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U.S. Supreme Court Decisions

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Judge Amidon, you will recall, seemed to lay most stress upon the fact that the trial judges were not placed in supreme command of the trial and were obliged to act merely as umpires for two contesting lawyers.

President Cupler, in his annual address, said: "The courts and the Bar are powerless unless the character of those who are to serve on our juries is improved. Too few of our prominent citizens are willing to serve on juries. . . . The busy, capable business or professional man seldom serves on the jury, though his services are sorely needed. It is first of all our jury system that needs reforming, if public opinion which surely preponderates in favor of the enforcement of the law, the speedy conviction of the guilty and the equally speedy acquittal of the innocent is to have expression, and stamp out the prevailing disrespect for the law and the courts. The method of selecting our jury panel should be changed so as to exclude the so-called professional juryman, who desires the service for the per diem compensation, and to insure the placing on the jury list of those who are capable of forming impartial and unbiased opinions and whose verdicts will be truly representative of the public will."

In a short while another magazine or newspaper article will appear "riding" the attorneys, and then someone will come forward with a discussion of sensational journalism.

Whether we shall get any further with such round-robin discussion than Mose did when he spent all of his wages on the merry-go-round is a question. There seems to be quite general agreement that something isn't just right, even if everything isn't all wrong. The opinion is also quite prevalent that the situation could and should be bettered. What, then, is the necessary first step?

There are those who say the Judicial Council is the first step. You may not agree. If, in addition to such disagreement, you have arrived at conclusions concerning the proper first step, you are invited to bring those conclusions to the attention of the other members of the Association through the medium of this publication.

Suppose the Bar Association should, in the course of the next year, confine itself to determining what is the necessary first step for the Bar to take? Suppose it forgets, temporarily, the issue of what or who is most to blame, and concerns itself only with the task of formulating a constructive program that will serve as a starting point? Will it not be easier then to take the second, and the third, and the fourth step?

U. S. SUPREME COURT DECISIONS

The estimate of the reproduction value of the property of a public utility should include a reasonable allowance for organization and other overhead charges that would necessarily be incurred in reproducing the utility.—Ohio Utilities Co. vs. Ohio Utilities Commission, 45 Sup. Ct. Rep. 259.

In determining the cost of short intra-state hauls carried by four interstate railroads it is error to use as a basis for estimate a composite figure representing the weighted average operating cost per 1,000 gross ton miles of all revenue freight carried on the four systems.—N. P. Ry. vs. Dept. Public Works, 45 Sup. Ct. Rep. 412.

The fact that the legislature had power to regulate rates and thus relieve a city of its contract obligations does not render the city's contract with a public utility void for lack of mutuality, and leave the utility free to raise rates.—Southern Utilities Co. vs. City of Palatka, 45 Sup. Ct. Rep. 488.

A street railway may be compelled to continue service on a branch line although its operation involves a loss and although a change in street grade, made by the city, will involve rebuilding the line.—Fort Smith Light & Transp. Co. vs. Bourland, 45 Sup. Ct. Rep. 249.

An ordinance that requires traveling solicitors who take orders for goods for future delivery from another State and receive payment or deposit in advance, to take out a license and file a bond, is an unreasonable burden upon interstate commerce.—Real Silk Hosiery Mills vs. City of Portland, 45 Sup. Ct. Rep. 525.

Limiting the fee which an attorney may take for bringing suit under a workmen's compensation act does not deprive him of liberty of contract without due process of law.—Yeiser vs. Dysart, 45 Sup. Ct. Rep. 399.

JUDICIAL COUNCIL

The Oregon Judicial Council has held its first meeting, at which it took steps toward the making of recommendations to the Oregon Supreme Court concerning the administration of the rules and the conduct of court business, to the end that procedure be simplified and court business expedited.

THE WARNING FROM MR. HUGHES

In his address at the meeting of the American Bar Association President Hughes gave expression to the following:

"Liberty should ever be found in the purpose to secure the freedom of the individual—an ordered freedom, but still freedom—subject only