any such alienee, devisee or heir, whether a citizen or an alien, may take under such alienation, devise or descent.

ESCHEATS—If a person die intestate and leave no heirs his land reverts to the state, and an officer called an escheator is required to see that the real estate is properly taken over by the state. The governor may appoint an escheator in any county.

REGISTRATION OF VOTERS.

HOW REGISTERED—The county court on the first Monday in March next before the election in the year in which the president of the United States is to be elected, in all other years on the first Monday in May next before the election, shall meet in regular session and appoint two registrars for each voting precinct in the county, one from each of the principal political parties. The chairman or secretary of said political parties may submit a list of registrars to be appointed for his party to the county court, and if the court finds them to be proper persons shall appoint them. The registrars, after being notified, shall meet together on the first Monday in April in a presidential year and in all other years on the first Monday in June before the election and proceed to register the names of all qualified voters within their respective precincts. The registrar may administer oaths in order to be satisfied that any person has the right to vote and should be placed on the registration list. The registrars shall sit together in the voting precinct for two days, beginning on the first Monday in May of the presidential year, and the first Monday in July in all other years, and shall give notice of their sittings for further registration and correction of the registration then made. They must return their registration books to the clerk of the county court on or before the second Monday in May in presidential years and on or before the second Monday in July in all other years, and the books so returned shall be open to the inspection of the public until five days prior to the election. Any person desiring a copy of the voters so registered may request the same, and the registrars shall make and deliver a copy upon the payment to them of 2 cents a name for each copy so furnished.

CORRECTION BY COUNTY COURT—The county court shall sit on the second Monday in the month next preceding any election to be held in the county, including both primary and general elections, and on the fifth day preceding any special election for the purposes of hearing any and all matters as to the registration of

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IN SAVING MONEY.

voters, and if they are satisfied that persons have been registered who are not entitled to vote they may strike their names from the list, and if they find that persons' names have been omitted who should be registered the court shall cause their names to be registered as qualified voters. But the court shall not cause any name to be stricken from the list until the voter shall have had five days' notice and the right to rebut any evidence produced against him. And he shall have his name restored to said list if improperly stricken therefrom. He may appeal to the circuit court of the county from any decision of the county court in so striking his name off.

EFFECT OF NOT BEING REGISTERED—No person shall be allowed to vote at any election unless he shall have been registered and the commissioners of election shall allow only those to vote whose names appear upon the registration books furnished to them, or who present a proper certificate of transfer, except that any person who has not been registered may apply on the day of any election to the commissioners of election to be registered on that day by said commissioners before voting, and if so registered shall be allowed to vote, but such person must make an affidavit which shall contain the same allegations and information as may be required by the registrars and in addition thereto shall give the cause and reason of his not having been registered, and said affidavit shall also contain the names of two creditable and reliable qualified voters of the precinct who shall be known to the commissioners to be creditable and reliable qualified voters of the precinct, and they shall also give an affidavit stating that said person so desiring to vote is well known to them and they believe the statements made by him in his affidavit to be true.

WHO MAY BE REGISTERED—The male citizens of the state shall be registered and entitled to vote at all elections held within the counties in which they respectively reside, but no person who is a minor or of unsound mind, or a pauper, or who is under conviction of treason, felony or bribery in an election, or who has not been a resident of the state for one year and of the county in which he offers to vote for sixty days next preceding the election shall be permitted to vote while such disability continues, and hence should not be registered. No person in the military, naval or marine service of the United States shall be deemed a resident of this state by reason of being stationed therein.

REVENUE AND TAXATION.

The system of taxation for state, county, district and municipal purposes is so prolix that it would be impossible to examine all the details in a short space. It is the duty of everyone to bear his just proportion of the expense of government, and to that end he should see that all his property, real and personal, should be listed for taxation.

UNIFORMITY—Taxation is designed to be equal and uniform throughout the state, and all property, both real and personal, is designed to be taxed in proportion to its value. No one species of property shall be taxed higher than any other species of property of equal value. The law requires that all property shall be assessed at its true and actual value in order that the rate of taxation may be uniform.

**BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.**

EXEMPTIONS—The law exempts from tax all property used for educational, literary, scientific, religious or charitable purposes, all cemeteries and public property.

LIEN—Taxes usually are the first lien upon property, both personal and real. As against the purchaser such lien shall attach from the time the taxes are assessed.

ASSESSORS—The board of public works fixes the value for taxation of railroad companies, telephone, telegraph and express companies, pipe lines, toll bridges and the like, and certifies the valuation to the counties and municipalities. An assessor is elected in each county at the presidential election for a term of four years, beginning the first day of January after the election. In certain municipalities an officer is elected or appointed who performs the same duties within the municipality as those performed by the county assessor for the purposes of municipal taxation. The assessments made by the city authorities and the county authorities of the property in a municipality usually correspond. The assessor begins his assessment as of the first day of April.

PROPERTY; WHERE LISTED—Real property is listed in the county in which it lies or in which the greater portion thereof in acreage lies. Where the same tract extends beyond the county line into another county the land owner should get permission from the county court in which the lesser acreage lies to have the whole tract assessed in the county in which the greater acreage is found. As a general rule personal property is assessed in the county district or municipality where the owner resides except that property having a local situs should be assessed at the place of such situs. Money and credits, notes, bills, bonds and the like should be assessed where the owner lives unless otherwise provided. Any person required to list personal property belonging to another (such as an administrator or trustee), shall list it in the county in which he would be required to list it if it were his own, giving to the assessor a proper description and the ownership.

