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Items Here and There

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mobile belonging to plaintiff. The term of office of Dunbar, as state inspector, expired in December, 1921, and the claim was filed with the commissioner of insurance on July 30, 1923. The complaint did not state the date of the default, nor the date when the default was discovered by the plaintiff, nor did it appear therefrom that the claim was filed within sixty days after the discovery of the default. The State Bonding Fund demurred to the complaint. HELD: Sections 7 and 9, Chapter 158, Laws of 1919, require a complainant who intends to hold the state bonding fund liable for any default or wrongful act of a public employee, to present the claim to the insurance commissioner within sixty days after the discovery by the claimant of the default, or wrongful act. The provisions of these sections are mandatory. A complaint which fails to allege the presentation of a claim within sixty days after the discovery by the claimant of the default does not state a cause of action.

ITEMS HERE AND THERE

The new Judicial Council of the State of Massachusetts was organized in November, 1924.

The Chicago Bar Association is recommending to the Courts that a rule be adopted prohibiting the taking of photographs in Court.

Judge Everett P. Wheeler, of New York, member of the American Bar Association since its organization, died last month at the ripe age of 85.

The Supreme Court of Washington has disbarred Elmer Smith, noted I. W. W. lawyer. The charge sustained was that Smith had advocated the overthrow of the U. S. government by unlawful means.

W. Thomas Kemp, of Baltimore, Assistant Secretary of the American Bar Association 1910-1919, and Secretary 1920-1924, answered the last call in February. He was 48 years of age at the time of his death.

Missouri attorneys recently presented to the Legislature of that State a bill providing that the omission of non-essential words from an indictment shall not constitute grounds for reversal, and prohibiting reversals or dismissals on purely technical errors.

During the past six months twelve outside State and local Bar Associations have applied to the office of the North Dakota Secretary for information concerning our Bar Association Act. Similar bills were introduced in two Legislatures recently, Minnesota and Oklahoma.

Legal Literature just published: "Income tax Procedure" by Montgomery, published by Ronald Press; "Studies in Murder" by Herbert C. Fooks; "The Drama of the Law" by Edward A. Parry, published by

Scribner; "Principles of Railway Transportation" by Eliot Jones, published by MacMillan Co.; "The Law Governing Sales" by Samuel Williston, 2nd edition, published by Baker, Voorhis & Co.; "The American Revolution, a Constitutional Interpretation" by Chas. Howard McIlwain, published by MacMillan Co.

OUR NEED

Hon. Charles Evans Hughes, President of the American Bar Association, just shortly before his retirement as Secretary of State, gave voice to the following:

"As I look throughout the world the one great need appears to me to be, not some formula or rule, but the stimulation and growth of law-abiding sentiment—the disposition to be reasonable, to be fair, to settle things according to the available standards of justice, to enforce the conceptions of justice against the demands of brute force. This is what it will come to at the end. All our plans for law and order and peace rest on that sentiment. It is useless to be an apostle of peace throughout the world unless you are an apostle of peace at home. It is useless to talk of great institutions of justice throughout the world, unless you have them at home."

This brings to mind, and causes the Secretary to make bold and repeat, something he said in January, after listening to a very inspirational talk on "World Peace" at one of the Bismarck service clubs, to-wit: Every one who heard the wonderful inspirational talk last week can readily understand the need and the opportunity for building upon the basis of these material values the moral and spiritual values that will really make for better relations here at home. He also understands and appreciates it is hoped, that there can be no "world peace" until men and women learn to live in peace, as friends, as neighbors, as citizens—in the same country, in the same state, in the same community, in the same neighborhood.

SUGGESTED SERVICE

The following was one of the thoughts that appeared as part of an editorial in the February number of the American Bar Association Journal:

"Members of the profession in every state can render a genuine public service by answering temperately, concisely and effectively, erroneous statements in the public press which reflect seriously upon the courts or the profession. This, of course, does not mean that every erroneous statement is significant enough to call for a reply, and still less that every statement is erroneous. There may be a good many unpalatable but perfectly true statements in the press on the subjects mentioned that deserve to be read and digested and, at times, to become the subject of letters of approval instead of criticism. But no matter what the purpose of the letter may be, brevity, genuine argument based on facts,