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### Franklin D. Roosevelt

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He was also very much interested in the affairs of the American Bar Association. .. While Vice President he attended its annual meeting in Chicago in the fall of 1943 and derived much information and inspiration from it as was shown by the excellent report he made of this meeting which was published in the November 1943 issue of Bar Briefs.

When Bill was elected President at our Minot meeting last fall he achieved one of his life's ambitions. He appreciated deeply the honor conferred upon him by his brother attorneys. He made an able leader of our Bar and I regret very much that he was not spared to us a little longer so he could have served out his term.

Not only was Bill an able lawyer, and a splendid head of our organization but also a fine gentleman and a loveable character. He had endeared himself to all who knew him. We shall miss him. May his memory be an inspiration to us all.

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### FRANKLIN D. ROOSEVELT

By Halvor L. Halvorson

His election to the Presidency was Providential for our Country. We needed a man with his courage, and deep understanding of human nature, to lead us during the trying years of the thirties.

His tremendous magnetism, his wonderful ability to convey his thoughts thru the spoken word, and his wise counsel, were not mere accidents.

It is true that he had an inherent instinct thru which he could sense the pulse of the Nation; but he also had the background, obtained thru the study and practice of law; his previous connection as Assistant Secretary of the Navy; three times Governor of the great State of New York; and continuous study of our government, supplemented his courage and determination, to better the conditions of the human family in the Nation, and in the World.

Washington served us in the crisis of National beginnings.

Lincoln served us in the days of Civil War and strife. It seems hardly possible that any other men could have accomplished what they did.

And still Providence gave us Franklin Delano Roosevelt, who met successfully, issues no less critical, and with a courage, wisdom and understanding which to me, seems unparalleled in history!

Now that he has passed away, and Partisanship, petty animosities and personal jealousies have disappeared, I wonder if the entire Nation would not applaud the innovations which he undertook as necessary in a progressive and virile democracy.

Under his leadership, Labor, the most essential element of the Nation, was given a new, forward looking viewpoint.

Agriculture was re-established on an equality basis.

Finance and business released from many burdensome, if not corrupt practices.

On the whole, the Nation has been revitalized—has been made aware of its theretofore latent power for good, and our ability to provide decent livelihood and prosperity for its citizens.

This is not a Eulogy. These are showered upon him in plenty, but simply a plain statement, trying to impress upon all of us, that the common man and woman for over twelve years, had a government, and a President, solicitous of their welfare, with human rights always to the fore.

He lived to see Victory of this War assured; to know that the foundation for a World Order for Peace, were well embedded in the minds and hearts of all our people, and of the World. We will not fail in this!

Only when the United Nations War is concluded and a World Order established, will we see him in his full stature, as a Statesman.

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### OUR SUPREME COURT HOLDS

In *The State of North Dakota, Pltf. and Respt., vs. Elmer W. Cowdrey, Deft. and Applt.*

That whether the sentence of a person convicted of crime shall be suspended is a question wholly within the discretion of the judge who pronounces sentence, and his determination of such question is not subject to review.

That a judge who has suspended sentence has wide discretionary powers in determining whether the suspension shall be revoked on account of the bad behavior of the defendant.

Appeal from the District Court of Barnes County, North Dakota, Hon. M. J. Englert, Judge.

From an order suspending a sentence on a conviction for a misdemeanor the Defendant appeals.

**AFFIRMED.**

Percurian Opinion.

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In *Myrtle A. Hoffman, Plt. and Applt., vs. The Heirs of William C. Hoffman, also known as W. C. Hoffman, deceased, et al., Defts. and Respts.*

That the District Court has the original jurisdiction of actions to determine title to real property.

That an heir of a decedent may bring an action to determine adverse claims and quiet title to the real estate of the decedent even while the estate is in the process of administration, so long as he does not interfere with the administrator's possession of the property for the purpose of administration.

That such an action does not interfere with or encroach upon the exclusive original jurisdiction of the county court in probate and testamentary matters.

Appeal from the judgment of the District Court of Billings County, Hon. Harvey J. Miller, Judge.

**REVERSED.**

Opinion of the Court by Burr, J.