EQUALIZATION—The board of public works appoints three citizens in each county, not more than two of whom shall belong to the same political party, who constitute a board of equalization for their county. They shall sit as such not later than the fifth day of July at the county seat and review and equalize the assessment of the county as returned by the assessor. They shall not remain in session for a longer period than twenty-five days. They examine the land and personal property assessments as reported to them by the assessor, and they may add property thereto which has been omitted and correct all the errors in the names and description of the property and assessment and do whatever else is necessary to the end that all property shall be assessed at its true and actual value. Due notice of the sitting of the board is published in two newspapers of general circulation published in the county of opposite politics, or if there be no such newspapers, then in some newspaper of general circulation. If any person fail to apply for relief at the meeting of the board he shall be deemed to have waived his right to ask for correction in his assessment list for the current year, and shall not thereafter be permitted to question the correctness of his list as finally fixed by the board. If any taxpayer has appeared before the board and feels aggrieved by any final action taken by it in the matter of assessment he may appeal to the circuit court of his county for correction.

READ

“LAWS AND FACTS CONCERNING BANKS AND BANKING”
ON FOURTH PAGE OF READING MATTER.

PAYMENT OF TAXES—All taxes shall be paid to the sheriff on or before November 30th of the year for which they were levied. He shall on the first day of November following proceed immediately to collect the same. If taxes are not paid or collected by the first day of January interest at the rate of 10 per cent per annum is added until the taxes are paid. The sheriff does not collect the municipal taxes, and considerable confusion has arisen from that fact and persons, more especially non-residents, have had their property in municipalities returned delinquent for non-payment of municipal taxes and lost the same under the erroneous impression that all taxes had been paid to the sheriff of the county. Personal property may be levied upon for taxes by the sheriff if found within his county and summarily sold.

DELINQUENT LAND TAXES—If taxes on land are not paid the sheriff will make up a delinquent list and publish and post the same on the front door of the court house. The list is then certified to the auditor and the sheriff has no further right to collect the delinquent taxes after they have been certified as such to the auditor. The taxes then may be paid to the auditor, with certain penalties added, if not paid to him, the following year he will certify the same back to the sheriff who, in the month of December, at the front door of the court house, will sell the land for such taxes with the penalties and costs thereto added. After sale is made by the sheriff the original owner has one year in which to redeem same by paying to the purchaser at the tax sale the amount paid by him, together with 12 per cent per annum. If not redeemed by the former owner or by someone in interest within one year from the sheriff's sale the purchaser has the right to have a tax deed made to him for the land by the county clerk. After the tax deed is made and recorded the former owner has no right to the land unless the tax proceedings can be set aside for some error or irregularity.

LIMIT OF TAXATION—No county, city, school district or municipal corporation is allowed to become indebted in any manner or for any purpose to an amount including existing indebtedness in the aggregate exceeding 5 per centum of the value of the taxable property therein as shown by the last assessment for state and county taxes previous to incurring such indebtedness; nor without at the same time providing for the collection of a direct annual tax sufficient to pay annually the interest on such debt and the principal thereof within and not exceeding thirty-four years. But no debt can be contracted unless all questions connected with the same shall first be submitted to a vote of the people and have received three-fifths of all the votes cast for and against the same.

The state, through its board of public works, fixes the rate of taxation for state purposes; the county court fixes the rate for county and district purposes; the board of education in each district fixes the rate for district school purposes; and the municipal authorities fix the rate for municipal purposes. In each of these instances the levying body is not permitted to exceed the rate established by law for each governmental division.

THE STATE FUND—The state fund, which is designed to pay the expense incidental to the support of the state educational and eleemosynary institutions, legislative expense, the cost of maintaining the courts, criminal expense, maintaining the state elective offices and the various appointive boards and commissions and the like, is made up from the state levy, which varies from 1 cent to 35 cents on the \$100 valuation, license taxes, privileges and franchise taxes and taxes on corporations, insurance, express, telegraph

WE REGARD ALL BUSINESS TRANSACTIONS
AS
STRICTLY CONFIDENTIAL.

and railroad companies, and from various minor sources too numerous to mention. Out of this state fund about \$400,000 a year is transferred to the general school fund, which is distributed in the various counties in the state for the support of local free schools. The total amount disbursed by the state for the purposes of education is equal to 41.29 per cent of the taxes received for state purposes. The amount expended for state elective offices and departments is only 4.38 per cent of the taxes received for state purposes. It is stated that some of the counties receive for school purposes from the state as much and sometimes more than the entire revenue collected in the county on real and personal property for state purposes.

ROADS.

The county court has the general supervision of the roads of the county with power to establish, vacate and change them. The state road bureau may act with the county court in the general supervision of public roads, and especially with respect to those roads for which an agreement for supervision may be made with the road bureau by the various county courts. The chief road engineer is the chairman of the state road bureau and has his office at the State University at Morgantown. The bureau may prescribe rules and regulations not inconsistent with the law concerning the duties of county road engineers and concerning all such public roads as may be under the supervision of the bureau, and to determine the method of construction, improvement or maintenance. It is designed that the state road bureau should be at the head of the road making system in the state and to see that the laws pertaining to public roads should be enforced. Under certain conditions convicts in the penitentiary may be worked upon certain public roads, and under an act of the legislature of 1913 all male persons in jail under sentence of misdemeanor or for non-payment of fines must be worked on the public roads under the joint supervision of the county court and the state road bureau. Unless otherwise provided it is designed that all public roads shall be not less than thirty feet wide, with a grade not exceeding 5 per cent.

