North Dakota Law Review

Volume 5 | Number 1 Article 8

1928

Committee Reports

Geo M. Mckenna

C L. Young

O B. Herigstad

A G. Burr

George F. Shafer

See next page for additional authors

Committee Reports

Authors

Geo M. Mckenna, C L. Young, O B. Herigstad, A G. Burr, George F. Shafer, R E. Wenzel, Fred T. Cuthbert, Horace Bagley, Arthur L. Netcher, L L. Twichell, Torger Sinness, John H. Lewis, John Knauf, Halvor L. Halvorson, J H. Newton, J O. Lyngstad, W A. McIntyre, G V. Erickson, Theo Kaldor, N J. Bothne, and Paul Campbell

COMMITTEE REPORTS

AMERICAN LAW INSTITUTE

Your Committee Begs Leave to Report: That the Sixth Annual Meeting of the American Law Institute was held at Washington, D. C., on April 26th, 27th and 28th, of the present year, with more than five hundred members and guests present.

The convention was perhaps the most important since the foundation of the organization itself, because the members adopted, as the official work of the American Law Institute, Restatement No. 1 of the Law of Contracts comprising 177 sections, representing about one-half of the final material upon this subject. This was the first of the Restatements to be submitted in final form, and its completion marks a distinct advance step in the great undertaking to restate the law. This completed draft represents work done by the reporter, Samuel H. Williston, and his advisers, commenced in June, 1923. Copies of this Restatement are available at cost of printing and distribution. The price is $1.25 each, and may be obtained from the American Law Institute, 3400 Chestnut Street, Philadelphia.

There was also presented to the meeting a tentative draft of the first portion of the Law of Business Associations, covering 41 sections, and dealing with Corporations for Profit and the Creation of Shares. Dr. William Draper Lewis, Director of the Institute, is reporter for this subject, and has prepared, in addition to the tentative draft, commentaries covering each of the sections offered. Victor Morawetz, of New York, has likewise submitted a memorandum draft for consideration, in connection with the sections and the proposed Restatement, relating to the preemptive rights of share holders in the case of the creation of additional shares.

The section on Business Associations evoked spirited discussion at the annual meeting. The lawyers present were of wide personal experience in corporation practice, and many suggestions of value were offered. No adoption of the draft was asked for, and it was recommitted to the reporter for further consideration in the light of the discussion.

In Contracts, Professor Williston likewise submitted to the Institute tentative draft No. 4, dealing with the "Statute of Frauds," and tentative draft No. 5, dealing with the "Scope and Meaning of Contracts."

In Conflict of Laws, Joseph H. Beale, of Harvard, presented tentative draft No. 4. It deals with the important chapters on "Contracts and Wrongs." And section 353, stating the rule that the law of the place of making governs the validity of a contract was the center of a large part of the discussion covering this topic.

In Agency, Mr. Floyd R. Mechem, of Chicago, submitted Restatement No. 3, consisting of 134 pages. The general heading of this portion of the work is "Interpretation of Manifestations of Consent." The chapter composing this portion of the Restatement is entitled

"General Rules of Interpretation." As in the case of the material on Conflict of Laws and Business Associations, Mr. Mechem's material was presented for discussion and criticism only, and will be revised before submission as a final draft.

Perhaps the outstanding feature of the convention, and one of greater interest to the lawyers of North Dakota and the country at large, than any other portion of the work at the present time, was the presentation of tentative draft No. 1 of the model Code of Criminal Procedure. It comprises 200 sections, covering Arrest, Preliminary Examination, Bail, Methods of Prosecution, Grand Jury, Indictment and Information. The volume is a portentous work, comprises 509 pages, constitutes one-half of the entire work upon this subject, and the commentaries are very exhaustive and complete.

I feel certain that the members of the Bar in North Dakota will wish to procure copies of this model Code of Criminal Procedure. It is the one piece of legislation which the Institute is undertaking. All of the Restatements heretofore referred to are in no way intended to codify the law. No legislative action concerning them is sought or desired. They will go to the courts upon their own merits as sound and accurate statements of the common law. The Criminal Code, however, is a proposed code of procedure for legislative adoption. It does not, therefore, confine itself to statements of existing law. It presents what to the reporters and their advisers seems a model code in criminal procedure.

The reporters of this work are William E. Mikell and Edwin R. Keedy, both of the University of Pennsylvania Law School. The advisory committee consists of three judges and three practicing lawyers, in addition to men from the Law Schools. No final action was taken upon the proposed statute, and it will be further considered and revised by the reporters.

You will recall that the Laura Spellman Rockefeller Foundation donated to the Institute the sum of $60,000.00 to aid in the preparation of the model Code of Criminal Procedure. The Institute found that this sum would not be sufficient to complete the work, and on February 9th, last, the Foundation very graciously and generously increased the amount by an additional sum of $57,000.00. It is the earnest hope of the Institute that this model Code, when finally accepted by its members, will be adopted by all of the States of the Union, so that we may have throughout the land a uniform method of criminal procedure.

A great deal of work also has been done by the various reporters which was not in form to present to the Institute this year. Professor F. H. Bohlen has done considerable work on the Law of Negligence in Torts. Mr. Harry A. Bigelow has a large portion of the work of Property well under way. In Trusts, the reporter, Mr. Austin W. Scott, has completed a large share of this work and expects to have it completed in two years. The last tentative draft of the Conflict of Laws will very likely be submitted in 1929, and the proposed final draft in 1930. The proposed final drafts of Agency and Contracts will be ready by 1931. So that we may expect in the next three years the completion of a considerable portion of the work of the various Restatements undertaken.

I wish to call the attention of the members of the Bar Association to what is known as the "Michigan Plan" for the distribution of the Restatements. Professor Goodrich, of the Law School of the University of Michigan, is responsible for the idea.

The State Bar Association of the State of Michigan authorized Professor Goodrich and his assistants to annotate Restatement No. 1 under Conflict of Laws covering the question of Domicile. They very carefully digested all of the decisions of the Supreme Court of Michigan, thoroughly examining the statutes and the constitution of that state to ascertain whether any differences existed between the law on the question of Domicile as laid down by the Restatement prepared by the American Law Institute and the constitution, statutes and decisions of the State of Michigan. The annotations, statutes and Michigan cases were placed under each paragraph of the Restatement, where the Michigan courts had passed upon the particular question. The Restatement with annotations, when completed, were mailed by the Michigan Bar Association to every practicing lawyer in the state free of expense. The Michigan State Bar Association has now completed an annotation of the first three of the tentative Restatements on the Conflict of Laws, and the volumes are ready for distribution for its members. Similar work is going on in New York, Pennsylvania and Wisconsin. Beginnings have been made in other states.

The opinion of the delegates to the conference from Michigan was that the way to give the judges and lawyers of the state authoritative information concerning the Restatements was to annotate them, and that this work should be done by each State Bar Association. The annotations, of course, are an experiment, but we can hardly fail to realize that the work will be very beneficial and will result in a growth of spirit and cooperation between Bar Associations and the Institute which is vital to the success of the Restatements. We may also expect many valuable suggestions and criticisms of the tentative drafts which would not be possible without the work of preparing these annotations.

Dr. Lewis reports that more than thirty states have now appointed cooperating committees to cooperate with the work of the American Law Institute, and that the work is gradually gaining ground and the confidence of the courts and lawyers generally throughout the Union.

At the banquet which closed the work of the Institute this year, held at the Mayflower Hotel, the President of the Institute, Mr. George W. Wickersham, presided, and introduced as speakers Robert W. Hutchins, Dean of the Law School of Yale University, Joseph Redlich, Professor of Law at Harvard, and Horace Kent Tenney, of the Chicago Bar.

The Institute is very grateful to the lawyers of North Dakota for the interest they have already taken in the work, and cordially asks that you increase that interest, paricularly by purchasing the copies of the Restatements as they are issued, and by offering suggestions and criticisms, and the courts are particularly urged to use these Restatements whenever it is possible to do so, and cite them in their opinions, both memorandum and final.

We cannot but feel that the 1928 meeting of the Institute marked an epoch in the remarkable undertaking of this great organization,

and that the dream conceived by its founders in 1923 has now to a large extent become a reality, and that we shall soon have before the Bar and Judiciary of the United States a concise restatement of many topics of the law which will materially aid in simplifying and unifying the law of the various states, and will in the future be an immense saving in time and money to lawyers, litigants and courts.

GEO. M. MCKENNA, Chairman.

REPORT OF STATE BAR BOARD

Fiscal Year July 1, 1927, to July 1, 1928

Finances

Balance in fund June 30, 1927, as per records of State Auditor	$ 6,223.91
Collections between June 30, 1927, and June 30, 1928	6,855.10
TOTAL	$13,079.01
Expenditures	$ 5,942.80
Balance, June 30, 1928	$ 7,136.21

Distribution of Expenditures

State Bar Association, Under the Statute	$ 3,180.00
Secretary, Salary	300.00
Per Diems and Expenses, Members of Bar Board	1,144.95
Attorneys Fees and Expenses—Disbarment Cases	665.10
Postage	50.38
Supplies	21.35
Printing	226.03
Clerk Hire	200.00
Miscellaneous	16.90
Judicial Council	138.09
TOTAL	$ 5,942.80

During the past year two general examinations for admission to the Bar have been conducted by the Board. Forty-one applicants were examined, of whom thirty-four were admitted to practice.

The Board also has made independent investigations as to the qualifications of two attorneys seeking admission to the Bar of this State by virtue of their admission in a foreign jurisdiction.

The records of the Board further show that up to and including June 15th of the present year, five hundred and fifty-six attorneys had paid the annual license fee and were entitled to practice before the courts of the State.

Disbarment proceedings have been instituted against four members of the Bar and the same have either been submitted to the supreme court or are in process of prosecution. In addition the Board has investigated the conduct of eleven other members of the Bar.

Steps have been taken to require attorneys delinquent in the payment of the annual license fees either to pay the same or to suffer their names to be stricken from the roll of attorneys of this State.

C. L. YOUNG, Chairman.

CITIZENSHIP AND AMERICANIZATION COMMITTEE

Your Committee on Citizenship and Americanization begs leave to report:

That shortly after appointment, the Chairman of your Committee, deeming it unadvisable to call a meeting of this Committee on account of its size, wrote to each of the fifty-two members thereof, requesting that they arrange for patriotic programs in the different counties on the proper occasions, such as Washington's and Lincoln's birthdays. Of the fifty-two members, thirty-five replied, assuring the Chairman that they would use their best efforts in arranging for patriotic programs in their counties.

In the same letter the Chairman asked for the members' advice on the question of an essay contest.

First, as to the advisability of this Committee conducting essay contests.

Second, should such contests be limited to the seventh and eighth grades, or should it include the students of high schools?

