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Interrogatories and Depositions in Virginia

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BY
WILLIAM HAMILTON BRYSON

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PREFACE

This book is intended to be both a history and a practitioner's manual. By using the table of contents, the table of statutes, and the index, the practicing attorney can turn to the section which is of interest to him. This book was written as a Virginia supplement to Moore's *Federal Practice*; it discusses the traditional practices and the statutes as well as the rules of court.

The reason that there are so many nineteenth century cases cited is that there are very few recent opinions of the Supreme Court of Appeals which discuss interrogatories or depositions. The steady flow of these decisions in the earlier times was reduced to a trickle by the revised statute of jeofails of 1919. After this date it has been necessary to show that any procedural impropriety caused substantial injustice; otherwise the Supreme Court of Appeals will overlook it as harmless error. Therefore, if authority is to be cited for most points, it will have to come from the earlier period. These cases are still good authority; the changes have not been revolutionary except as to scope and use. I have attempted to cite all of the cases on interrogatories. However, as to depositions, there is such an overwhelming quantity that I was forced to select only the better ones.

I would like to take this opportunity to express my deepest gratitude to Professor James H. Chadbourn and Miss Edith Henderson of Harvard Law School and to Professor Calvin Woodard, Professor Neill H. Alford, Jr., Professor Peter C. Manson, and especially Professor T. Munford Boyd of the University of Virginia School of Law for their generous help and encouragement in the researching, writing, and revising of this book.