

January 1941

## Current Events of Bench and Bar

Hamlet J. Barry Jr.

Follow this and additional works at: <https://digitalcommons.du.edu/dlr>

---

### Recommended Citation

Hamlet J. Barry, Jr., Current Events of Bench and Bar, 18 Dicta 280 (1941).

This Article is brought to you for free and open access by the Denver Law Review at Digital Commons @ DU. It has been accepted for inclusion in Denver Law Review by an authorized editor of Digital Commons @ DU. For more information, please contact [jennifer.cox@du.edu](mailto:jennifer.cox@du.edu), [dig-commons@du.edu](mailto:dig-commons@du.edu).

---

## Current Events of Bench and Bar

cannot be enforced or proceeded under so long as the federal bankruptcy law is not invoked. The answer is that Congress has the power to legislate upon the subject matter of bankruptcies. It has not always done so.<sup>19</sup> During such periods, when no federal act was in force, state acts upon the subject were perfectly valid. It is not the right of Congress to establish these laws, but their actual establishment, which causes the state statutes to become inoperative.<sup>20</sup> The proposition, therefore, that the state act is suspended or held in abeyance by the federal act is as clear upon authority as it is upon logic.

In the *McKelvy case*<sup>21</sup> the Colorado Assignment Act itself was not involved, much less its validity, since that case involved only a common law assignment. Therefore the language of the court that "the results might have been different" if the debtor had proceeded under the statutory assignment was pure dictum and cannot be taken as indicating in any way that in a case directly involving the validity of the state act, our Supreme Court would not follow the general line of authorities.

---

Hamlet J. Barry, Jr., Writes of

## ***Current Events of Bench and Bar***

### *Greater Number of Government Vehicles Boosts Tort Claims*

Since the defense effort has been under way there has been a twenty per cent increase in tort claims involving government-owned vehicles. Because of all these claims it is predicted that the pending tort claim bill will be speedily passed. This bill provides that claims for \$7,500 or less will be adjudicated in the federal courts. Claims of a greater amount will still have to be considered by the congressional claims committees.

### *Lawyers Are Urged to Learn Latin-American Laws*

Roy Vallance, secretary general of the Inter-American Bar Association, in a recent address recommended that lawyers and law students familiarize themselves with the legal institutions of the Pan-American countries. Mr. Vallance also suggested that attempts should be made to harmonize and unify the commercial law of the Americas, and that unless the lawyers make this effort the increasing trade with South America will be hampered in its growth.

---

<sup>19</sup>*Supra*, note 7.

<sup>20</sup>*Sturges v. Crowninshield*, 4 Wheat. 122, 4 L. ed. 529 (1819).

<sup>21</sup>*Supra*, note 1.

*Making Employes Turn Over Tips Held Fraud on Public*

Recently in San Diego an employer who required his employes to turn their tips over to him was scored by the municipal judge. The judge said that such a practice was a fraud on the public in that such a system plays on the generous impulses of the public to reward underpaid waitresses.

*Chances Are Open in Border Patrol for Young Lawyers*

Young men with legal educations are qualified for positions with the United States Border Patrol. Last summer Congress ordered the patrol to increase its membership by 712, and presently many of these jobs are going begging for lack of qualified applicants.

*Use of Word "Court" in Titles of Radio Programs to Stop*

The National Association of Broadcasters has agreed to follow the recommendations of the American Bar Association by eliminating the word "court" from titles of radio programs. The broadcasters have also agreed not to offer legal advice over the air, nor to lead the radio public to believe that radio programs are any part of the judicial system. The Bar association's position is that the practice in the past has been such as to mislead the public to believe that the proceedings of an actual court trial are being broadcast.

*Law Book Publishers Deny Charges of Trade Commission*

Answers have been filed by thirty-two law book publishers to a complaint filed by the Federal Trade Commission. This complaint charged the publishers with having formed a combination to suppress competition by price fixing.

The answers admit the organization and operation of the American Association of Law Book Publishers, but aver that the purpose of the association was never to suppress, hinder or lessen competition among its members.

---

**Motion Days Changed During Jury Term**

During the present jury term, motions in the civil divisions of the Denver District Courts will be heard on Saturdays instead of on Mondays, as has been the previous practice. The change has been made so that jury trials may proceed without interruption from Monday through Friday of each week. During the same period, and as a matter of convenience to members of the Bar, Presiding Judge Henry S. Lindsley and Judge Henry A. Hicks have arranged to hear pleadings, motions and arraignments in the criminal divisions on Mondays of each week.

**FRED BONAR—Custom Tailor**

Offers 400 Domestic and 125 English  
Imported Fabrics

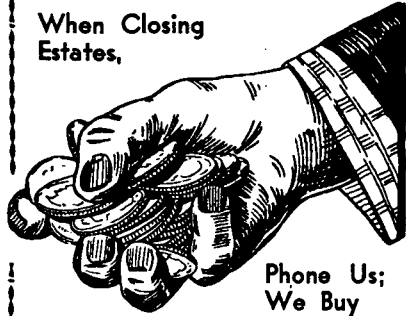
Price Range from \$32.50 to \$85.00

**HAMILTON TAILORING CO.**

207 Mack Bldg.

KE. 7988

When Closing  
Estates,



Phone Us;  
We Buy

**Used Furniture**

Ask our Mr. Kirby for appraisal  
—KE. 0241

**Kendrick-Bellamy  
Stationery Co.**

Corner 16th and Stout, Denver  
Ten Stores in One

Best Wishes to  
Our Friends of the  
Bar Association

**BILL'S CABS**

ZONED RATES

PHONE KEystone 1258

**Standart & Main  
INC.**

All Forms of Surety Bonds

Patterson Bldg. MAin 0141

Denver

Compliments of

**John W. Anderson**

CEMENT CONTRACTOR

225 So. Lafayette St. Denver

Phone PEarl 0852

**FEDERAL REPORTER DIGEST**

I am authorized to sell to the highest bidder 27 volumes, being 1 to 12 and 1 to 15, inclusive, of the Federal Reporter Digest. Send sealed bids, accompanied by check for the amount of bid to the undersigned. Bids will be opened October 15, 1941, at 9:30 A. M.

For further information communicate with

**G. WALTER BOWMAN, Clerk, U. S. District Court**

Denver, Colorado

*Dicta Advertisers Merit Your Patronage*