Third, what should be the subject of such an essay?

Practically all of the members of this Committee who replied were in favor of holding this essay contest, and assured the Chairman of their whole-hearted support in this work. Of the thirty-five replies, about twenty were in favor of limiting the contest to students of the seventh and eighth grades, about ten were in favor of including students of the high schools, and five suggested separate contests, one for the seventh and eighth graders, and one for the high school students.

The members of the State Bar Association, at the annual convention held at Grand Forks last September, went on record in favor of the Association sponsoring such an Essay Contest on some phase of the Constitution, and recommended that the Executive Committee appropriate $100.00 for prizes. This the Executive Committee was good enough to do.

Several of the members of this Committee, in their letters to the Chairman, made the recommendation that the subject of this contest be more in the nature of a historical sketch, as a philosophical discussion of the Constitution itself would perhaps be a little too heavy for seventh and eighth graders. This seemed to be a very splendid suggestion and met with the approval of the President of the Bar Association, as well as of the members of the Citizenship and Americanization Committee of the American Bar Association. In an endeavor to carry out the recommendations made by the Bar Association at its annual meeting in Grand Forks, last September, and the recommendations of the majority of this Committee, the Chairman prepared the following set of rules for the essay contest:

1. Any regularly enrolled student in any public school of the State of North Dakota in the seventh or eighth grades may enter the contest.

2. Essays shall be of not less than 500 nor more than 1000 words.

3. Essays shall be written in ink or typewritten on paper approximately 8 1-2 by 11 inches, and must be written upon one side of the paper only.

4. Essays must be submitted not later than April 1 to the Superintendent of Schools of the County in which the student resides.

5. With each essay submitted there shall be presented a sealed envelope containing the full name, home address, name of school, grade and age of writer, and when such essay and envelope are received by the Superintendent of Schools, a number shall be given the essay, which number shall be marked upon the essay and also on the sealed envelope.

6. Essays shall be judged on the basis of: (1) substance, thought and originality; (2) grammatical structure; (3) method of presentation; (4) neatness and form.

7. All quotations from any other author or publication in essays submitted shall be placed in quotation marks and not over one-fourth of any essay shall be quoted matter.

8. Not more than one essay for every ten pupils in the seventh and eighth grades, or fraction thereof, shall be submitted from any school. In case more essays are written in any school than can be submitted, selection of the ones to be submitted shall be made by the teacher of such school.

9. The judges of essays for the respective counties shall be selected by the County Superintendent of Schools of such County and the member of the Citizenship and Americanization Committee of the Bar Association in such County.

10. The best essay from counties having a population of less than ten thousand and the two best essays from counties having a population of over ten thousand, according to the 1920 census, shall be selected and sent to the Chairman of the Citizenship and Americanization Committee of the Bar Association, at Minot, North Dakota.

11. Each county may award appropriate prizes for the winners in its jurisdiction.

12. The judges of the essays for the State contest shall be three in number and shall be appointed by the President of the State Bar Association.

13. The Bar Association offers the following prizes for the best essays in the State Contest: First prize, $50.00; second prize, $25.00; third prize, $10.00; fourth and fifth prizes, $5.00 each; sixth to tenth prizes, inclusive, $1.00 each.

14. The subject for the 1928 essay contest shall be: "The Story of the Constitution of the United States." It is the intention of the Committee that the essay should be of a historical nature, as a philosophical discussion of the Constitution is perhaps a bit too heavy for seventh and eighth graders. These essays should have to do more with the manner in which the Constitution was brought into being and why.

15. These rules and regulations are sent out by the Citizenship and Americanization Committee of the North Dakota Bar Association.

A letter enclosing a copy of these rules was then sent out to each member of your Committee, requesting that the members cooperate with the Superintendents of Schools in their different counties in conducting the Essay Contest in their counties, and it was suggested that they endeavor to get the local Bar Association to offer prizes to the winners in the county contests, and in several of the counties, prizes were given by the local Bar Association, American Legion and some other organizations. Letters were also sent out to the County Superintendents of Schools, requesting them to advise us of the number of schools in their county having seventh and eighth grades, and upon receiving this information the Chairman sent to the Superintendent of Schools of each county, a sufficient number of copies of the rules of the Essay Contest to supply each school with one.

The response from the members of your Committee and the Superintendents of Schools was very gratifying indeed. The Chairman requested the Superintendents of Schools in each county in sending in the winning essays from their county, to advise the Chairman of the number of essays submitted in each county.

About 1,150 students from thirty-eight counties in the state participated in the Essay Contest. Aubrey Lawrence, President of the State Bar Association, appointed S. J. Doyle, Fargo; John Knauf, Jamestown, and C. J. Murphy, Grand Forks, as the Judges to select the winners in the state contest. The winning essays from each county were sent to these Judges, who selected the following winners in the state contest.

First place, Helen Pravda, age eleven years, seventh grade, Velva Public Schools, Velva, McHenry County, North Dakota.

Second place, Ross King, Jr., age fourteen years, eighth grade, Grafton Public School, Grafton, Walsh County, North Dakota.

Third place, Christian Lee, eighth grade, Twin Butte School, Divide County, North Dakota.

Fourth place, Frances Kubicek, age thirteen years, seventh grade, Emmet Public Schools, Emmet, North Dakota.

Fifth place, Agnes Onstad, Banner School No. 1, Parshall, Mountrail County, North Dakota. Age and grade not given.

Sixth place, Dorothy Lovell, age thirteen years, seventh grade, Lincoln Grade School, Beach, Golden Valley County, North Dakota.

Seventh place, Helen Van Vergt, age fourteen years, eighth grade, Westfield School, Westfield, Emmons County, North Dakota.

Eighth place, Frances Hanson, age thirteen years, seventh grade, Hanson School, Englevale, Ransom County, North Dakota.

Ninth place, Margaret L. Heinz, age fourteen years, eighth grade, Harper School No. 1, Carson, Grant County, North Dakota.

Tenth place, Veronica Michels, age thirteen years, eighth grade, Glen Ullin Public Schools, Glen Ullin, Morton County, North Dakota.

The checks have been sent out to all of these winners.

These essays were of a very high grade and it was indeed a pleasant surprise to your Chairman to read many of the fine essays submitted by the seventh and eighth graders, and in spite of the fact that this contest was not put on until quite late in the year, the results were very gratifying. The comment of President Lawrence sums up this situation very admirably: "Aside from being intensely gratifying to the Association, it is almost impossible to conceive the vast amount of benefit that will follow the study of the origin and history of the Constitution by 1,150 students of the Public Schools, getting into their minds during the formative period to be followed up by later work and study. There is no limit to the vast amount of good that has been and will be done by such contests."

We would heartily recommend that this be made an annual affair, that the appropriation for prizes be increased, and that the contest be put on as early in the year as possible.

Your Chairman wishes to express his appreciation to the members of this committee and to the County Superintendents of Schools for their very able assistance and cooperation in the work of conducting this essay contest.

He also desires to express his appreciation to Aubrey Lawrence, President of the State Bar Association, and to S. J. Doyle, James Knauf and C. J. Murphy, the Judges, whose able assistance and co-operation had much to do with making this contest a success.

O. B. HERIGSTAD, Chairman.

COMMITTEE ON COMPARATIVE LAW

Your Committee on Comparative Law is so widely scattered that meetings of the entire committee could not be held.

The function of this Committee is to "consider the matter of laws of this state as compared with the laws of other states, foreign or domestic, and make reports when and where our laws may be improved." This affords a wide field of investigation; but time precludes anything but comparison with a few selected states and some selected subjects. To take the legislation of every state, foreign or domestic, and compare it with the legislation of our state would require a volume in itself. We did not examine the statutes of Florida for the year 1925 for the very good reason these statutes require three volumes—one of 653 pages for the general laws, one of 5089 pages for the special laws and one of 2289 pages for the extraordinary session. Whatever may be the dereliction of duty on the part of the legislature of that state we must admit it was industrious. We have selected states from different sections of the country, in the hope that they would be considered typical and we have selected some six subjects which may be considered of greater importance than others. For the purpose of this report, therefore, we consider the legislation of Massachusetts, Ohio, Wisconsin, Oregon and North Carolina as representative of five sections of the country and we have taken the subjects of banks, criminal procedure and practice, labor, motor vehicles, public service corporations, Supreme and Superior Courts as the special subjects of interest. In this respect we are indebted to Mr. E. J. Taylor, Supreme Court Reporter, for valuable assistance in the research work.

In 1927 Massachusetts adopted some 22 statutes dealing with the Department of Banking and Insurance. Some of these were local, such as permitting trust companies in Boston, Lexington and Worcester to hold additional real estate in their respective towns over and above what the law theretofore permitted. There was a statute passed known as the "Statutory Cooperative Banking Power of Sale." This statute made provision for foreclosure of mortgages where the amount due was made in monthly payments, and permitted the parties to insert in the mortgage an agreement that if these monthly payments should be defaulted for at least three months or there should be other defaults in the contract the mortgagee could sell the mortgaged premises "together with all improvements that may be thereon by public auction at some place within the premises then subject to the mortgage, or if more than one parcel is then subject thereto on or within one of such parcels, or at such place as should be designated for that purpose in the mortgage" and provided that such sale "shall forever bar the mortgagor and all persons claiming under him from all right and interest in the mortgaged premises whether at law or in equity."

In the matter of criminal procedure and practice it is interesting to know that Massachusetts is safeguarding the interests of wayward and delinquent children. Chapter 181 of the laws of 1927 makes provision for an appeal on the part of such child when adjudicated wayward or delinquent. The law requires that at the time of such adjudication by the probation officer he shall notify the child of this right of appeal and further notice is also given "at the time of such order or commitment of sentence." On such appeal the matter is tried de novo in the Superior Court but "shall not be in conjunction with the other business of that court" and the Supreme Court "shall have separate trial list and docket," and the session "shall be known as the Juvenile Session of the Superior Court." On appeal the probation officer who made the adjudication is required to make and file a complete report regarding the child under investigation. Apparently the probation officer has the right to determine criminal proceedings against the child and make orders of committment subject to the right of appeal. You will notice our state does not do so and it may be questioned whether the Massachusetts rule is a wise one. Chapter 10 of the "Resolves" requires the Judicial Council of the state to investigate and consider in respect to a certain class of criminal cases the advisability of changing the present general requirements of unanimity in the verdict of a jury. It seems the Governor of the State, in his inaugural address, had suggested some such action on the part of the legislature and apparently the legislature was unable to determine the wisdom of the procedure or its advisability. So the matter was referred to the Judicial Council. This is a step in the right direction. If the Judicial Council of this State is to fulfill its function of engaging "in the continuous study of the administration of justice" such a matter should probably come before it.

