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Prosecuting Officials/An Impressive Record/Eight Hour Law

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own fault that he did not reduce his speed earlier or come to a stop. It is true . . . that the question of due care very generally is left to the jury. But we are dealing with a standard of conduct, and when the standard is clear it should be laid down once for all by the Courts." —*B. & O. RR. Co. vs. Dora Goodman*, 48 *Sup. Ct. Rep.* 24.

We call attention to this statement particularly, "It seems to us that if he relies upon not hearing the train OR ANY SIGNAL, and takes no further precaution he does so at his own risk," and wonder how far the Court would apply the rule where there are gates or other mechanical devices, particularly if the same should happen to be out of order.

PROSECUTING OFFICIALS

The Journal of the American Judicature Society, discussing "What Is Wrong with the Prosecutor" in the October issue, briefly dismisses two proposals for dealing with what it claims to be general dissatisfaction with our prosecuting officials, and follows this with its own proposal.

The proposals dismissed are: The public defender plan, which it recognizes as serviceable in large cities, but otherwise characterizes as "a mere patch on a defective system"; and the plan of appointing prosecutors by the courts, which, it maintains, is borne of a false conception of the office and is also unconstitutional.

The Journal's constructive suggestion is that the local prosecutor should serve as the appointed deputy of the attorney general, should be chosen from among the older members of the Bar, be provided with an adequate salary, be permitted to hold office during good behavior, and be transferred from point to point as the respective abilities of the men and the importance of the trials may demand. This, it is contended, will coordinate the work of the prosecutor's office, remove the individual prosecutor from the influence of politics, and enable him to do his work with greater freedom and without working unreservedly for convictions in order to acquire professional reputation.

Coming, as it does, from a Journal of very high standing professionally, the suggestion is worth more than a passing thought on the part of the North Dakota Bar.

AN IMPRESSIVE RECORD

Great Britain's experience with unemployment insurance and old age pensions is one that should cause the American taxpayer to pause before assuming the burdens of a "dole system." In 1911 Great Britain paid old age pensions to 613,873 persons, the amount paid being \$30,405,892. By 1925 the number of persons receiving aid had increased to 900,536, and the amount paid to \$107,822,174. During the period from 1912 to 1926 the number of recipients of outdoor relief also rose from 408,106 to 1,003,399.

EIGHT HOUR LAW

The County Court of Ward County recently held the North Dakota Eight Hour Law for Women unconstitutional, in cases brought by the Minimum Wage Department of the Workmen's Compensation Bureau.