NEW ROADS—When any person desires the establishment or alteration of a public road, bridge or landing he may petition the county court, setting forth in his petition the nature and location of the work; and the county court shall thereupon, or it may do so without a petition on its own motion appoint viewers who, with the county road engineer, shall view the ground and report in writing the advantages and disadvantages which will result to individuals and to the public from the proposed work, and the grades and bearings of the road and any facts and circumstances which may assist the court in determining its future action thereon, together with the amount necessary to construct the road, including compensation for property taken. If the court decides to undertake the work it will appoint a day for hearing parties interested and notify the proprietors and tenants of the property to show cause against the construction or change of the road. If the amount of compensation cannot be agreed upon condemnation proceedings may be instituted by the county court and the amount of damage ascertained by condemnation commissioners, or by a jury upon appeal to the circuit court.

PERMANENT ROADS—Bonds may be issued by any county or by any district therein for the purpose of raising money to construct permanent leading roads in the county or district. The bond

WE LOAN MONEY.

On the Most Favorable Terms

Consistent with Sound Banking.

election, either for the entire county or any district therein, must be called by the county court upon a petition filed therefor by an adequate number of taxpayers and the proposition for bond issue must receive at least three-fifths of all the votes for and against. Bonds for this purpose cannot exceed 5 per cent of the value of the taxable property as shown by the last assessment for state and county purposes, including all existing indebtedness.

LAWS GOVERNING TRAVEL ON ROADS. (See Automobiles).

STATE CHARITABLE AND PENAL INSTITUTIONS.

- (1) State Tuberculosis Sanitarium, located at Terra Alta.
- (2) West Virginia School for Deaf and Blind, Romney.
- (3) West Virginia Colored Orphans' Home at Guyandotte.
- (4) West Virginia Children's Home, Elkins.
- (5) West Virginia Industrial Home for Girls, Salem.
- (6) West Virginia Industrial Home for Boys at Pruntytown.
- (7) Weston State Hospital at Weston.
- (8) Spencer State Hospital at Spencer.
- (9) Huntington State Hospital at Huntington.
- (10) Welch Hospital No. 1 at Welch.
- (11) McKendree Hospital No. 2 at McKendree.
- (12) Fairmont Hospital No. 3 at Fairmont.
- (13) West Virginia Penitentiary at Moundsville.

There are various other charitable institutions in this state under private management which the state helps to support by appropriations made out of the general revenue by the legislature.

HOW SUPPORTED—Out of the general revenue of the state every two years, by appropriations made by the legislature. The West Virginia penitentiary is self-supporting and the revenues therefrom are paid into the state treasury through the board of control, automatically appropriated back to that institution.

HOW MANAGED AND CONTROLLED—The state board of control is composed of three persons appointed by the governor for a term of six years at a salary of \$5,000 a year, with offices at Charleston. This board has full power to manage, direct and govern the above institutions and such other like institutions as may hereafter be created by law except educational institutions. It also has charge and control of the financial and business affairs of the university and preparatory branches, of the West Virginia Collegiate Institute and the Bluefield Colored Institute. The board is empowered and required to purchase all supplies needed for the proper support and maintenance of these institutions, and has the supervision and control of the construction and repair of all the buildings, but no contract for the erection of new buildings or material addition thereto shall be made until the board has submitted the same to the board of public works and received its approval. The governor appoints a superintendent for each of the following institutions: Industrial Home for Girls, Industrial Home for Boys, School for Deaf and Blind, the six state hospitals, and he also appoints a warden for the penitentiary.

**WE GIVE PROMPT ATTENTION
TO
COLLECTIONS.**

STATE EDUCATIONAL INSTITUTIONS.

The state owns and maintains the following educational institutions:

(1) West Virginia University, Morgantown; (2) Agricultural Experiment Station, established in connection with the university; (3) preparatory branch of the university at Montgomery; (4) preparatory branch of the university at Keyser; (5) Marshall College, State Normal School at Huntington; (6) Fairmont State Normal School; (7) West Liberty State Normal School; (8) Glenville State Normal School; (9) Shepherd College State Normal School; (10) Concord State Normal School at Athens; (11) West Virginia Collegiate Institute at Farm, below Charleston, in Kanawha County; (12) Bluefield Colored Institute. To these should be added The Industrial Home for Girls, The Industrial Home for Boys, School for Deaf and Blind, Colored Orphans' Home and the West Virginia Children's Home, above enumerated under the state charitable and penal institutions, at each of which educational facilities are furnished.

MANAGEMENT—The state educational institutions are managed and controlled by the state board of regents appointed by the governor, of which the state superintendent of free schools is a member and ex-officio chairman, together with the state board of control, which only has to do with the finance thereof and the expenditure of the appropriations made therefor.

HOW SUPPORTED—By appropriations from the state revenues made by the legislature biennially.

OTHER SCHOOLS—In addition to the above schools each county is provided with a system of public schools, including county high schools and district high schools, all supported by local taxation and in part by appropriations and transfers made from the state funds.

WATERS.

LANDS BORDERING ON RIVERS—Where land is bounded by a stream the owner holds to what is called "the thread of the stream," which usually means the center of the stream, provided the stream is not navigable; but if it is he owns only to the high water mark, but can exercise dominion and control for certain purposes over the land between high and low water mark. Our law in this regard is based upon the rule of common law, under which the owner of the land abutting on a stream held to the middle of the stream, unless it was navigable, in which latter case the king owned the bed. Navigable streams at common law were those in which the tide ebbed and flowed. This doctrine arose from the character of the streams in England, in about all of which the tide did ebb and flow where they were navigable. Many of the principal streams in this country, and which are navigable have no tide, and the doctrine has changed here so as to make such streams deemed to be navigable which were in fact navigable, irrespective of the tide. In 1802 the general assembly of Virginia passed an act, in the preamble of which it was stated that many persons had located and laid claims to the shores and beds of the rivers and creeks in the western part of the commonwealth which were intended and ought to remain as common to all the good people thereof and enacted that no grant thereafter issued by the land office should be valid or effectual in law to pass any estate or interest therein. The policy thus inaugurated by Virginia with reference to the shores and beds

WE EXTEND THE ACCOMMODATIONS
OF
A SOLID, WELL EQUIPPED BANK.

of streams in this part of the then commonwealth has been followed by this state.