An interesting law was enacted in the case of a person "indicted by a grand jury for a capital offense or whenever a person who is known to have been indicted for any other offense more than once or to have been previously indicted of a felony, is indicted by a grand jury or bound over for trial in the Superior Court." "In such case the Clerk of the Court is required to give notice to the Department

of Mental Disease." This department is required to "cause such person to be examined with a view to determine his mental condition and the existence of any mental disease or defect which would affect his criminal responsibility." When this inquiry has been made and facts ascertained the department is required to file a report of its investigation, which report "shall be accessible to the court, the District Attorney and to the attorney for the accused." It also appears that if a probation officer of the court has in his possession "facts which if known to the clerk would require notice as aforesaid, such probation officer shall forthwith communicate the same to the clerk who shall thereupon give such notice unless already given." It is apparent such investigation may be of great help on the trial of the case in determining the mental responsibility of the accused.

One naturally expects labor legislation in such a state as Massachusetts so we find laws adopted providing for vacations for municipal laborers, and the enforcement of such laws. This law is limited to such municipalities as have already accepted previous legislation defining municipal laborers and making provision for their safety, etc., and requires such municipality to grant a vacation of not less than "two weeks during each year of their employment without loss of pay." This applies to common laborers, skilled laborers, mechanics and craftsmen and a person is considered to be regularly employed if he has actually worked for the city or town 32 weeks in the aggregate during the preceding calendar year. By legislation the number of inspectors in the department of labor and industry qualified in the building construction was changed from four inspectors to such number of inspectors as the commissioner may deem necessary and of these inspectors "not more than seven in number shall be persons qualified in training and experience in matters relating to health and sanitation." In the matter of motor vehicles the legislation was confined largely to laws dealing with the operation of commercial trucks; the requirement of bonds for common carriers; permitting the sale of gasoline, oil, accessories, etc., on the Lord's Day; laws dealing with changes in the compulsory insurance law; registration; provision for one-way traffic on public highways; making provision for uniform traffic rules and signs. There was an interesting law enacted providing for an investigation as to the necessity of establishing a permanent traffic Board. Another which dealt with the requirements of permits in the use of motor trucks or trailers with an extreme length exceeding 28 feet or extreme width exceeding 8 feet.

The department of public utilities received general attention. A "Resolve" was adopted for an investigation as to the advisability of reduction in transportation rates of school pupils by city and elevated railways. Another such investigation in regard to the emission of smoke, soot and cinders from chimneys. Another to investigate ways and means of providing revenue to cover in whole or in part the expense of the public utility commission in the investigation of transportation. There were statutes adopted relating to municipal lighting plants, and scheduled prices. Another one dealing with the bonds required by common carriers of passengers by motor vehicle and such bond would be for the benefit of the estate of persons who were killed in collisions while traveling in such vehicles and for persons who were injured or damaged. This law was an amendment to preceding

legislation and widened the scope of the bond. Massachusetts amended previous legislation dealing with the appointment of court stenographers, fixing their compensation not by salaries in all cases but by fees and per diem. Counties having a population of more than 200,000 would have official stenographers at a salary of $3,500.00 per year and additional stenographers would be paid at the rate of $15 per day. Most of the legislation dealt with special problems such as increasing the length of the sitting of the courts, providing for better exchange of district court judges, making provision for extra compensation to district court judges for extra work, and other matters which would be peculiar to Massachusetts.

The legislature of Ohio enacted an interesting law dealing with the payment of drafts issued by banks which afterwards closed before payment of the draft. Where a depositor gave his check for a draft and the check was accepted and charged to his account but the bank became delinquent before the draft was paid such deposit is "impressed with a trust for the payment of such draft." The superintendent of banks is required to pay it as a preferred claim. To the same effect there is another statute that where a depositor in a bank issues his check and this check is presented to the bank for collection and is charged to the account of the depositor the charging of such check constitutes "an appropriation by such bank—of the assets of such bank—to the payment thereof and shall impress such assets with a trust in behalf of the owner of such check," and thus becomes a preferred claim.

Ohio makes provision for the protection of forests and an extensive bill was introduced amending previous legislation and making additional penalties for causing fires by the throwing of lighted match, or cigar or cigarettes and prescribed penalties for destroying any notice or sign or state law posted in the forests.

There is also an interesting law regarding the chaperoning of female dogs in certain seasons of the year, prescribing the method of control while on the public streets.

With reference to motor vehicles Ohio adopted a statute regulating the maximum weight of vehicle and load during the times of thaws and excessive moisture. The inspector of highways and public works is entrusted with making the schedule of weights and providing for public signs showing the amount which may be transported on the particulr road indicated during such periods.

Public utilities received attention. Some 35 boards and commissions were abolished and the work of a large number of them placed with the Department of Commerce. The work of this department was given various duties which heretofore were exercised by Inspectors of Building and Loan Associations, State Fire Marshal, Superintendent of Insurance, State Inspector of Oils, Commissioners of Securities and other similar departments. The department was empowered to employ officers, examiners, engineers, statisticians accountants, etc. Thus it may be questionable whether public expense was reduced. In the matter of the courts there was very little legislation. The salaries of the Judges of the Supreme Court were increased to $12,600.00 for the Chief Justice and $12,000.00 for the other Judges. Judges of the

Court of Appeals were given a salary of $8,000.00 each, and Judges of the Common Pleas Court $3,000.00 with additional salary in certain districts based upon the population of the counties.

Wisconsin adopted a law dealing with the payment of drafts issued by delinquent banks and made provisions that where such bank had a deposit in a drawee bank such drafts would be paid on presentation, if they correspond by number and amount to a list to be certified to them by the commissioner of banking or his deputies. Provision was made also for the reorganization of delinquent banks upon approval of the commissioners of banking. It was provided that where creditors representing "90% of the amount of the deposits and unsecured claims of such banks" come into a reorganization plan such plan would bind the remaining 10%.

Two statutes dealing with criminal matters are of interest. One provides that where a person charged with crime is acquitted because he is insane or feeble minded he must forthwith be committed to the Central State Hospital for the Insane or to an institution designated by the State Board of Control and there be detained and treated until he shall be discharged according to law. It is further provided that if a person prior to trial is found to be insane or feeble minded he must be confined in the same way. The only feature of interest there in comparison with ours might be the fact the court may permit the State Board of Control to determine the disposition of the accused. One law of interest to the Bar is the provision made for the payment of services rendered indigent defendants in the Supreme Court, and where the district court has appointed counsel but the appointment does not "include service upon appeal or writ of error the Supreme Court or the Chief Justice upon being satisfied of the inability of the defendant to pay counsel and that review is sought in good faith and that there are reasonable grounds for seeking review may appoint counsel to prosecute an appeal or writ of error and such counsel shall be paid such sum for service and expenses as the Supreme Court shall determine to be certified to the County Treasurer by the Clerk of the Supreme Court."

Labor legislation was confined to the matter of a weekly rest day and amended former acts in the case of public utilities permitting the commission to make rules and regulations regarding such day and time in cases where public necessity and serious inconvenience would arise.

With reference to motor vehicles, cities and other municipalities were permitted to establish stations for testing lights on motor vehicles in operation.

The Department of Public Utilities received consideration. One bill of interest made provision for the joint use of towers and wires owned by a utility and required such utility to permit other corporations and associations to use its towers and transmission wires when it was not detrimental to the service furnished by the utility owning the tower and wires.

With reference to the courts, the salaries of the Justices were increased to $10,000.00 for those whose term of office commenced

after July 1, 1927. The secretaries of the justices were to be paid such sum as the justices would fix but not to exceed $175.00 per month.

The State of Oregon enacted legislation dealing with banks and banking. Two of the interesting laws deal with deposits and depositors. One amendment undertakes to define the word "depositor" and includes in this term in addition to the usual acceptation "purchasers or holders in due course of certificates of deposit, cashier's checks, certified checks, outstanding unpaid drafts drawn or issued by such bank or trust company, unsecured letters of credit and unsecured drafts accepted by such bank—provided the instruments—are issued pursuant to cash or credit actually received or realized by such bank. Another statute, in the form of an amendment, makes provision for the withdrawal of deposits upon the death of the depositor. Where a depositor dies intestate the bank may pay to the surviving spouse, or if no surviving spouse then the children, or if the depositor be unmarried to the parents, the amount of the deposit when it does not exceed $500.00 provided an affidavit be filed with the bank showing these facts, and showing also that the total amount on deposit in all banks in the state does not exceed $500.00. The bank is not required to determine the relationship of the parties. So long as the payment is made in good faith the bank has a full acquittance and the affidavit must contain a promise to pay "the expenses of last sickness and funeral expense of said deceased out of such deposit to the full extent thereof if necessary."

In the matter of criminal procedure the time to appeal from the judgment or order was reduced to sixty days.

With reference to labor legislation we find provisions made for the payment of fees to the inspector of factories and workshops before any certificate of inspection shall issue. This law is an amendment of preceding legislation and gives wide powers to the labor commissioner, and his deputies, to enforce the provisions of the act. An interesting provision is that the salaries paid to the deputy labor commissioners "at no time shall be higher than the going wages paid to mechanics of like skill and ability and not to exceed $200.00 per month."

Very comprehensive laws dealing with motor vehicles were enacted. Three of these laws cover some 25 pages. One act appears to be a thorough overhauling of the statute dealing with motor vehicles, and minute directions are given as to the manner of attaching headlights. Another general act deals with the use of the highways by motor trucks and vehicles, as well as minute directions for the transfer of title. The title to a car is registered at the time of applying for license and it becomes the duty of the mortgagor of a car to present to the Secretary of State his certificate of title and receipt of registration within ten days after he gives a mortgage on the car so that a notation of such mortgage may be made upon his certificate of title. Title to motor vehicles is not to be transferred except by means of this registration receipt and certificate.

Public utility statutes deal largely with the fees to be assessed against the public utilities for carrying on the work of the commission. These fees are graduate in character, are in addition to the amounts

paid by taxes and some of them are fairly high. For example the fee paid "when the annual gross operating revenue of a public utility or railroad is six million or over is three thousand dollars." These fees are to be used for the payment of salaries, and general and contingent expenses of the public service commission. With reference to courts one statute increases the number of judges of the Supreme Court to seven and empowers the Supreme Court to employ such number of clerical assistants and fix the compensation of them as they may see fit. An amendment to existing legislation was made making it the duty of the Clerk of the Supreme Court, immediately upon receipt of opinions from the Supreme Court, to mail a copy of each opinion to the circuit judges, and the district attorneys and to furnish advance sheets to subscribers at $4.50 per year. The Clerk is to receive $1.50 of this subscription until the aggregate reaches $500.00.

