

NOTATIONS



- GUESS WHO REPRESENTS THE LAW SCHOOL -

On September 26, 1765, Dr. Samuel Johnson wrote the following prayer to be used before the study of law.

"Almighty God, the Giver of Wisdom, without whose help resolutions are vain, without whose blessings study is ineffectual, enable me, if it be thy will, to attain such knowledge as may qualify me to direct the doubtful, and instruct the ignorant, to prevent wrongs and terminate contentions; and grant that I may use that knowledge, which I shall obtain, to thy glory, and my own salvation."

Also see . . .

This column is devoted to the odd and interesting in cases, presenting a brief introduction to the subjects of the litigation, in the hope that some will be enticed into reading the reporter accounts.

* * *

State v. Goode, 130 N.C. 651, 41 S.E. 3 (1902). The defendant was an elderly lady who allowed Wallace to enter her house, whereupon he demanded the payment of a debt owed his employer or return of a bedstead. He began to examine the piece of furniture and he threw her clothes upon the floor. When he started to remove the mattress, Mrs. Goode picked up her son's baseball bat and hit the collector with what Judge Clarke characterized as "a 'left fielder,' for the prosecutor soon after left that field." The conviction of the defendant for assault with a deadly weapon was reversed since the question of excessive force should have been determined by the jury with consideration that Wallace was himself violating the law.

Ellis v. Newbrough, 6 N.M. 181, 27 P. 490 (1891). The plaintiff brought action in case and fraud against members of the Faithists, a religious group. Before he could join the community, established to create a utopia, he had agreed that all possessions be held communally. He was estopped from recovering wages for his work during his 18 months with the Faithists because he had been a member of the governing body. The strangest part of the case was the charge of fraudulent representation of the religion based on the exhibit of the Oahspe or Bible of the community. It was an account of a god named Looeamong who adopted the name Kriste and was chosen to be the only god in a manipulated election among some 37 gods.

Ellen Lloyd