RIGHT TO USE WATER—Every proprietor of lands on the bank of a stream, unless qualified, has only the right to the use of the water which flows in the stream adjacent to his lands, as it was wont to run without diminution, pollution or alteration.

WATER MUST NOT BE DIVERTED—No proprietor has a right to use the water to the prejudice of the rights of other proprietors above or below him unless he has a prior right to divert it, or a title to some exclusive enjoyment. He has no property in the water itself, but a simple right to use it while it passes along. Though he may use the water while it runs over his land, as an incident to the land, he cannot unreasonably detain it or give it another direction. He must return it to its ordinary channel when it leaves his estate. Streams of water are intended for the use and comfort of man. It would be unreasonable and contrary to the universal sense of justice to debar any riparian owner from the application of the water to domestic, agricultural and manufacturing purposes, provided the use of it be made under the limitations which have been mentioned.

WEIGHTS AND MEASURES.

ADMINISTRATION—The legislature of 1915 passed an act for the establishment of standard weights and measures and for the inspection and sealing of devices used for weighing and measuring commodities, placing the same under the jurisdiction of the state commissioner of labor, and provided penalties for using false weights and measurements in the sale of commodities. The commissioner of labor is ex-officio commissioner of weights and measures, and he has a general supervision of weights and measures and weighing or measuring devices offered for sale, sold or in use in the state. He may personally or by the deputy or through the agency of a county sealer for weights and measures inspect, test, try and ascertain if there are correct weights, measures and weighing or measuring devices kept, offered or exposed for sale, sold or used or employed by any proprietor, agent, lessee or employee, including the size, quantity, extent, area or measurement of quantities, things produced, or articles for distribution or consumption, purchased or offered or submitted by such persons for sale or hire. He has the power to inspect packages of commodities of any kind offered for sale or in process of delivery in order to determine whether the same contain the amount represented and whether they are sold in accordance with the law. He can enter any building or premises without formal warrant for the purposes of making proper tests. He shall condemn and seize and destroy incorrect weights, measures or measuring devices if in his judgment they are not susceptible of satisfactory repair.

POWERS OF COMMISSIONERS AND SEALERS—The county commissioners, if they deem it necessary, may appoint and fix a salary of one sealer and one or more deputy sealers of weights and measures in the county, who shall hold the office during a term of four years. In cities of not less than 25,000 population a city sealer of weights and measures may be appointed by the mayor or other appointing body therein. The commissioner of weights and measures, his assistant deputy and inspectors and the county and city sealers and deputy sealers have the power of special policemen and can arrest without formal warrant any violator of the statutes in relation to weights and

MONEY
DEPOSITED WITH US
IS BEYOND THE REACH OF HOUSEBREAKERS.

measures and without formal warrant can seize for evidence any false or unsealed weight, measure or weighing and measuring device or package or amount of commodity found to be used, retained or offered for sale or sold in violation of law.

BUTTER—It is unlawful to sell butter or oleomargarine in any other manner than by weight, and when sold in the form of prints, bricks or rolls each shall bear a definite label containing a true statement of its net weight. However, this does not apply to farmers and manufacturers who sell their own butter.

MILK—Bottles used for the sale of milk and cream shall be of the capacity of half gallon, three pints, one quart, one pint, half pint and one gill, and shall have clearly blown or otherwise marked in the side of the bottle the capacity of the same and the word "sealed," and on the side or bottom the name, initial or trade-mark of the manufacturer and a designating number, which number is furnished by the state commissioner of weights and measures upon application by the manufacturer. It is a misdemeanor with a fine of \$500 to sell milk or cream bottles in this state that do not comply with the size and markings above designated.

PENALTIES—Whoever shall sell or offer for sale less than the quantity he represents or have in his possession for the purpose of selling or using any device or instrument calculated to falsify any weights or measures, or who shall otherwise violate the provisions of the act of 1915 shall be punished by a fine of not less than \$10 nor more than \$100, or by imprisonment not more than sixty days, or by both, for the first conviction, and severer punishments are prescribed for the second or subsequent conviction.

MEASUREMENTS—The standard barrel for fruits, vegetables and produce shall be of the following dimensions when measured without distension of its parts: Diameter of head inside of staves, 17 $\frac{1}{8}$ inches; the outside bilge or circumference not less than 64 inches, and the thickness of staves not more than four-tenths of an inch; provided, that any barrel of a different form having the same distance between heads and a capacity of 7,056 cubic inches shall be a standard barrel.

BUSHEL BY WEIGHT—A bushel of the respective articles hereinafter mentioned shall be the amount of weight, avoirdupois, viz:

- Apples (green), 50 pounds.
- Apples (dried), 24 pounds.
- Barley, 48 pounds.
- Beans (dry and shelled), 60 pounds.
- Beans, castor, 46 pounds.
- Bran, 20 pounds.
- Broom corn seed, 57 pounds.
- Blueberries, 42 pounds.
- Blue grass seed, 14 pounds.
- Buckwheat, 52 pounds.
- Carrots, 50 pounds.
- Clover seed, 60 pounds.
- Charcoal, 20 pounds.
- Coal, 80 pounds.
- Coke, 40 pounds.
- Peas (dry), 60 pounds.