The legislature of North Carolina enacted a very comprehensive law for liquidation of banks. Many of the features are common to those laws but any bank that fails, neglects or refuses to comply with any of the rules, regulations or requirements of the corporation, commission or banking law may be taken in charge and liquidated. An interesting feature of crime legislation is the enactment of a law providing for the payment of a reward of $20.00 for each still destroyed when one or more of the operators have been arrested by officials and convicted, and no appeal has been taken. This law applies to but 34 of the counties but includes Lee, Lincoln, Washington and Wilson Counties together with our old friend Buncombe County. A state farm for women is provided by the legislature of 1927. To this farm will be sent those who are not to be sent to the penitentiary and also women who are guilty of habitual drunkenness, drug using, disorderly conduct and prostitution. The use of smoke screens on motor vehicles is made a felony. A violation of the law draws a penalty of from one to ten years in the penitentiary. A law was enacted providing for the giving of one copy of the laws and one copy of the opinions of the Supreme Court to each state and to the Dominion and provinces of Canda, Australia and New Zealand, as well as to public and quasi-public law libraries in the state.

These statutes are fairly typical of the legislation in other states, and show similarity of problems. We appear to be abreast of the more advanced and need not fear failure of attempt to solve current problems.

Systems in jurisprudence have fairly well defined principles for legislation. An intensive study of legislative principles would be a great help in the enactment of legislation. This requires a system of education. The Bar Association could well sponsor such a study of jurisprudence for the general public. Too often a law is drafted in general terms, with a special object in view, without the slightest consideration as to whether it violates well established principles or not. It may be the Judicial Council could undertake such a matter. The "continuous study of the administration of justice" requires the inculcation of correct ideas in the general public. Surely the legal profession is the best fitted to supervise such instruction.

An interesting review of legislation in the various states is found in the February issue of the "American Political Science Review," in the form of legislative notes edited by Clyde L. King of the University of Pennsylvania.

But whatever legislation there may be, after all we look for the law in the reports of adjudicated cases and as said by Mr. Brackinreed of the Medford (Ore.) Bar, in his article on "The Enduring Uses of the Law":

> "In its practical application to the affairs of men, the Law is necessarily to be sought for in the reports of adjudicated cases from which the writers of textbooks and commentaries deduce the principles which they exploit in their works. It is to these reports that the lawyer must inevitably turn for guidance in approaching any legal problem. For the student, no course of study in the Law can be considered as well laid out unless it includes the careful reading of selected cases, annotated by competent teachers for the student's use.
>
> "From the days of Hammurabi to the complexity and multiplicity of our modern courts, from the day of clay tablet to the intricate service of the modern publishing house and printing plant, side by side with the building of the Law has gone the patient process of its recording, until now, however vast the maze has grown, there is still to be found a way through it, a way into it, to whatever matter exists applicable to the case in hand. The simple syllabus on the clay jacket of the first recorded case has developed historically and logically into the system of digest and index and compendium, which today offers its guiding hand to the seeker after justice.
>
> "For, if any subject of the Law be aggrieved, in his person or in his possession, and find not his remedy in the Law, what other succor may he seek, to what other refuge may he flee, into what other temple shall his feet carry him?"
>
> A. G. BURR, Chairman.

COMMITTEE ON CRIMINAL LAW

No new or further recommendations are proposed by the committee at this time, for the reason that the proposals presented to the 1927 annual meeting were held over for the action of the 1928 session. It is the sense of the committee that these matters should be passed upon first.

As a legislative program for the next session of the Legislature, your committees desires to recommend the adoption of the following measures:

First: A bill to amend Section 8441, C. L. 1913, re-defining the crime of criminal conspiracy to provide that it shall be a felony for persons to conspire to commit an act which, if committed, would constitute a felony. Under the present definition of this crime, all conspiracies, regardless of the character of the act conspired to be done, constitutes only a misdemeanor.

Second: A bill creating a new statutory crime to be known as "Aggravated Assault and Battery," this act to provide that in cases of aggravated assault and battery the penalty shall consist of a fine of not more than $1,000, or imprisonment in the county jail for not more than one year, or both such fine and imprisonment. This change is needed to take care of that class of assaults where grievous bodily harm is intended or inflicted without the use of a dangerous or deadly weapon. Our neighboring states, Montana, South Dakota, Minnesota and Iowa have long ago passed similar statutes to take care of this class of crimes.

Third: A bill to restore capital punishment in North Dakota as a penalty for first degree murder. It is the opinion of your committee that crime conditions in North Dakota have not reached that point of improvement where it is safe to do without the restraining influence of the extreme penalty. In recent years, North Dakota has become an inviting field for the operation of the professional criminals of the country; men who will not hesitate to take human life as a means to promote their profession of robbery and burglary in this State. A bill to restore capital punishment was submitted to the last session of the Legislature, but was defeated, evidently for the reason that it did not appear to the majority of the Legislature that public sentiment favored the restoration of capital punishment in North Dakota at this time.

Fourth: A bill creating a jury commission to serve in lieu of the present system in selecting persons qualified for jury service. A comprehensive measure embodying what appears to be the best features of similar laws existing in other states was introduced in the last Legislature as House Bill No. 131. Your committee has examined this bill and recommends its approval by this Association. It is the settled judgment of all practicing lawyers, as well as many others, that our present system is especially weak as regards the character and qualifications of the persons often selected for jury service. Our present system tends rather to result in the selection of persons for jury service by lot or chance rather than on basis of special qualifications, and in some jurisdictions it is complained that professional juror evil exists in malignant form. It is conceded that the efficiency of our judicial system depends, in a large measure, upon the character of juries that are chosen to decide the issues submitted to them in legal controversies, and that every effort should be made to select the best qualified persons available, both as to character and intelligence for this service. It is the opinion of your committee that a jury commission of especially qualified persons appointed by the District Court could and would select a better class of citizens for jury service than now results from our present system. Your committee believes that the experience of the Federal Courts, where the jury commissioner principle of selecting jurors is employed, completely demonstrates the superiority of this system over the method now employed in the state courts.

Fifth: A bill to create a State Board of Criminal Identification and Investigation is earnestly recommended. Such a measure was recommended to the last Legislature by the State's Attorneys' Association and introduced in the form of House Bill No. 129. Your committee has examined this bill and recommends its adoption in principle.

Briefly stated, such proposed measure contains the following provisions: It provides for a state bureau of identification and investigation consisting of the Governor, Attorney General and the Warden of the Penitentiary. This Bureau should be authorized to appoint a director of the Bureau of Criminal Investigation who, in turn, may appoint three deputies and a clerk. The powers of such Bureau, given in the language of the bill, are as follows: It shall be the duty of the Director of Criminal Investigations, and of the deputies acting under his supervision, direction and control: 1. to investigate such felonious crimes committed in this State as shall be assigned to the Bureau of Criminal Investigation by the Attorney General, for the purpose of detecting, apprehending, arresting and securing the conviction of the perpetrator or perpetrators of such felonious crime or crimes, and such director and his deputies shall possess all the powers of police officers anywhere in the State; 2. To cooperate with the police officers of the various counties and cities of this State, and with the police and peace officers of other states in apprehending and arresting fugitive criminals charged with the commission of felonious crimes; 3. To prevent the commission of felonious crimes by tracing, locating or arresting yeggs, burglars, holdup men, robbers and transient and professional criminals, and so far as possible, to protect life and property from criminal acts.

The clerk shall, under the supervision and direction of the Director of the Bureau of Criminal Investigations, have charge of the office, and shall establish and maintain such equipment, files and records, as shall be necessary for the efficient conduct of said Bureau of Criminal Investigations.

There has been a good deal of discussion throughout the U. S. recently upon the necessity of reforms in criminal law and criminal procedure, and the importance of improving the machinery that exists for the administration of criminal justice. Most of such discussion and study has centered around questions of trial procedure and punishment of criminals, and but little consideration has been given to the problem of improving our methods of preventing crime and apprehending criminals. The administration of criminal justice logically divides itself into three classes of governmental activity: 1. The apprehension of criminals; 2. Trial of persons accused; and 3. The punishment of convicted persons.

It is the opinion of your committee that existing agencies for the administration of the first function above named, that of the apprehension of the criminal, is altogether inadequate to meet the demands of modern conditions, and that attention should be centered upon methods of improvement in the administration of that important function. Your committee believes that the next step to be taken in the direction of perfecting our method of apprehending criminals is the establishment and maintenance of a central state authority vested with general powers of supervision and coordination of the activities of the police officers of the State. It occurs to us that a Bureau of Criminal Identification and Investigation would perform the following important service:

First: It could establish and maintain a central office of information and identification relating to crimes and criminals. At the

present time neither the State nor any municipality maintains any Bureau of Information. In these days of good roads and motor vehicle transportation, it is comparatively easy for criminals of all classes, and particularly professional criminals, to travel rapidly from one part of the State to another, or go without the State in a few hours, with the result that in a large percentage of cases, where felonious crimes are committed, the perpetrators succeed in escaping from the locality in which the crime is committed, and become fugitives from justice. This being the case, the problem of apprehending such criminals becomes one of expert investigation and intelligent pursuit, and in solving such problem, accurate information as to identity and description of the fugitives, including finger prints and other personal data becomes a factor of great importance. Further, under modern conditions, a large percentage of the professional criminal class succeed in escaping to another State, thus making the problem of their apprehension one of interstate character, and involves the efficient and active cooperation of the officers and police agencies of other states. There is now located at the State Penitentiary the nucleus of a Bureau of Criminal Identification, including finger print data, Bertillon measurements, etc., for the use of the institution. The services of this department of the Penitentiary could easily be expanded, and made an important service to all police officers of the State in their daily hunt for law violators. The time has come when the State should make an intelligent effort to identify and label all persons who follow the profession of crime as a business and all persons with criminal records.

Second: It could coordinate the efforts of the police officers of the various counties and cities of the State in apprehending fugitives and cooperate with like agencies in other states, in not only securing the arrest of fugitives that have fled to another state, but assist other states in apprehending fugitives who resort to this State as a place of hiding. The problem of dealing with the modern professional criminal is no longer a local problem, but one that mutually affects the interests of all the states, and it is of utmost importance that each state have a central agency vested with authority to work with like departments in other states in dealing with the common problem of apprehending escaped criminals.

