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## Air Law Journal/Negligence of State Employees

North Dakota Law Review

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"It cannot be denied," he says, "that many acts and functions proper to the lawyer's office—and for the doing of which he is especially trained—are also proper to other offices. We cannot successfully demand that the realtor refuse to answer every question involving legal knowledge; that the insurance expert refrain from explaining the legal significance of an insurance trust. The accountant will continue to prepare tax returns, and explain the law to his client. Corporations and natural persons not legally trained are doing, and apparently will continue to do, many things properly done in a law office. It would be tilting at a mill to seek to make exclusively ours those functions which though properly ours are enjoyed by us as tenants in common with others. Yet it seems that this overlapping of legitimate fields of endeavor is often ignored. Lawyers search for protective barriers without realizing that they may be attempting to inclose common ground. Definitions actually used in efforts to stifle the unauthorized practice of law show this tendency. . . . And so we need a general acceptance of a new type of definition. We need a delineation of the field which is exclusively legal; a definition which excludes the activities of bankers, realtors, tax advisers, insurance experts, accountants, investment counsel, ad infinitum. We need a definition comprehending all matters which should be ours exclusively, yet not including activities which are ours—competitively. More important, the public needs such a delineation for its guidance and protection. . . . Legislatures, which have balked at omnibus definitions, might enact a more restrained definition—and give teeth for its enforcement."

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#### AIR LAW JOURNAL

We are in receipt of Volume 1 Number 1 of The Journal of Air Law, which appears to be the joint effort of Northwestern University School of Law, University of Southern California School of Law, Washington University (St. Louis) School of Law, and The Air Law Institute.

The more interesting articles in the first number are: Germany and the Aerial Navigation Convention at Paris, Carriage of Passengers by Air, Public Utility Air Rights, and The Certificate of Convenience and Necessity Applied to Air.

Editorially, Professor Wigmore, of Northwestern, points out that the publication is intended to supply a central organ, a clearing-house for exchange of experiences, in the hope that the era of settled air law may be brought about more speedily, and without the fumbling which accompanied the definition of legal rights in other fields.

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#### NEGLIGENCE OF STATE EMPLOYEES

We quote the following from the July issue of the Los Angeles Bar Association Bulletin: "In *Heron vs. Riley*, 79 Cal. Dec. 487, decided May 31, 1930, the Supreme Court passed upon the constitutionality of the new Section 1714½ of the Civil Code, which provides that the State, and Counties, cities, and other political subdivisions, shall be responsible for the negligence of their officers, agents, or employees in the operation of motor vehicles. The Supreme Court upheld the constitutionality of this section, thus making it proper for the State to be sued in such cases."