**WE ACCORD CAREFUL CONSIDERATION
TO
SMALL OR LARGE DEPOSITORS.**

Peaches, 48 pounds.
Peaches (dried), 33 pounds.
Potatoes (Irish), 60 pounds.
Potatoes (sweet), 50 pounds.
Rape seed, 50 pounds.
Red top grass seed, 14 pounds.
Rye, 56 pounds.
Salt (coarse), 70 pounds.
Salt (fine), 50 pounds.
Sorghum, 50 pounds.
Timothy seed, 45 pounds.
Tomatoes, 56 pounds.
Wheat, 60 pounds.
Hungarian grass seed, 50 pounds.
Corn (ear, dry), 68 pounds.
Corn (ear, green), 72 pounds.
Corn (shelled), 56 pounds.
Corn meal, 48 pounds.
Cranberries, 36 pounds.
Cucumbers (green), 50 pounds.
Currants, 40 pounds.
Flaxseed, 56 pounds.
Hemp seed, 44 pounds.
Gooseberries, 40 pounds.
Lime, 70 pounds.
Malt, 34 pounds.
Millet, 50 pounds.
Nuts (hickory), 50 pounds.
Oats, 32 pounds.
Onions, 55 pounds.
Orchard grass seed, 14 pounds.
Parsnips, 42 pounds.
One barrel of flour shall contain 196 pounds.
One barrel of lime shall contain 200 pounds.

WILLS.

WHO MAY MAKE—Any person of sound mind of the age of 21 years or more is capable of making a will, but minors 18 years of age or upwards may dispose of personal estate by will. Any estate to which a person would be entitled at his death and which would in the absence of a will devolve upon his heirs, personal representative or next of kin may be disposed of by will.

REQUISITES OF A WILL—A will must be in writing in order to be valid and signed by the person making it or by some other person in his presence and by his direction in such manner as to make it manifest that the same is intended as a signature; and unless it be wholly written by the testator the signature must be acknowledged by him in the presence of at least two competent witnesses present at the time, and such witnesses shall subscribe the will in the presence of the tes-

WE INVITE NEW ACCOUNTS

Upon Our Merits For

STRENGTH AND SAFETY.

tator and of each other. While no form of attestation is necessary it is safe to use the following form:

"The above signature of....., the maker of the foregoing will, was signed and acknowledged by the said....., in the presence of us, two competent witnesses, present at the time, and we, the said witnesses, do hereunto subscribe the said will in the presence of the said testator and of each other at the request of the said testator this.....day of, 19.."

HOLOGRAPH WILL—A holograph will is one that is written entirely in the testator's handwriting, and where it is so written entirely by the testator no witnesses are necessary to make it valid.

REVOCATION—Every will made by a man or woman shall be revoked by his or her marriage. No will or codicil or any part thereof can be revoked unless by marriage as above set out, or by subsequent will or codicil, or by some writing declaring an intention to revoke the same and executed in the same manner in which the will is executed, or by the testator or some one in his presence, and by his direction cutting, tearing, burning, obliterating, canceling or destroying the same or the signature thereto with the intent to revoke.

PRETERMITTED CHILDREN—If any person die leaving a child, or his wife with child which shall be born alive and leaving a will made when such person had no child living, wherein any child he might have is not provided for or mentioned such will, except so far as it provides for the payment of the debts of the testator, shall be construed as if the devises and bequests therein had been limited to take effect, in the event that the child shall die unmarried and without issue.

PROBATE—The county court has power and jurisdiction to hear proof of and admit wills to probate. If the testator die out of the state his will or authenticated copy thereof may be admitted to probate in any county in this state wherein there is property devised or bequeathed thereby. The clerk of the county court in the recess of the regular session of the court may admit wills to record upon the same proof and with like effect as the court would do if in session; but the clerk must report his action to the court at the next regular session, when the court may confirm the same. The clerk has no right to hear or determine any contest over the probate of a will. Such questions can only be determined by the county court.

RULES OF MEASUREMENT.

GRAIN—To find the capacity of a bin or wagon bed: Multiply the number of cubic feet by 8. For greater accuracy, add $\frac{1}{2}$ of a bushel for every 100 cubic feet.

What is the capacity of a bin 6 ft. wide, $7\frac{1}{2}$ ft. high, 14 ft. long?
 $6 \times 7\frac{1}{2} \times 14 = 630$ cu. ft. $630 \div 8 = 504$ add $*2 = 506$ bu.—Ans.

*For 600 cu. ft. add 2 bu.

Of a wagon bed 18 in. or $1\frac{1}{2}$ ft. deep, 3 ft. wide, 10 ft. long?
 $1\frac{1}{2} \times 3 \times 10 = 45$ cu. ft. $45 \div 8 = 36$ bu.—Ans.

~~2~~A wagon bed 3 ft. wide, 10 ft. long, holds 2 bu. for every inch in depth.

EAR CORN—Corn in the ear, when of good quality, measured after having been cribbed for several months, will hold out at $2\frac{1}{4}$ cu. ft. to a bu. Inferior corn will require from $2\frac{3}{8}$ to $2\frac{1}{2}$ cu. ft.

At $2\frac{1}{4}$ cu. ft. multiply cu. ft. by 4 and divide the product by 9.

**A BANK ACCOUNT IS A VALUABLE RECORD
OF
INCOME AND EXPENDITURES.**

At $2\frac{3}{8}$ cu. ft. multiply by 8, and divide the product by 19.

At $2\frac{1}{2}$ cu. ft. simply multiply by 4, and point off 1 figure.

Find contents of a crib $7\frac{1}{2}$ by 9, and 16 ft. long; $2\frac{1}{4}$ cu. ft. to bu.
 $7\frac{1}{2} \times 9 \times 16 = 1080$ cu. ft. $1080 \times 4\text{-9ths} = 480$ bu.—Ans.