Third: It could assist local police officers in investigating felonious crimes and apprehending the guilty parties in unusual cases by furnishing expert officers versed in crime detection and in finger print methods. Serious crimes are constantly being committed in the State, the solution of which baffles local officials, and the guilty parties succeed in escaping from the locality where the crime is committed. Very often the local police officials lack the experience and knowledge necessary to cope with the ingenuity of the professionals who perpetrated the crime, and in such cases the prompt assistance of men trained in crime detection and in pursuit of criminals is absolutely necessary to the apprehension and conviction of the guilty parties. It is an obvious encouragement to the professional criminals who roam to and fro through the State at will, committing burglaries and robberies each season, and sometimes murder, when they know that they are only required to outwit or escape from the local officials in order to effect, what generally proves to be a successful escape, from detection and arrest. Insofar as it is possible to do it, the state govern-

ment should provide the means and facilities for the prompt and effective pursuit of all criminals by officers equipped with the knowledge and experience necessary to enable them to succeed in the undertaking.

The bill that was introduced in the last session of the Legislature, being House Bill No. 129, did not receive much support from the Committee on Judiciary, to which it was referred for consideration. Two main objections were offered against its passage, as follows:

1. There was considerable sentiment against creating any new boards or bureaus in the state government; and 2. The expense necessary to maintain such a bureau on an effective basis was deemed too much.

It may be conceded as a wise general policy that the functions of the government should not be further expanded through the creation of additional boards and bureaus, and that this State has, perhaps, already expanded its functions far beyond the point which the government can efficiently maintain, or afford to support. On the other hand, it must be conceded by all thoughtful persons that the primary function for which all government exists, is the protection of the lives, liberties and property of the people, and that whenever the lives and property of the citizens are jeopardized by criminals, or others, who prey upon society, the government should establish and maintain such agencies as may be necessary to protect life and property. It is also, I think, generally conceded that both life and property in North Dakota is constantly in danger on account of the depredations of certain classes of criminals, and that our present police system has failed to adequately meet this crime situation. It is the judgment of the committee that this important need should be met, and if necessary, by the creation of the instrumentalities best suited for the purpose, and that the fact that the State may have in the past, or may in the future, create boards or bureaus for purposes other than that of preserving life and property, should not be the cause of a neglectful policy on the part of the government with respect to the crime problem. It is true that such a Bureau as is here recommended, will cost a substantial amount of money to efficiently maintain and operate, but we submit that when the State is willing, as it has been in the past, and is now, to spend hundreds of thousands of dollars in industrial and business experiments of doubtful wisdom, and large sums annually in performing functions of relatively less importance than the importance of adequate police protection, we ought not to shrink from the expense that experience has proven necessary to properly protect society from the depredations of criminals.

While the idea of a State Bureau of Criminal Investigation is somewhat new, its adoption has been widely advocated by authorities on criminal law reform, and at least one state, Minnesota, has created such a Bureau. At its last session of the Legislature, the State of Minnesota adopted Chapter 224 of the Session Laws for 1927, providing a Bureau of Criminal Apprehension. The Bureau so provided for is created in the office of the Attorney General, and is placed under the direction of a Superintendent, who is appointed by the Governor. It provides for the employment of a staff of skilled and unskilled employees not exceeding twelve in number, who shall serve

under the direction and supervision of the Superintendent. This Bureau has no direct police authority, and its primary function seems to be to install and maintain a complete system of identification pertaining to crimes and criminals, and to disseminate such information among the police officers of the State and other states for the purpose of facilitating such officers in their efforts to apprehend escaped criminals. It requires all sheriffs and police officers to make complete reports of matters of criminal information to the State Bureau, which information is assembled and recorded for future use. It provides that the Superintendent may, from time to time, conduct police schools for the training of police officers in modern methods of crime detection, identification; and apprehension. It also provides that such Bureau shall cooperate with and exchange information with similar organizations in other states.

It is the view of your committee that the establishment and maintenance of a Bureau of Criminal Identification and Information is an important step in the right direction, and is, perhaps, the most important service that a State agency could render; but it is also our opinion that the members of the staff of such bureau should be vested with general police powers, so that, in emergency cases, they could themselves take up and conduct the pursuit of fugitive criminals.

Your committee has outlined its views at some length on this subject for the purpose of emphasizing its importance, and in the hope that it may thereby stimulate a careful consideration and study of the proposal on the part of all citizens of the State. There is no doubt that our present police methods are altogether inadequate to deal with the professional criminal problem, and that the public will be forced in time to reform and improve its police system. Perhaps the idea of the creation and operation of a State Bureau as herein recommended does not offer an improvement in our system; but, if not, it remains for those who are familiar with the problem to offer a better suggestion to meet this particular weakness in our law enforcement machinery.

Your committee respectfully submits this report together with its recommendations to the Association for its consideration and approval.

GEORGE F. SHAFER, Chairman.

REPORT OF EXECUTIVE COMMITTEE

As the work of the Executive Committee is given publicity immediately following any meeting, only a brief outline is presented of the year's activities. The first meeting was held at the office of President Lawrence, Fargo, October 6, 1927. All members were present.

Bids for printing were opened and considered, contract ordered let to the Bismarck Tribune; authority was delegated to President Lawrence to arrange for the publication of a Digest of North Dakota decisions; Judge Geo. M. McKenna was named as a delegate to the American law Institute, and expense provided for; instructions were given the Secretary to distribute tentative drafts of the American Law Institute publications to all organized district associations; the publication of the Dakota Law Review was endorsed, without responsibility,

and an appropriation of $200 made, which was to be treated as a blanket subscription for the members of the Association; budget was adopted, as follows:

Publication 1927 Proceedings	$ 600.00
Printing and Postage	150.00
Executive Committee	350.00
Citizenship Committee	250.00
Citizenship Committee, Prizes	100.00
President	200.00
Secretary-Treasurer	600.00
Bar Briefs	425.00
1928 Annual Meeting	600.00
Legislative Committee	100.00
Emergency, Miscellaneous	150.00
Dakota Law Review	200.00
Total	$3,725.00

At this meeting Minot was selected as the place for holding the 1928 convention, and tentative dates fixed between September 1 and 15.

The next meeting was held at the office of Vice President Lewis, September 4, 1928. All members were present except J. P. Cain and G. S. Wooledge. The Secretary's books, account and report were audited by a special committee, consisting of Messrs. Kaldor and Bothne; President Lawrence was authorized to appoint a special committee to confer with the representative of Callaghan & Co., and make report at the annual meeting concerning progress on publication of Digest; bids for printing the annual proceedings were received, opened and considered, only five of the eighteen printers to whom proposals were sent responding, to-wit:

	Small Size		Large Size	
	A	B	A	B
Holt Printing Co.	$2.15	$7.00	$2.45	$7.00
Cavalier County Republican	2.95	6.00	3.20	6.00
Globe-Gazette Printing Co.	3.25	6.50	3.50	7.00
Pierce Printing Co.	2.42	9.25	2.50	9.25
Bismarck Tribune	1.80	3.00	2.35	3.00

A—Price per page; B—Price of inserts.

The bid of Bismarck Tribune was accepted, and Secretary instructed to arrange for publication, using the large size, which is the same as the regular editions of Bar Briefs.

R. E. WENZEL, Secretary.

COMMITTEE ON INTERNAL AFFAIRS

As Chairman of the Internal Affairs Committee it becomes my duty to report the activities of, and particularly the complaints which have been filed with, this committee.

At the time of my accession to the chairmanship there were only two or three matters pending, all of which have since been closed up—I believe satisfactorily—and which I am glad to say did not reflect on the character of the attorneys involved.

I regret to say that there have been quite a number of complaints filed with me. The total number of complaints submitted, excluding the two pending before my predecessor, number eighteen. This is rather a startling number of complaints, but I am glad to say that in most instances the complaints are of a minor character, and that approximately fifty per cent of these claims have been satisfactorily adjusted. Up to date I have only been convinced of an absolute wrong doing on the part of the attorney in one case. In this case the evidence submitted to me was quite clear that there had been an embezzlement, and this was confirmed by the fact that the attorney had, either just prior to the receipt of the complaint, or just after, pleaded guilty to embezzlement, and been sentenced to a term in jail. This attorney has been reported to have since left the State. At the present time I have submitted the question to complainants as to whether or not they cared to file proceedings with the Bar Board.

However, I am compelled to say that, while the complaints in many instances were somewhat trivial and did not involve an absolute wrong doing, yet the attorney was subject to criticism for gross neglect.

I have at the present time only one attorney who has refused to answer my letters requesting an explanation, and have only had one other which I inherited from my predecessor who was very obdurate in his refusal to answer letters. However, in that case a full and complete apology was offered, and a satisfactory explanation made of everything excepting the neglect in writing to client. This was explained on the ground of being very busy and a desire to make a search through all of his files to ascertain if he, the attorney, could locate a note claimed to have been sent to him.

In practically every case the attorney has presented facts which appear to be a legitimate offset to the claims of the complainant, at least sufficient to make it a debatable question, and in the majority of cases I was convinced from the evidence submitted that there was no justification for the filing of the complaints whatsoever.

As this report is subject to the publicity of the entire Bar I have intentionally omitted any names, as I feel it would be doing an injustice to the attorney who has had a complaint made against him which was not justified by the facts or upon disputed facts. However, I should like to present to the Bar this thought: That it is a regrettable fact that complaints have to be made and investigated, and if attorneys would be more prompt in answering demands made upon them and render the same explanation to clients which they have rendered to me, my judgment is that it would be a rare occasion that a complaint would be filed. I am aware that there are persons who are only too glad of an opportunity to file complaints against attorneys, without any grounds whatever, and, unfortunately, this does not apply to some poor ignorant layman of a malicious disposition only; it is equally applicable to some forwarders of commercial claims.

It therefore behooves the members of the Bar, not only for the individual's sake, but also to avoid casting a reflection upon the Bar as a whole, to avoid these complaints by promptly, fully and fairly explaining all matters in difference to the client or forwarder.

In conclusion, I will say that a complete file is kept of each matter, even after it is closed, and that all pending matters will be turned over to my successor who inherits this position.

As to the irksomeness of the office I say nothing, as I do not want the position again, but, on the other hand, do not wish to discourage my successor. I believe that this is an important committee, for the protection of the Bar and its honor.

FRED T. CUTHBERT, Chairman.

COMMITTEE ON JURISPRUDENCE AND LAW REFORM

If your committee were to attempt merely to comment upon the proposals being presented to the American people at this time for the reform of our laws and methods of administration, there would be little time for anything else to be considered at this convention. The public is obscessed with the possibility, the desire and the intent to accomplish drastic moral reformation by legal methods. In other words it believes sincerely in the possibility of lifting itself to a higher moral plane by its own boot straps. The proponents of every moral reform, if a majority, however slight, straightway enact a law to accomplish what persuasion and argument have failed to bring to pass. If a minority, they lobby unceasingly for their hobby, seeking enactment thereof into law regardless of the lack of public sentiment in its support.

We would have much less demand for law reform if there were fewer enthusiastic and honest but poorly balanced reformers. Wise legislators are they who enact only those wholesome and progressive laws which have an active moral support of a great majority of the people and which do not offend the long established habits and customs of any considerable minority.

