



1925

U.S. Supreme Court Decisions

North Dakota Law Review

Follow this and additional works at: <https://commons.und.edu/ndlr>

[How does access to this work benefit you? Let us know!](#)

Recommended Citation

North Dakota Law Review (1925) "U.S. Supreme Court Decisions," *North Dakota Law Review*. Vol. 2: No. 9, Article 5.

Available at: <https://commons.und.edu/ndlr/vol2/iss9/5>

This Decision is brought to you for free and open access by the School of Law at UND Scholarly Commons. It has been accepted for inclusion in North Dakota Law Review by an authorized editor of UND Scholarly Commons. For more information, please contact und.common@library.und.edu.

that though a city may be liable in damages for injuries occasioned by an unsafe physical condition of its streets, it is not liable for an unsafe condition resulting from failure to enforce police regulations governing traffic thereon, and that where personal injuries are caused by the negligent act of a policeman while driving an automobile belonging to the city, and while engaged in the performance of a governmental duty, such automobile being driven in violation of the law of the road and traffic regulations, the city is not liable though reasonable necessity existed for such violations and though the city may have acquiesced in unnecessary uses of its automobiles by officers and employees therein and reckless driving thereof. (Opinion filed July 27, 1926.)

U. S. SUPREME COURT DECISIONS

The Minnesota Laws of 1921 and 1923, treating ore lands as a distinct class of property and imposing upon them a tax that was not extended to other sorts of land or interests in land, held not to deprive the owners of the equal protection of the laws.—*Iron Mines vs. Lord*, 45 Sup. Ct. Rep. 627.

An insurance company can not be excluded from the right to do business in the State because it pays fees to non-residents for obtaining policies covering risks within the State, and a State Statute so limiting its right to do business violates the fourteenth amendment and is void.—*Fidelity Co. vs. Tafoya*, 46 Sup. Ct. Rep. 331.

The fifth and fourteenth amendments to the Constitution are not directed against the action of individuals, but are limitations upon the powers of the State or General Governments; and the thirteenth amendment does not protect the individual rights of negroes except in the matter of slavery. Therefore, a covenant, running with the land, providing that the land affected shall never be sold or leased to negroes, raises no constitutional questions. *Corrigan vs Buckley*, 46 Sup. Ct. Rep. 521.

It is a denial of due process of law for a State to require of a private carrier (particularly truck and motor bus), as a condition precedent to the continued use of the public highways, that it be subject to the duties and burdens of a common carrier. "We are not to be understood" said the Court, however, "as challenging the power of the State, whenever it shall appear that a carrier, posing as a private carrier, is in substance and reality a common carrier, to so declare and regulate the operation accordingly."—*Frost Trucking Co. vs. R. R. Commission*, 46 Sup. Ct. Rep. 682.

WORKMEN'S COMPENSATION DECISIONS

A county policeman, elected or appointed, is a public officer and not an employee within the meaning of that term under the compensation law.—*Goss vs. Gordon County*, 133 S. E. 68 (Ga. 1926).