Capacity of a wagon bed $10\frac{1}{2}$ by 3, $2\frac{1}{4}$ ft. deep $2\frac{1}{2}$ cu. ft. to bu.
 $10\frac{1}{2} \times 3 \times 2\frac{1}{4} = 71$ cu. ft. nearly. $71 \times 4 = 28.4$ bu.—Ans.

HAY—The quantity of hay in a mow or stack can only be approximately ascertained by measurement. Good timothy hay when thoroughly settled, will take about 350 cu. ft. to make a ton. If only partly settled, from 400 to 450 cu. ft.; while new hay will take 500 cu. ft. and over.

How many tons in a mow 20 ft. square, 14 ft. high; 350 cu. ft. to ton? $20 \times 20 \times 14 = 5600$ cu. ft. $5600 \times 350 = 16$ tons.—Ans.

CISTERNS—To find the capacity of a cistern or tank. Multiply the square of the mean diameter by the depth (all in ft.) and this product by $5\frac{7}{8}$, and the result will be in gallons—absolutely correct.

To find the contents in barrels: Take $\frac{3}{8}$ of the product. For greater accuracy, diminish answer $\frac{1}{2}$ of 1% of itself.

Find contents in barrels of a round cistern, 6 ft. in dia., 8 ft. deep?
 $6 \times 6 \times 8 = 288$; $\frac{3}{8}$ of 288 = 54 barrels.—Ans.

What is the capacity in gallons of the Bloomington stand-pipe, which is 8 feet in diameter and 200 feet high? $8 \times 8 \times 200 \times 5\frac{7}{8} = 75,200$ gallons.—Ans.

To find the capacity of a square tank or cistern: Multiply the number of cubic feet by $7\frac{1}{2}$ (7.48); the result will be in gallons.

To find the contents in barrels: Multiply the cubic feet by $.2\frac{3}{8}$.

What is the capacity, in gallons and in barrels, of a tank 12 ft. long, 3 ft. wide, and 2 ft. deep? $12 \times 3 \times 2 = 72$ cu. ft.; $72 \times 7\frac{1}{2} = 540$ gal.; $72 \times .2\frac{3}{8} = 17.1$ bbls.—Ans. 540 gal., or 17.1 bbls.

BARRELS—To find the contents of a barrel or cask: Multiply the square of the mean diameter by the depth (all in inches), and multiply the product by .0034.

Find the contents of a barrel whose mean diameter is 20 in., depth 32 inches? $20 \times 20 \times 32 \times .0034 = 43.52$ or $43\frac{1}{2}$ gal.—Ans.

WE RECEIVE
 DEPOSITS
 SUBJECT TO CHECK.

LEGAL FORMS.**ACKNOWLEDGMENTS.**

(See Subject of Acknowledgment on Page 7)

Deed.

This deed, made the.....day of....., in the year....., between (here insert names of parties), witnesseth: That in consideration of (here state the consideration), the said.....doth (or do) grant unto the said.....all, etc. (Here describe the property and insert covenants or any other provisions). Witness the following signature and seal (or signatures and seals).

(For full form of deed see subject of deed on Page 27).

Form of Deed of Trust to Secure Debts or Indemnify Sureties.

This deed, made the.....day of....., in the year....., between..... (the grantor), of the one part, and.....(the trustee), of the other part, witnesseth: That the said..... (the grantor), doth (or do) grant unto the said..... (the trustee), the following property (here describe it). In trust to secure (here describe the debts, to be secured or the sureties to be indemnified, and insert covenants, or any other provisions the parties may agree upon). Witness the following signatures and seals (or signature and seal).

(Acknowledgment.)

(For full form of Deed of Trust see subject of Mortgages and Deeds of Trust on page 60).

Release of Trust Deed.

(For full form see page 61).

In case of a mortgage or deed of trust I, A.....B....., hereby release a mortgage (or deed of trust), made by C..... D..... to me (or to E.....F....., my trustee, or to....., and assigned to me), dated the..... day of....., recorded in the office of the clerk of the county court of..... county, West Virginia, in deed book....., page (to be signed).....A.....B..... Acknowledged before the subscriber this.....day of.....; (to be signed) G..... H....., justice (or clerk of the county court, notary public, etc., as the case may be).

In Case of a Lien for Purchase Money, Reserved by Conveyance:

I,B....., hereby release the right reserved to me in a conveyance, executed by me (or myself and wife), to C.....

**PUT YOUR MONEY
IN A BANK
AND PAY YOUR OBLIGATIONS BY CHECK.**

D....., dated theday of....., etc. (as in the preceding form).

In Case of a Judgment or Decree: I, A.....B....., hereby release a judgment (or decree) in my favor, or in favor of I.....K....., which has been assigned to me; or in favor of I.....K..... (for my use), against C.....D..... for (stating the amount), with interest and costs, rendered by (stating the court by which, or the justice by whom it was rendered, and the term or date at which it was rendered to be signed and acknowledged as above). Every assignment of any such lien must be acknowledged by the assignor in the same manner as a release of a lien is acknowledged, and when such lien is released by the assignee thereof such assignment must be recorded with the release.

Notary's Certificate.

State of West Virginia, County of, to wit:

I, A B., a notary public in and for the county aforesaid, in the State of West Virginia, do certify that, whose name is signed to the above writing, bearing date the.....day of....., 19...., has this day personally appeared and acknowledged the same before me in my county aforesaid.

Given under my hand and seal this.....day of....., 19.....
(Seal.) A. B., Notary Public.

My commission expires.....

Will of Real and Personal Property Appointing an Executor.

I, C. C. of.....,, being of sound and disposing mind, do hereby make, publish and declare this to be my last will and testament, hereby revoking all other wills by me at any time made.

First. I desire all my just debts to be paid, if I shall owe any at my death.