Especially should we hesitate to propose any scheme for the reform of our Jurisprudence which offends against the professional training and long established prejudices of those who, on the bench and at the bar, are responsible for putting the proposed reform into practice.

Jurisprudence may be defined as "the science of making a just application of law to all cases as they arise." Such just application can be made only with the hearty cooperation of the legal fraternity. That fraternity, by training and in self protection, is a conservative one. To enact into law any reform which does not have the initial approval of the legal profession and its consistent support after enactment, is simply to cumber our statute books with one more law for reformers to shoot at.

In view of what has just been said, this report will, therefore, be confined to a few proposals for reform which might, it seems, prove possible of enactment and beneficial in practice.

The Probate Code

The partial reform of the probate code enacted into law in 1925 seems to have afforded considerable relief. Several minor defects have been disclosed, however, in the 1925 law which should be remedied.

We suggest that the Probate Code Committee be reconstituted as one of the committees of this Association and that it be requested to correct the defects referred to.

Heirship Proceedings

Grave doubt exists in the minds of many lawyers as to the constitutionality of the Special Proceedings for Probate of Heirship, Sections 8675-8681 C. L. 1913. Certainly it is a dangerous practice to use these proceedings as a substitute for the formal probate of an estate, as is being done by many lawyers. An attorney, moreover, who habitually offers to his clients a decree of heirship as a sufficient substitute for a final decree of distribution has an unfair advantage over his more careful competitor who advises probate in due form.

We suggest that the Probate Code Committee, if reconstituted, report more fully at our next meeting as to the propriety of abolishing or, at least more sharply defining the scope and purpose of the heirship statute.

Appeals From Determination of Administrative Bodies

Secretary Wenzel has called your committee's attention to the tendency of legislative bodies to give the administrative commissions the final say on questions of fact coming before such bodies for determination.

Whether or not such commissions should be permitted to adjudicate conclusively upon property rights and to infringe upon personal liberty without provision for adequate independent judicial review is one of the most important questions now presented to American lawyers.

It is plain that there are many matters, both of law and fact, which must be left to the judgment and discretion of such bodies. To hold otherwise would nullify their usefulness entirely. Society has become altogether too complicated to carry on its functions without the assistance of administrative commissions. The very real danger to our ancient institutions which arise from their constantly increasing scope and power must be faced and must be reconciled with their continuation as a part of our legal system. That reconciliation can best be accomplished by giving the right of judicial review in those cases involving fundamental questions of personal rights and property. This review should be both as to law and to fact. Facts make the law in most cases. Review of the law without a review of the underlying facts which make the law operative is a mockery.

A continuation of the present inclination towards vesting judicial powers to administrative bodies is one which goes to the very life of the legal profession as now constituted.

We are lawyers practicing under a code of laws and with fixed rules of procedure. Practice before commissions is something far otherwise and something to which most trained lawyers are unable to adapt themselves. Any further incroachment of such commissions upon the established and fundamental principles of the common law should be regarded by all lawyers with legitimate and well founded anxiety.

The Enforcement of State and Federal Judgments in Other States or Federal Courts

Following the suggestion of the standing committee on Jurisprudence and law reform of the American Bar Association, your committee makes the following suggestions:

Article 4, Sec. 1 of the Constitution of the United States provides that "full faith and credit shall be given in each state to the public acts, records and judicial proceedings of every other state." Congress has gone no further than to make the judicial relations between the states substantially the same as between independent nations. It has not given to the judgments of a state the force and effect of a domestic judgment beyond the jurisdiction declaring it to be a judgment. It has made it only a domestic judgment as to the merits or subject matter or the claim.

There is no more judicial reciprocity between the states than between independent nations. A Minnesota judgment is practically of no more avail in North Dakota than a Canadian judgment. Under our present practice it is necessary that a formal action be brought upon a judgment or decree for money rendered in a foreign state. This is merely a procedural device and is utterly useless. There should be a provision by which a certificate of a judgment or order rendered by the court of any other state may be registered in this state and upon such registration have the same force and effect as a local judgment.

Since Congress has express authority to declare the effect of judgments and decrees in the states wherein enforcement is sought, any legislation for the above purpose should take the form of Federal law.

Perhaps the greatest burden of useless expense and trouble to our local practitioners arises from the lack of adequate procedure for securing full faith and credit to proceedings of courts of other states in the matter of appointing executors and administrators and in the probate of estates in general. Ancillary probate proceedings are a useless technicality. There should be legislation recognizing the authority of the primary administrator or executor upon registration of his order of authority and for the registration of final decrees of distribution, making such final decrees effective both as to real and personal property within the state where registered.

Chapter 212 Session Laws 1927, took a forward step by providing that a foreign executor, administrator or guardian may commence, prosecute or defend a civil action in the same manner as a resident of the state upon filing an authenticated copy of his appointment. Statutes in a number of states already authorize personal representatives appointed in other states to sell land exactly as though appointed under the laws of the forum. Further legislation along this line should be encouraged by our Association.

Juvenile Code

The present Juvenile Code is impractical, inefficient, a constant source of neighborhood irritation and very expensive in operation, at least in the rural counties. The entire code needs revision to bring it

into line with the best present day practice in this field of social work. Our Association can render a great service to the state by undertaking a thorough investigation of juvenile delinquency with a view to determine its cause and extent and for the purpose of securing the enactment of effective and yet humane laws with respect thereto.

Challenges of Jurors in Criminal Cases

Chapter 218 Session Laws 1927, gives to the state and the defendant in all criminal cases twenty peremptory challenges when the offense charged is murder in the first degree, ten challenges in other charges punishable by imprisonment in the penitentiary and six challenges in other prosecutions.

The legislature displayed good sense in making the number of challenges equal as between the state and the defendant. But it is a mistake to retain such an excessive number of challenges. We suggest the enactment of a law leaving the number of challenges equal but reducing them as follows: Misdemeanors, three; felonies, five; so-called capital cases, ten; with a provision, however, that the trial court may on good cause shown allow either side additional peremptory challenges, not to exceed the number granted as of right. Such a law would greatly expedite criminal trials and could not result in any injustice to either the defendant or the state.

Directed Verdict

Section 7643 Sup. 1913, provides that when, at the close of the testimony, any party to the action moves a direct verdict, and the adverse party objects, such motion shall be denied and the court shall submit the issue to the jury.

This law is probably unconstitutional. During the course of the trial, it ties the hands of the presiding Judge and hampers him in ruling on the introduction of evidence.

In view of several recent decisions of our Supreme Court and in view of the practice in a number of our district courts, this law has become of no practical force and effect and is generally regarded both by judges and lawyers as a first class nuisance. We recommend that the Legislature be asked by this Association to repeal it at its next session.

HORACE BAGLEY, Chairman.

COMMITTEE ON LEGAL EDUCATION AND ADMISSION TO THE BAR

The report of the Committee on Legal Education and Admission to the Bar, is a report of the chairman rather than of the entire committee, as it was not feasible to obtain a joint meeting of the committee for the purpose of discussing the problems concerned and thereafter formulating a joint report. Opinions of the members of the committee have been obtained through answers to the following questions submitted to them, viz:

1. Should the committee recommend any change in the existing laws regulating admission to the bar?

2. Do you believe that the time has arrived to propose to the next Legislative Assembly a higher standard of legal education?

3. If you favor proposing a higher standard, do you believe the recommendations of the American Bar Association and its Council on Legal Education and Admissions to the Bar should be enacted into a state law?

The standards recommended by the American Bar Association together with the rulings thereon by its Council on Legal Education and Admission to the Bar, are as follows viz:

"(Resolutions of The American Bar Associations are printed in CAPITALS; Rulings of the Council in small type.)

"(1) THE AMERICAN BAR ASSOCIATION IS OF THE OPINION THAT EVERY CANDIDATE FOR ADMISSION TO THE BAR SHOULD GIVE EVIDENCE OF GRADUATION FROM A LAW SCHOOL COMPLYING WITH THE FOLLOWING STANDARDS:

"(a) IT SHALL REQUIRE AS A CONDITION OF ADMISSION AT LEAST TWO YEARS OF STUDY IN A COLLEGE.

"An approved school shall require of all candidates for any degree at the time of the commencement of their law study the completion of one-half of the work acceptable for a Bachelor's degree granted on the basis of a four-year period of study either by the state university or a principal college or university in the state where the law school is located.

"Each school shall have in its records, within twenty days after the registration of a student, credentials showing that such student has completed the required pre-legal work.

"Students who do not have the required preliminary education shall be classed as special students, and shall be admitted to approved schools only in exceptional cases.

"The number of special students admitted in any year shall not exceed ten per cent of the average number of beginning law students admitted during each of the two preceding years.

"No student shall be admitted as a special student except where special circumstances, such as the maturity and the apparent ability of the student seem to justify a deviation from the rule requiring at least two years of college work. Each school shall report to the Council the number of special students admitted each year, with a statement showing that the faculty of the school has given special consideration to each case and has determined that the special circumstances were sufficient to justify a departure from the regular entrance requirements.

"The following classes of students are to be considered as special students unless the law school in which they are registered has on file credentials showing that they have completed the required pre-legal work:

"(a) Those transferring from another law school either with or without advanced standing in law;

"(b) Those doing graduate work in law after graduation from an unapproved school;

"(c) Those taking a limited number of subjects either when registered in another department of the university or when on a purely limited time basis.

"(b) IT SHALL REQUIRE ITS STUDENTS TO PURSUE A COURSE OF THREE YEARS DURATION IF THEY DEVOTE SUBSTANTIALLY ALL OF THEIR WORKING TIME TO THEIR STUDIES, AND A LONGER COURSE, EQUIVALENT IN THE NUMBER OF WORKING HOURS, IF THEY DEVOTE ONLY PART OF THEIR WORKING TIME TO THEIR STUDIES.

"A law school which maintains a course for full-time students and a course for part-time students must comply with all of the requirements as to both courses.

"The curriculum and schedule of work of a full-time course shall be so arranged that substantially the full working time of students is required for a period of three years of at least thirty weeks each.

"A part-time course shall cover a period of at least four years of at least forty weeks each and shall be the equivalent of a full-time course.

"Adequate records shall be kept of all matters dealing with the relation of each student to the school.

"The conferring of its degree shall be conditioned upon the attainment of a grade of scholarship ascertained by written examinations in all courses reasonably conformable thereto.

"A school shall not, as a part of its regular course, conduct instruction in law designed to coach students for bar examinations.

"A school shall not be operated as a commercial enterprise and the compensation of no officer or member of its teaching staff shall depend on the number of students or on the fees received.

"(c) IT SHALL PROVIDE AN ADEQUATE LIBRARY AVAILABLE FOR THE USE OF THE STUDENTS.

