

July 2021

## Current Events of Bench and Bar

Fred E. Neef

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

---

### Recommended Citation

Fred E. Neef, Current Events of Bench and Bar, 17 Dicta 288 (1940).

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).

direct and convincing proof of legislative approval of regulation that it should not be overturned by the courts . . . unless clearly inconsistent with the statute."

The United States Supreme Court has also recently affirmed this proposition in *Haggar v. Helvering*, 60 S. Ct. 337, 308 U. S. 389, by stating that "Congress by re-enacting a section of a revenue act without change, approves and adopts a consistent administrative construction of it."

We submit the foregoing primarily to encourage the response of Association members as to the advisability of DICTA furnishing a brief resume each month of the more important administrative rulings.

---

FRED E. NEEF Reports the

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

### *Plan for Court Trial of Judges*

Armed with the approval of the American Bar Association. Chairman Hatton W. Sumners of the House judiciary committee is laying plans to get action, as soon as the new congress meets, on his bill to provide for court trial of federal judges on the question of good behavior.

### *New Ground for Divorce Urged by Vermont Bar*

Vermont divorce law liberalization through new grounds which would include living apart for three consecutive years by mutual consent was advocated by the Vermont Bar Association at its annual meeting.

The recommendation to increase divorce grounds, which was adopted and referred to the association's legislative committee for presentation to the legislature, provided that divorce should be granted "when a married person has lived apart from his or her spouse for three consecutive years without fault on the part of the libellant and the court finds that a resumption of marital relations is not reasonably probable."

### *Lawyers Pledge Fight on Nazi-Red Groups*

The Lawyers Club of Los Angeles will continue its fight against elements in the legal profession that are hostile to the American form of

government, notwithstanding the California State Bar rejected a resolution calling for the disbarment of attorneys holding membership in Communist, Fascist or Nazi organizations, according to Jay Moidel, chairman of the Club's public relations committee.

The resolution presented to the State Bar demanded disbarment of lawyers who "directly or indirectly assist in movements designed to overthrow our present form of government."

*Legal Aid for Soldiers Is Asked From Bar*

Major General Clifford R. Powell, commander of the 44th Division, has appealed to the State Bar Associations of New York and New Jersey to provide free legal aid for soldiers who have become involved in litigation for nonpayment of obligations incurred before they were called to active duty.

*Lawyers Taught Legal Side of Military Buying*

The government is looking to the legal profession to open up one of the worst bottlenecks in the entire defense program—the legal technicalities in connection with purchasing.

To meet the problem the Army Industrial College, under the direction of Assistant Secretary of War Robert P. Patterson, is emphasizing the need of training lawyers to handle those special problems in connection with army and navy procurement.

Therefore, both the army and the navy have been calling in reserve officers who are lawyers and giving them training for four months in handling legal phases of defense program buying.

*Young Lawyers to Be Hit Hard By Draft*

Lawyers between the ages of 21 and 36 who are without dependents and physically fit have unusually good prospects of becoming federal employes via the conscription route, according to the joint committee on selective service.

The legal profession stands far down the list of employments regarded as essential to the national defense, and while some lawyers may claim exemption by reason of connection with a defense industry, most members of the Bar will be looked upon as in a class that can be drafted without much dislocation to vital industries. For this reason the percentage drafted will probably be higher in the case of lawyers than with followers of other callings.

*Drastic Revision of Insurance Laws Advocated*

Drastic revision of state and federal laws to permit insurance companies to operate more efficiently was advocated before the American Bar

Association's insurance law section by Benjamin Rush, Philadelphia, who declared that the blame for present high insurance rates is to be ascribed to legislation unduly restricting insurance company investments, limiting the scope of risks authorized and the taxing of profits, incomes and inheritances.

---

### **Julius Gunter, Former State Bar Association President, Dies**

Julius Gunter died at his home in Denver on October 26, 1940. Mr. Gunter, who was a former president of the Colorado Bar Association, was stricken by a sudden heart attack in front of his home in Denver and died within a few minutes after the attack.

He was born in Fayetteville, Arkansas, on October 31, 1858. His father was a colonel in the Confederate army and a congressman from Arkansas from 1874-84.

Mr. Gunter attended the University of Virginia and was admitted to practice in Colorado in 1881. He began to practice law in this state at Trinidad. In 1888 he was elected as judge of the third judicial district, and in 1901 he was appointed to the Court of Appeals. He was elected to the state supreme court in 1904 and as Governor in 1916. While a justice of the Supreme Court he was selected as president of the state bar in 1907.

After completing his term as governor, he resumed the private practice of law. He acted for some time as a director of the First National Bank of Denver and of the International Trust company.

He also served as president of the board of trustees of Clayton College and of the Tillotson Academy in Trinidad. He received the honorary degree of Doctor of Laws from the University of Colorado and acted as a regent of that university.

On October 30, 1884, he married Bettie Brown of Trinidad, who died nearly six years ago. No children were born to the Gunters.

Funeral services were held in St. Barnabas Episcopal Church of which he was a member, and interment was at Fairmount cemetery.

---

### **Jacob Fillius, Father of Park System, Is Dead**

Jacob Fillius, 93, died in Mercy hospital in Denver of a heart attack on October 7, 1940.

For nearly half a century, Mr. Fillius, after whom Fillius park was named, played important roles in the development of Colorado and Denver, both in his private work as an attorney and in his public service.

Mr. Fillius was born in Hudson, Ohio, and received his early education there. After his graduation from Western Reserve college, he decided to seek his fortune in the West. In 1873 he settled in Georgetown, a booming silver mining town where he became a teacher. Later he gave up teaching and studied for the bar. In 1878 he was admitted to the Colorado bar. He was given a partnership in the office of Senator Wolcott and became a leading attorney in Georgetown. He was mayor of Georgetown several times.

In 1893, he and his wife moved to Denver. His interest in civic affairs was manifested shortly after he established his home in Denver. He was president of the board of supervisors, forerunner of the city council, from 1900 to 1902. In 1902 he was a member of the commission which drafted Denver's city charter. In 1904 Mayor Speer appointed him president of the Denver park board, in which capacity he conceived and promoted many of the features of the Denver mountain and municipal park systems. In 1913 he retired from public life to devote all of his time to his law practice. He was active in that practice until 1925.

He was a member of the Denver and Colorado bar associations, the Denver club, the Georgetown lodge, A. F. and A. M., and the First-Plymouth Congregational church. He was also a director of the American National Bank.

---

### **Harry C. Riddle Dies of Stroke**

Harry Carson Riddle, who had been practicing in Denver for fifty-nine years, suffered a heart attack while playing golf and died on October 29, 1940, without recovering from its effects.

Mr. Riddle was born in Pittsburg, Pennsylvania, on February 4, 1869, and received his elementary education in the east. He came to Denver in 1881 and studied law in Colorado, being admitted to the bar in 1896. He was elected to the district judgeship for the First Judicial District and served for one term. In 1922, he and S. Harrison White were appointed by Judge Charles Butler to prosecute the bunco ring.

He was active in civic affairs, serving on the city council as a representative from the Park Hill district, and was one of the persons who drew up the present charter for the City of Denver. He was a prominent member of the Anti-saloon League and of the Presbyterian church.

For many years he served as the president of the Westminster University Association which operates the Westminster law school, and he was an instructor in that school for a considerable period of time.

He is survived by his wife, a son, and two daughters. Funeral services were held at Montview Presbyterian church on November 1st.