Second. I give all my household and kitchen furniture to S. C., my beloved wife, including my library, plate and pictures.

Third. The rest and residue of my estate, both real and personal, I desire to be divided into two equal parts. One of such parts I give, devise and bequeath to my said wife an absolute estate, intending this to be in lieu of her dower in my real estate and her distributive share in my personal estate. The other part of my said estate I desire to be equally divided among such children as I may leave at my death—the issue of any deceased child to take what the parent, if living, would have had.

If you make your payments by CHECK
You Have a Record
WHICH CANNOT BE DISPUTED.

Fourth. I give my executor, hereinafter mentioned, full power to sell any of my real estate that may be required for the payment of debts, or for purposes of partition among my said devisees.

Fifth. I do hereby nominate and appoint my son, G. C., of the city of....., executor of this my last will and testament with full power and authority to execute the same according to its true and intended meaning, and, having perfect confidence in his judgment and integrity, I direct that the said executor shall not give security.

In witness whereof I hereunto subscribe my name and affix my seal to this my last will and testament, which is written without any interlineation or erasure on.....sheets of paper this..... day of....., 19.....

(Seal.)

C. C.

The above signature of the testator, C. C., was made and the foregoing will was acknowledged by the said C. C. in the presence of us, two competent witnesses, present at the same time, and we, the said witnesses, do hereunto subscribe the said will in the presence of the said testator and of each other, at the request of the said testator, this..... day of....., 19.....

.....

Codicil to a Will.

Whereas, I, C. C., did on the.....day of....., 19....., make my last will and testament in writing, and whereas I desire to change the same in the respects following, now, I do make this codicil thereto, to be taken as a part thereof.

I do hereby revoke the devise and bequest contained in clause.....of my said will to.....; and in lieu thereof I give and devise to her (here describe the property).

I do hereby give and devise (here set out the matter desired.)

In witness whereof I hereunto subscribe my name and affix my seal to this codicil to my last will and testament at....., this.....day of....., 19.....

(Seal.)

C. C.

The above signature of the testator, C. C., was made and the foregoing codicil was acknowledged by the said C. C. in the presence of us, two competent witnesses, present at the same time; and we, the said witnesses, do hereunto subscribe the said codicil in the presence

THE BEST
 BUSINESS MEN DEPOSIT THEIR MONEY
 IN A BANK.

of the said testator and of each other, at the request of the said testator, this.....day of....., 19.....

General Power of Attorney.

Know All Men By These Presents:

That I, C. C., of....., have made, constituted, and appointed and by these presents do make, constitute and appoint D. D., of..... to (here set out what is to be done); and to do, execute and perform my true and lawful attorney for me and in my name, place and stead all and every other act or acts, thing or things in law needful and necessary to be done in and about the premises as fully, largely and amply to all intents and purposes whatsoever as I might or could do if acting personally. And I hereby ratify and confirm all lawful acts done by my said attorney in virtue hereof.

Witness the following signature and seal this.....day of....., 19.....

(Seal.)
Notary Certificate.

C. C.

Proxy to Vote Stock.

Know All Men by these Presents:

That I, the undersigned, do hereby constitute and appoint A. B. my true and lawful attorney to represent me at all meetings of the stockholders of the.....Company, and for me and in my name and stead to vote at the said meetings, or any adjournments thereof, upon stock standing in my name on the books of the company upon which I am entitled to vote at the time of said meetings, and I hereby grant to my said attorney all powers which I would possess if personally present at such meetings.

Witness my hand and seal at.....this.....day of....., 19.....

(Seal.)
In the presence of E. F.

X. Y. Z.

Negotiable Note.

\$..... Charleston, W. Va.,.....
.....after date.....promise to pay to the order of
.....without offset and for value received
.....Dollars, negotiable and payable at.....Bank,
in the City of Charleston, West Virginia.

WE TRY TO PLEASE OUR CUSTOMERS
AND CAN PLEASE YOU.

Non-Negotiable Note.

§..... Charleston, W. Va.,.....
 after date I promise and bind myself, my
 heirs, executors and administrators to pay to
 the just and full sum of.....Dollars, for value received.

Quit Claim Deed.

This deed, made this.....day of19...., between
 A.....B....., party of the first part, and C.....
 D....., party of the second part,

WITNESSETH, That for and in consideration of.....
 Dollars (\$.....) in hand paid, receipt of which is hereby acknowl-
 edged, the said A.....B....., party of the first part, hereby
 releases to the said C.....D....., party of the second part,
 all of his claim, both in law and in equity in and to the following
 real estate, situate, lying and being in the District of.....
 County of....., within the State of West Virginia, bounded
 and described as follows: (Here describe the lands conveyed.)

TO HAVE AND TO HOLD unto said C.....D.....,
 his heirs and assigns forever.

WITNESS the following signature and seal.
 (Acknowledgment.)

Bill of Sale of Chattels.

KNOW ALL MEN BY THESE PRESENTS, That I, A.....
 B....., of, in consideration of the sum of.....
 Dollars (\$.....), to me in hand paid by C..... D..... of
, at and before sealing and delivery of these presents, the
 receipt whereof is hereby acknowledged, do hereby bargain, sell, as-
 sign and deliver unto said C..... D....., the goods and
 chattels following, namely: (Here describe the goods sold.)

And I, said A..... B....., do covenant with the said
 C..... D..... and his assigns that the said goods and chat-
 tels are sound and of good and merchantable quality, and further,

A BANK ACCOUNT
 IS A GREAT AID
 IN SAVING MONEY.

that I will warrant the title to the said property to the said C.....
D....., free from claims of all persons whatsoever.

