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Current Events of Bench and Bar

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Current Events of Bench and Bar

Reported by FRED NEEF

Uniform Act Declared Invalid

The Philadelphia Court of Quarter Sessions recently held invalid the uniform act for attendance of out-of-state witnesses in criminal cases. The decision was based upon two points: (1) The subject matter of the act was not clearly expressed in the title, contrary to the constitution of Pennsylvania, (2) the act violates the privileges, immunities and due process provisions of the fourteenth amendment of the constitution of the United States and the search and seizure provision of the state constitution.

Florida Court Refuses to Exercise Rule-making Power

The Supreme Court of Florida rejected an application of the Florida Bar Association requesting the adoption of the federal rules of procedure in nisi prius courts. The opinion is written by the same justice who refused to exercise the rule-making power of the court to integrate the bar.

Neighborhood Law Office

The National Lawyers Guild, after a year's experimentations with neighborhood law offices in Philadelphia, concluded that only one out of every ten potential clients are making use of the local offices. But 85.2% of those persons who visited the local offices had never before sought or received legal service.

Low Standard of Juries Due to Lawyers

Judge Merrill E. Otis, in a speech before the Kansas City Bar, declared that the low standard of intelligence of the jury is to be blamed on lawyers, and particularly on lawyer-legislators who tolerate the present standards set up in the statutes. Educated men, like doctors, lawyers, clergy, and teachers, have been excused from service by statute because some members of the bar want "jelly fish" juries made up of "weak, ignorant, vacillating, spineless men because they desire not that justice shall prevail but that injustice shall triumph."

The Inter-American Bar Association Meeting

The Inter-American Bar Association, which meets at Havana on March 24, will feature round-table discussions on legal subjects of vital interest to the Americas. Many outstanding lawyers from Latin and South America will be present to address the gathering. William R. Eaton of Denver will represent the Colorado Bar Association at this meeting.

\$80,000 Too Much for Legal Fee

Eighty thousand dollars is too much money to pay any lawyer for a fee, declared the Michigan State Administration Board when they refused payment of the claim of John S. McDonald for his services in the Grand Trunk Western Railroad suits, which involve nearly a million dollars in delinquent taxes. Any further sums, other than the \$21,500 paid on account, will have to be appropriated specially by the legislature, declared the Auditor General, after flatly disallowing the claim.

Mortmain Act for Law Firms

The Cincinnati Bar Association is preparing a bill which will prohibit law firms using the names of deceased attorneys. The proposed bill will follow the recommendation of the committee on unauthorized practice, which held that law firms which engage in practice of law under fictitious names, particularly using the names of deceased members, constitute "a misrepresentation to the public" and is highly improper if continued for a great length of time. The committee suggested that a law firm be prohibited from using the names of deceased members longer than two years after the partner's death.

Model State Defense Acts

The Justice Department has prepared and forwarded to state legislatures four model state national defense acts. The acts, which have the approval of the American Bar Association, deal with sabotage prevention, control of explosives, state home guard mobilization, and protection of public property.

Examinations for Notaries

Anyone who now applies for a notary commission in Cleveland will have to pass an examination to be conducted by a committee of lawyers. The examination will be designed to show whether the applicant is competent from both a legal and moral standpoint to receive a notarial commission.

Louis A. Hellerstein spoke at the monthly meeting of the El Paso County Bar Association, which was held at the El Paso Club on December 22, 1940. The subject of his address was the Soldiers' and Sailors' Civil Relief Act.

The American Bar Association's special committee on Bill of Rights announces that it intends to publish quarterly *The Bill of Rights Review*. The second issue of the Review appeared during the latter part of January, and will appear every three months hereafter. The purpose of the committee, whose work in part is underwritten by the Carnegie Corporation, is to insure that the safeguards provided by the Bill of Rights are obtained by each citizen and to disseminate information about the history and nature of the fundamental rights of a citizen. Copies of the Review may be obtained from the American Bar Association for twenty-five cents each; yearly subscription rate is one dollar.

MILITARY SERVICE PAMPHLET

A Manual of Law for Use by Advisory Boards for Registrants has been compiled by the Committee on National Defense of the American Bar Association. The manual, which is printed by the Government Printing Office, has the endorsement of C. A. Dykstra, director of selective service. It contains a reprint of the Soldiers' and Sailors' Civil Relief Act of 1940, National Guard Act, Selective Training and Service Act of 1940, and National Service Life Insurance Act. Those desiring copies of the act should direct their inquiries to the committee at 1002 Hill Building, Washington, D. C. Another booklet containing similar information has been prepared by Ganson J. Baldwin. Its title is *Legal Effects of Military Service*. It analyzes and discusses the various federal statutes on this subject, and reprints part of the act. Copies may be obtained from S. Ward, 72 Wall Street, New York City, for one dollar.

The annual meeting of the Thirteenth Judicial District Bar Association was held in Sterling on December 28, 1940. S. R. Stephenson of Fort Morgan was elected President; Webb Martin, Yuma, Vice-President; C. C. Rickel, Fort Morgan, Secretary-Treasurer.

Among the guests of honor was W. E. Hutton, President of the Colorado Bar Association.

Safety First

W. H. Haight sends us the following example of understatement, which was caught, he says, before the document was filed:

STATE OF ILLINOIS, }
 COUNTY OF COOK. }^{ss.}

John Blank, being first duly sworn, on oath deposes and says that he has read the above and foregoing cross-complaint by him subscribed and that the contents therein are true in substance and in fact to the best of his information and belief, except as to those matters alleged on information and belief, and as to those matters he barely believes them to be true.—*Chicago Bar Record*.

In announcing the membership of the Association's committees for 1941, the name of Robert A. Theobald was unintentionally omitted from the Code Revision Committee. Mr. Theobald has served as secretary for this committee for the past two years and is now engaged in this work.

Law Books for Sale

The first 246 volumes of the Pacific Reports and the first 23 volumes of Corpus Juris Secundum are offered for sale at a reasonable price by a Colorado lawyer. Any lawyer desiring either of these sets should address an inquiry to the secretary of the State Bar.

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