"An adequate library shall consist of not less than seventy-five hundred well-selected, usable volumes, not counting obsolete material or broken sets of reports, kept up-to-date and owned or controlled by the law school or the university with which it is connected.

"A school shall be adequately supported and housed so as to make possible efficient work on the part of both students and faculty.

"(d) IT SHALL HAVE AMONG ITS TEACHERS A SUFFICIENT NUMBER GIVING THEIR ENTIRE TIME

TO THE SCHOOL TO ENSURE ACTUAL PERSONAL ACQUAINTANCE AND INFLUENCE WITH THE WHOLE STUDENT BODY.

"The number of full-time instructors shall not be less than one for each one hundred students or major fraction thereof, and in no case shall the number of such full time instructors be less than three.

"(2) THE AMERICAN BAR ASSOCIATION IS OF THE OPINION THAT GRADUATION FROM A LAW SCHOOL SHOULD NOT CONFER THE RIGHT OF ADMISSION TO THE BAR, AND THAT EVERY CANDIDATE SHOULD BE SUBJECTED TO AN EXAMINATION BY PUBLIC AUTHORITY TO DETERMINE HIS FITNESS.

"(3) THE COUNCIL ON LEGAL EDUCATION AND ADMISSIONS TO THE BAR IS DIRECTED TO PUBLISH FROM TIME TO TIME THE NAMES OF THOSE LAW SCHOOLS WHICH COMPLY WITH THE ABOVE STANDARDS AND OF THOSE WHICH DO NOT AND TO MAKE SUCH PUBLICATIONS AVAILABLE SO FAR AS POSSIBLE TO INTENDING LAW STUDENTS.

"Schools shall be designated 'Approved' or 'Unapproved.'

"A list of approved schools shall be issued from time to time showing the schools that have fully complied with The American Bar Association Standards.

"No school shall be placed upon the approved list without an inspection prior to such approval made under the direction of the Council.

"All schools, in order to be upon the approved list, are required to permit full inspection as to all matters when so requested by any representative acting for the Council, and also to make such reports or answers to questionnaires as may be required.

"IN COMPLIANCE WITH THE POLICY ANNOUNCED BY THE AMERICAN BAR ASSOCIATION IN 1921, WE RECOMMEND THE ESTABLISHMENT IN EACH STATE, WHERE NONE NOW EXIST, OF OPPORTUNITIES FOR A COLLEGIATE TRAINING, FREE OR AT MODERATE COST SO THAT ALL DESERVING YOUNG MEN AND WOMEN SEEKING ADMISSION TO THE BAR, MAY OBTAIN AN ADEQUATE PRELIMINARY EDUCATION; AND, THAT THE SEVERAL STATES BE URGED THROUGH THE COUNCIL ON LEGAL EDUCATION AND ADMISSIONS TO THE BAR, TO PROVIDE AT STATED TIMES AND PLACES, FOR PRE-LEGAL EXAMINATIONS TO BE HELD BY THE UNIVERSITY OF THE STATE OR BY THE BOARD OF LAW EXAMINERS THEREOF, FOR THOSE APPLICANTS FOR ADMISSION TO THE BAR, OBLIGED TO MAKE UP THEIR PRELIMINARY QUALIFICATIONS OUTSIDE OF ACCREDITED INSTITUTIONS OF LEARNING."

The replies received, with one exception, were emphatic in recommending the enactment into law of a standard approximate to that sponsored by the American Bar Association. There was a difference of opinion, however, as to whether the time had as yet arrived for the enactment of such a law, the majority, however, being favorable to proposing to the next Legislative Assembly a bill along the lines hereinafter outlined.

When submitting the three questions referred to, your chairman particularly called attention of the members of the Committee to the report of the previous committee on Legal Education and Admission to the Bar, given at the annual meeting of this Association held at Grand Forks, N. D., in September, 1927, and from the replies received your chairman concludes that the committee desires to urge the prompt enactment of legislation embodying substantially the recommendations of the previous committee, the recommendations of your committee being as follows:

1. That after the year 1931, no persons shall be admitted to the Bar in this State who, in addition to present requirements, as to citizenship and good character, and a three-year term of study in a law office or accredited law school, is not twenty-one years of age, and has not had at least two full years of study in an accredited college, normal school or university, beyond the high school grades, which course of study shall include courses in English Literature, American and English History, Economics and Civil Government.

2. That commencing with the year 1929 all students registering for study in any law office in this state shall submit to the State Bar Board satisfactory proof of citizenship age and good moral character, and of pre-legal education, sufficient to show that the applicant has all the requirements for admission to the Bar upon the completion of his law course.

In passing, we desire to call attention to the report of the Council of Legal Education and Admission to the Bar submitted at the Seattle meeting of the American Bar Association in July of this year, particularly with reference to the fact that the states of Colorado, Illinois, Kansas, Montana, New York, Ohio, West Virginia, Wisconsin and Wyoming have adopted rules which comply with or approximate the standards proposed by the American Bar Association; that in ten other states where the standards have not been formally adopted their respective bar associations have approved in substance the proposed standards.

In making the recommendations herein set forth, which principally have to do with the raising of the educational qualifications, the committee was not unmindful of the fact that the primal requisite of a lawyer who will be a credit to himself and the Bar as a whole, is one of personal qualifications, for it is largely due to a woeful lack of integrity and common horse sense that the Bar has most often been brought into disrepute. But we are of accord in believing that with more stringent education requirements, will come the requirement and enforcement of more stringent moral and personal qualifications.

We suggest that the necessary steps be taken to present this matter to the next Legislative Assembly in order that appropriate legislation may be enacted.

ARTHUR L. NETCHER, Chairman.

COMMITTEE ON LEGISLATION

Members of the Bar Association of North Dakota: Your President, Mr. Lawrence, is entirely responsible for my appearance on this program; some months since he advised me that I had been designated by him as Chairman of your Committee on Legislation. I will confess that I then had little idea as to the function of such committee and shortly afterwards and before leaving Fargo for an absence of several months, I went into the reports of your former Legislative Committees in an effort to ascertain its functions, and discovered that in former years it had been found impractical to get together the fifteen members thereof, and that as a consequence the report of this committee as usually made to your annual meeting, was really that of its Chairman. The members of this committee, then, as at present, being located at widely scattered points over the state, the work of the committee has been largely carried on through correspondence of the chairman with its members, as a consequence such report as I shall submit to you, is necessarily prepared largely by me as Chairman of such Committee, with such suggestions and assistance as I have had through correspondence with the other committee members.

After being designated as chairman of this committee by President Lawrence, I called his attention to the fact that he had failed to exercise his usual good judgment, in his choice of chairman; for several reasons; one being that in recent sessions of the legislature I had, as a member of the House, not supported several of the measures brought before the Legislature, as recommendations of this Association; I then having particularly in mind some fifteen or eighteen measures introduced in the 1927 Session, and which I was under the impression had all been recommended by this body at its 1926 annual meeting. However, in reviewing the proceedings of this Association at its annual meetings of the last several years, I discovered that it had not been the practice and was probably not the function of a Legislative Committee reporting to your annual meeting of the year prior to the convening of a Legislative Session, to make recommendations as to specific legislation; that the measures which I had been under the impression were all sponsored by this Association before the last Legislative Session, were really the original product of the States Attorneys' Association; that they had been reported and submitted by such association to this body by your Committee on Jurisprudence and Law Reform, but that of eighteen measures so submitted this body, such report was by your Association adopted as to seven of these measures only, and on the others no favorable action was taken. With this information I found I was not in quite as bad as I had feared, as five of these recommended measures were enacted into law by the 1927 assembly. I was further considerably relieved to learn that upon your Committee on Legislation, of which a majority in all probability could not be gotten together, did not rest the work of formulating and preparing desired legislation.

It is undoubtedly pertinent to this report, to at this time advise the members of this Association of the disposition made by the last Legislature of these seven particular measures recommended at your annual meeting of 1926.

The measures then proposed by the States Attorneys' Association and given the support and approval of this Association, and so enacted into law are:

Ch. 121, Laws of 1927; requiring the Board of County Commissioners of each county to set aside annually a minimum sum for the use of the State's Attorney in securing evidence in criminal cases; such minimum amount being based upon the population of the county.

Ch. 215, Laws of 1927; providing that where a defendant in a criminal case files affidavit for a change of judge and also for change of the place of trial, the judge against whom the affidavit is filed shall proceed no further in the action, and the application of change of place of trial shall be heard by a judge designated by the Supreme Court; the act also requiring such affidavit to be filed at least five days before the opening day of the term, except where the defendant is held to the District Court after such time.

Ch. 217, Laws of 1927; reducing the period allowed for appeal to the Supreme Court in criminal cases, from one year to three months, and requiring the appellant to file a settled statement and briefs on appeal within six months of judgment; further requiring an appeal from an order to be made within sixty days thereof; and providing for an extension of not to exceed three months, upon notice to the adverse party; further time to be granted only by the Supreme Court, upon like notice.

Ch. 218, Laws of 1927; amending our former statutes providing the number of peremptory challenges of defendant and the prosecution in criminal cases; giving the defense and the prosecution a like number of challenges, in all cases.

Ch. 238, Laws of 1927; placing the duty of determining whether the labor of a child of school age is necessary to the support of the family, in questions of compulsory school attendance, with the school board and the County Superintendent of Schools, rather than with the State's Attorney, as in the former statute provided.

One of the other recommendations of the States Attorneys' Association, which received the approval of your Committee on Jurisprudence and Law Reform, was enacted into law in Ch. 179, Laws of 1927. This is the so-called "Uniform Motor Vehicle Registration Law," know as the "Motor Vehicle and Auto Theft Act," recommended by the American Bar Association. Under its provisions every automobile owner is required to register the title to his car with the Motor Vehicle Registrar and to so register every transfer of the title thereto; a registration fee of $1.00 being required. Under this act when cars are fully registered the Motor Vehicle Registrar will at all times have a complete abstract of title of every car owned in the state, and each such owner will have a certificate of title thereto, and is required to keep a registration card issued to him posted in the driver's compartment of the vehicle. Such registration card showing the make, the engine and serial number of the vehicle, etc., and containing the signature of the owner thereof. While this law has been more or less criticized by some, in the several states where similar laws have been in effect, the theft of automobiles has vastly decreased as has the sale of stolen cars to innocent purchasers, and the insurance

companies state that they have been able to make material reductions in their rates for auto theft insurance. This Auto Title Registration Act is unquestionably meritorious legislation, which will meet public approval once the title to all cars are registered under its provisions, and the benefits of such registration become manifest.

Of the ten other recommendations of the States Attorneys' Association, not approved by the State Bar Association, six were enacted into law, several of them with various amendments.

