



1927

## Disciplinary Powers/Donations Requested

North Dakota Law Review

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York case, *Mausert vs. Albany Builders' Supply Co.*, 229 N. Y. Supp. 652, to-wit: Claimant was the mother of and partly dependent upon the deceased workman, who was killed while driving his employer's team over a smooth pavement. At 11:30 in the morning, while the horses were proceeding at a walk, the deceased was observed leaning forward on the seat. A man ran to support him, but before he could be reached he fell off the wagon, two wheels passing over the body and crushing the chest. He died the same day. The man who went to his aid noticed that his face was white, but got no odor of liquor from his breath. An official of the employer company testified that he saw deceased about 9:30 that morning, and that he looked as though he had been drinking. It was held, citing *Daly vs. Trucking Co.*, 223 N. Y. Supp. 861: That intoxication was not established; that the cause of the fall was entirely unexplained; that he accidentally fell from the seat of the wagon; that the injury occurred in the course of the employment; that there was no proof that it arose out of the employment; and that the burden of proof was upon claimant to establish that the employment itself gave rise to the accident resulting in injury. (May, 1928.)

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### DISCIPLINARY POWERS

The Board of Governors of the California State Bar Association (incorporated like North Dakota) has disciplinary powers, and reports indicate that it is not hesitating to use them for the benefit of the profession. At its August meeting, says the San Francisco Recorder, action was taken upon sixty-seven matters of discipline. In three cases disbarments were ordered, fifty were dismissed, twelve referred to local committees for further action, one resulted in suspension, and another brought an order to show cause why the reproof of the local committee should not be increased to suspension or disbarment. As elsewhere, the majority of complaints were nothing more nor less than disputes over fees. Provision was made by the Board for the appointment of arbitration and conciliation committees to dispose of such cases.

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### DONATIONS REQUESTED

Requests to supply American legal publications to the Middle Temple Library, London, England, come at frequent intervals, the latest being one from Clarence M. Lewis, of 43 Cedar Street, New York, stating that the Library would appreciate gifts of the various State Reports, including the 49 volumes of North Dakota Reports.

On receipt of the request from Mr. Lewis, the Editor checked the volumes in his bookcases, and found that he had two copies of Volume 41 of these Reports. One of these is, therefore, going forward to Mr. Lewis for shipment to London. It is possible that others may find duplications on their shelves, and would be glad to present one of the duplicates to this library, use of which is courteously and liberally extended to all American lawyers.