Witness the following signature and seals this..... day of
.....191.....
.....(Seal

Lease

This contract, made the.....day of.....19....., between
(here insert the names of the parties.)

WITNESSETH, That the said..... doth (or do) demise
unto the said, his personal representatives and
assigns, all (here describe the property), from theday of
....., for the term of.....thence ensuing,
the said..... (the lessee) to pay to the said.....
(the lessor) therefor, during the said term, the rent of (here state the
rent and mode of payment .

WITNESS the following signature and seal (or signatures and
seals.)

.....(Seal)

.....(Seal)

Chattel Mortgage.

(Use form for deed of trust.)

**BANK DRAFTS
ARE BETTER AND CHEAPER THAN EXPRESS OR
POST OFFICE MONEY ORDERS.**

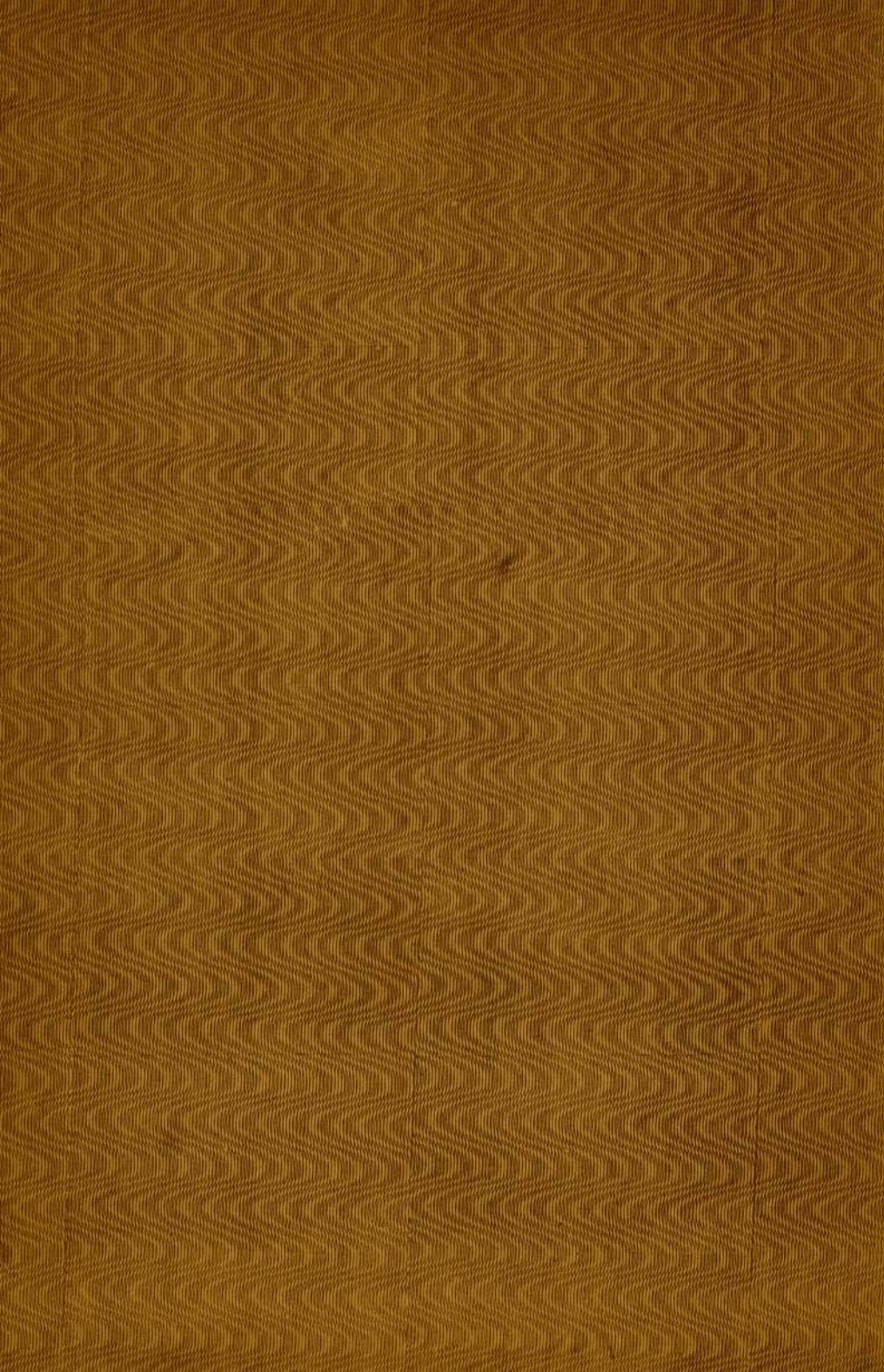
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THE NATIONAL BANK OF FAIRMONT

Fairmont, West Virginia

CAPITAL	\$ 400,000.00
SURPLUS	600,000.00
DEPOSITS	4,000,000.00

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JACOB S. HAYDEN, V-Pres.	N. E. JAMISON, Asst. Cashier
WALTON MILLER, V-Pres.	L. H. RANDALL, Asst. Cashier
JAS. H. THOMAS, Auditor	

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WE PAY INTEREST ON TIME DEPOSITS.

COMBINE ABSOLUTE SAFETY WITH SATISFACTORY SERVICE.

GIVE CAREFUL ATTENTION TO ALL BUSINESS ENTRUSTED TO US.

INVITE NEW ACCOUNTS UPON OUR MERITS FOR STRENGTH AND SUPERIOR FACILITIES.

A STRONG BANK CAN ACCORD LIBERAL TREATMENT TO ITS PATRONS. OUR PAST POLICY AND AMPLE RESOURCES ARE OUR GUARANTEE FOR THE FUTURE.

We want your business