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In re Supreme Court Library

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2. This rule is plainly dictum, or at the most is merely cumulative reason for deciding the case as it was eventually decided. The plaintiff in the Larison Case proved non-delivery so conclusively that she could have obtained a judgment regardless of any other proof, and it is this evidence of non-delivery that decided the case. The 'long time' doctrine did not enter into the final decision of the case, and since the case was decided on principles extraneous to this, the 'long time' doctrine is dictum, and as such is not controlling in any contingency where there has been a lapse of time between the execution and recording of the deed.

3. The legislature has expressed in a clear and concise manner the general principle that acknowledging and recording of a deed shall be prima facie evidence of its delivery.

4. Since the 'long time' rule is ineffective as to its applicability to deeds, the general rule, which is the rule announced by our legislature, governs, and the acknowledging and recording of a deed are prima facie evidence of its delivery.

IN RE SUPREME COURT LIBRARY

The following letter addressed to the Editor has been received and seems to embody a suggestion worth thinking about. Dicta invites comment on the matter.

The Supreme Court Library is the one place in Colorado where all the law on a given question can be found; it not only has the most books, but they are available when wanted, which is not always true of many of the Denver building libraries.

In the past I have, by permission, spent some evenings working there, and the ease with which work can be done at night in a well-equipped room away from street noises, in a library from which no book has been taken far away to rest on another lawyer's desk, where if a book is out it can always be found in some other series of reports, and where there is a late text on almost every subject, has made me wonder why some arrangement is not made for the use of this library in the evenings.

It seems to me that it would be worth while for the Denver Bar Association to see if some arrangement could be worked out with the Supreme Court for the use of the library at night under proper supervision paid for by the court or by the bar association.

Yours very truly,
BENTLEY M. McMULLIN.