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Editorial Notes

The Editors

Washington University School of Law

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EDITORIAL NOTES

THE WASHINGTON UNIVERSITY LAW QUARTERLY

It will, of course, be understood by our readers that the views
expressed in any article, note, comment or book review are those
of the individual contributor and not those of the WASHINGTON

UNIVERSITY LAW QUARTERLY. It is one of the purposes of this type of publication to afford a forum for the free discussion of legal subjects, and the usefulness of the QUARTERLY would be considerably impaired by our censorship of the opinions of our contributors.

THE SCHOOL OF LAW

The School of Law has been recently granted a charter for the thirty-fourth chapter of the Order of the Coif, which is a national honorary legal fraternity comparable to Phi Beta Kappa in the academic field. Selection to membership in Coif is restricted to the highest ten percent scholastically of the Senior Law Class. Inasmuch as members from previous graduating classes may be selected on a retroactive basis, approximately fifty alumni were inducted as members at the installation ceremonies and dinner which were held on December 4, 1937, in the Law Library.

Assistant Professor E. S. Stimson, who was on leave of absence for 1936-37 for the purpose of research at Harvard University, has been granted an extended leave of absence for 1937-38. Professor Ralph F. Fuchs has been given a leave of absence for 1937-38 so that he may accept a special fellowship awarded him by the Columbia University Law School for the purpose of research and writing in the field of Administrative Law. Mr. Albert S. Abel, B.A., J.D. Iowa, LL.M. Harvard, was appointed Assistant Professor in the Law School for 1937-38. Prior to his graduate work at Harvard University, Professor Abel served on the editorial staff of the West Publishing Company and the American Law Book Company. He was the revising editor of the recent 14-volume edition of Blashfield's *Cyclopaedia of Automobile Law and Practice*. Professor Abel is a member of the Iowa State Bar and the Order of the Coif. He is teaching courses in Negotiable Instruments, Sales, Wills, and Criminal Law. In July, Miss Irene Gelinas became the assistant librarian of the Law Library. Miss Gelinas has had varied experience in library work, including college library work, public library reference work, and law library experience as assistant in the Michigan State Law Library. She received the B.S. degree in Library Science at the University of Illinois Library School, and previously acquired her A.B. and M.A. degrees at Northwestern University.

The enrollment in the School of Law for the academic year 1937-38 totals 155 students, an increase of eight percent over the

enrollment of last year. The first year of summer sessions at the School of Law was quite successful. It is planned to continue summer work, and a six weeks' session will be offered during the summer of 1938.

NOTES

ST. LOUIS PROCEDURE IN CONDEMNATION

A condemnation procedure under the Charter of the City of St. Louis¹ is instituted by ordinance of the Board of Aldermen upon recommendation of the Board of Public Service of the city.² The City Counselor is required to file the condemnation suit within six months after the ordinance becomes effective.³ It would seem that the time limit for filing suits would be ample, yet, many proceedings have failed upon the enactment of the first ordinance by reason of the limited time in which to secure certificates of title and other data necessary for the filing of condemnation suits. However, the object of the time limit is to speed up the proceedings.

Without going into details as to who should be made parties defendant, suffice it to say that all parties interested in parcels of property sought to be taken or damaged are joined as defendants in each cause or proceeding. Upon the filing of the petition by the City Counselor, summons is issued and defendants are given ten-days' notice⁴ of the hearing on the petition. However, there is seldom a hearing on the petition unless some defendant desires to raise a jurisdictional or constitutional question. Such questions should be raised then, but in actual practice they are often raised upon exceptions taken to the commissioners' reports. Also at the hearing on the petition the question as to whether or not the project proposed by the condemnation is for a public use should be raised and determined by the court as a matter of law at that time before the cause proceeds further.

When service of process upon all the defendants on the eminent domain side of the cause is completed, the case is ready for assignment to a division of the Circuit Court for reference to the Condemnation Commission to assess damages and benefits.

1. Charter of 1914 as amended April 4, 1933.

2. Charter, art. XXI, sec. 1. The charter may be found in Revised Code of St. Louis (1926) at page 1087. It is hereafter referred to as "Charter."

3. Charter, art. XXI, sec. 1. Ordinances are effective thirty days after approval by the mayor. Charter, art. IV, sec. 19.

4. Charter, art. XXI, sec. 2.