The jury commission bill, approved by both the Bar Association and the States Attorneys' Association, was introduced as House Bill 131; this measure went to the Committee on Judiciary, was reported out with a divided report, a majority report for its passage, but the minority report to indefinitely postpone was adopted and the measure defeated. This should have become a law and every effort should be made for its passage. Undoubtedly its defeat was occasioned through many of the legislators not understanding the purpose and the effect of its provisions.

Nothing was proposed in the 1927 Legislative Session in the way of a new Declaratory Judgment Act. If a constitutional act can be formulated, such legislation should and can be enacted.

An effort to repeal our Conciliation of Controversies Act was defeated, though attorneys and all conversant with the working of the existing law, realize that it has in no manner effected the purpose of its enactment. The existing law should be repealed.

The bill to increase the salary of Supreme Court and District Court Judges, introduced in the Senate, was defeated by a vote of 30 to 18. While this bill was not before the House for consideration, discussion of the measure developed two reasons for some of the opposition: First, that various members considered that some of the District Judges were receiving as large compensation as they would earn off the bench, and that the present compensation of judges was at least relatively no lower than that of state and county officials; second, that the taxpayer would welcome no salary increase at that time. Certainly men competent to fill the positions of Supreme and District Judges, should receive a higher compensation than at present, and a more adequate salary would possibly result in raising the standard of candidates for the bench in those districts from which some of the opposition to this increase came.

Maximum Punishment for Habitual Criminals was provided by Ch. 126, Laws of 1927; for a third conviction of a felony the penalty is made twice the maximum sentence for a first offense; and for the commission of a felony after three or more felony convictions, the maximum punishment is made life imprisonment.

Your Association recommended the passage of an act creating a Judicial Council; this law was enacted and such Council created and since its organization has been actively engaged in the study of judicial procedure and in the other duties devolving upon it. From the report of Mr. C. L. Young we can appreciate something of the benefits which we may expect from the creation of this council.

Numerous other laws were enacted and amendments made to existing statutes, in which attorneys have an interest peculiar to their profession. Among them is a well considered act, Ch. 196, Laws of 1927; providing a uniform procedure governing the borrowing of money by means of bond issues, by counties, cities, villages, townships, school districts, park boards, and all other municipalities; an act which in its operation will greatly simplify the work of an attorney consulted with respect to any such bond issues, either in creating the same or in passing upon such securities when issued.

A bill to provide an appeal from the Bank Guaranty Fund Commission was defeated and a bill providing an appeal from the findings of the Workmen's Compensation Bureau was passed by the Legislature, but vetoed by the Governor. Under existing laws there is no appeal allowed a claimant from the decision of the Bank Guaranty Fund Commission, nor for the claimant for workmen's compensation, from the decision of the Bureau. Such condition is manifestly unfair and one which should be remedied through such claimants being given a right of appeal.

A proposed bill creating a State Board of Criminal Investigation and establishing a bureau for such purpose, was defeated; largely on account of the attendant expenses and the fact that other states have created such bureaus and are making similar investigations and findings thereon, and the results of such investigations will be available to North Dakota without the expense to this state of the duplication of their work.

A measure proposing, that where the State's Attorney has reason to believe a felony to have been committed, he be empowered to have subpoenaed before him all persons considered to have any knowledge of the supposed felonies, was defeated, as have been similar measures in the past, largely as placing an unnecessary and possibly dangerous authority in the State's Attorney, an authority which might easily result in abuses more than offsetting any possible benefit from such statute.

The proposed amendment to our constitution, providing that in cases civil or criminal, except in a prosecution for felony, the legislature might prescribe that the jury be less than twelve, and that a verdict might be returned by not less than three-fourths of the jury; and that in cases other than felonies, trial by jury might be waived; passed the House with but little opposition after its provisions were understood, but was reported by the Senate Judiciary Committee for indefinite postponement and killed by the Senate. This constitutional amendment should be again proposed to the legislature at the coming session.

I have had very few suggestions from other members of this committee concerning recommendations which they consider it should make. However, one of our members is strongly of the opinion that we should recommend the repeal of the law requiring an annual license fee to be paid by attorneys. As originally enacted, this law was more or less of a slap at the attorneys of the state; it required the payment of an annual license fee of $15.00 and the proceeds of such fees were in no way available for the benefit of the bar of the state, except as a small part could be used in payment of the per diem and expenses of

the State Bar Board. I personally opposed this law in its original enactment. However, our annual license fee was sometime since reduced to $10.00, one half of the monies derived from such license is now available to pay the expenditures of the State Bar Association, and an appropriation of $10,000 was in 1923 made from this fund for the purchase and repair of books in the State Law Library. Such appropriation not being used for this purpose and these funds being available, $6,000 thereof was in 1925 appropriated to meet the expense of the compilation and publication of the 1925 Supplement to our 1913 Compiled Laws. There is no question but what this Supplement was made possible only through money from these license fees being available for that purpose. Further than this, the expenses of the Judicial Council are now provided for from this license money. In view of the manner in which a considerable amount of the fees received are being expended, there now seems little reason for asking the repeal of this law.

I had dictated this report to this point when I had occasion to examine a copy of your program given me by your President, discovering that President Lawrence had apparently booked me for an address on "Legislation." Not having ever made what could be called an address, I was rejoiced to have got this far with this report before discovering my mistake; and this discovery being made on Sunday and Mr. Lawrence being busy playing golf and I not able to reach him, I am not abandoning the work done. In any event, for me to address you upon the legal aspects of "Legislation," most of you being better lawyers than I am, would be bringing Coals to Newcastle or Flour to the State Mill.

However, there are one or two matters respecting legislation, which possibly it would be pertinent to speak of here.

The lawyer of North Dakota is not as concerned as he should be, either as a citizen or a lawyer, in the legislation enacted, or with the legislature of North Dakota. He does not show the interest and concern in our laws which he should, and I think every lawyer member of our legislature will back me in this statement. In my years in the legislature hundreds of proposed measures have been submitted to me by fellow legislators before their introduction, for consideration and suggestions. The proponents of scores of these measures, on having pointed out to them the unconstitutionality of the measure as drawn, its incorrect or inadequate phrasing, or the absolute futility of the law in meeting their purpose, have advised me of submitting the measure to an attorney or attorneys at home, and of its having been passed upon and approved.

In many instances I have afterwards talked with these attorneys with respect to such measures, and they have said: "Oh, sure, he asked me to look it over and I went through it and told him it appeared all right to me." Or, "He told me what he wanted and I drew it for him; certainly I knew no such law was needed, etc., but he wanted me to fix it up for him and I did."

It has always impressed me that the members of the bar of this State could be of vast assistance in securing the enactment of proper legislation and could save every legislative assembly much unnecessary

work, if they would give such legislation as is submitted to them prior to its introduction, the same attention given by them to the other legal matters of a client. If the measure has merit, putting it into constitutional form, seeing that it is properly phrased and so drawn as to accomplish the purpose of its proponent; and if without merit going into the matter with him and showing him the futility of the proposed law and that it will not meet his purpose. We see these as duties owed by every attorney, to proper laws and good government; duties to be performed whether the matter is one for which he can expect compensation or not. Any lawyer giving proper consideration to such proposed legislation as is submitted to him, will readily determine at least half of such legislation to be entirely without merit, its enactment only an encumbrance of our statutes, or will find it not to accomplish the purpose with which its author is concerned.

No lawyer not a legislative member can conceive the form in which a mass of proposed legislation is first submitted to members of the legislature who are attorneys, nor the strenuous hours put in by them in getting such legislation as has real merit into shape, or in convincing his layman fellow member that the measure he has promised someone he would get through, is without merit, would not accomplish the purpose sought, is unconstitutional, or that the matter is as well covered by statute, as can be. A great part of the legislation brought before each legislative session, is proposed to meet some particular case or set of circumstances which to the layman appears to be inadequately covered by existing laws. Few laws can be made broad enough in their scope to apply equally or equitably to every set of circumstances arising, and generally the suggested act or amendment proposed is drawn up with no consideration for anything but the case in view, and with no regard whatever to existing statutes, much broader in their scope, and which would be effected or supplanted by the proposed act.

On an average there are about 800 proposed laws introduced at each session of our legislature, in the last session there were three lawyers in the Senate and five in the House, and this is more than the average of lawyer members, in recent sessions. It is not difficult to see where the character of legislation enacted, and the work of the legislature would be greatly facilitated through our attorneys interesting themselves more in legislation proposed by legislators from their community.

I have said the attorneys of the state do not show a proper concern in legislation or the legislature; this is further and possibly best evidenced by the figures given showing the number of attorneys in the legislature. Eight lawyers out of 162 members in the last session, and this notwithstanding that in the last several primaries a special effort was made to induce attorneys to become candidates for the House or Senate. Of course, at present a North Dakota Legislature is not a pleasant or profitable place to spend sixty days, but North Dakota needs more lawyers in the legislature, and if the attorneys in this state had that interest in good laws and good government, which they as citizens should, there would be more of them members of the legislature and we would have less and better laws, with resultant better government.

As a result of the recommendations of your various committees and of your deliberation here, without doubt legislation will be determined upon which will be brought before our next legislative assembly for passage; that upon a sub-committee of your newly appointed legislative committee will devolve the work of presenting such measures in the legislature and advocating their passage, especially before the committees to which such measures are referred.

To give such proposed legislation its greatest chance of passage, it should be introduced early in the session, preferably not later than the 10th day thereof, as the earlier its introduction the better opportunity of individual legislators to become properly informed of its provisions and purposes and to give to it the consideration demanded.

L. L. TWICHELL, Chairman.

COMMITTEE ON LAW ENFORCEMENT

The Committee on Law Enforcement has not met during the year nor has it, because of the neglect of the chairman, arrived at an understanding as to the nature of the report to be submitted. The following is, therefore, the opinion of the chairman and is not to be charged to the other members of the Committee.

After having given the matter some little thought and after having devoted a great deal of time to reading a very small fraction of the veritable avalanche of current writings dealing with law enforcement or rather the alleged lack of it, I confess that I am completely at a loss when it comes to making recommendations looking to the betterment of present conditions.

Our time is, I believe, somewhat unique in this, that the lack of law enforcement is most vociferously deplored by those who until recently have not been noted for any marked degree of worry in this particular. A leading American statesman has said: "In every society, however perfected, there will always be at the bottom a noxious sediment and at the top an obnoxious froth." Just now the sediment and the froth are united in crying to high heaven about the dire results of our lack of law enforcement. We are told that lack of enforcement of one law creates disrespect and disregard for all laws and that as a result our high school and college students are fast becoming the worst ever. They point with horror to Chicago and during the last few days to Philadelphia.

The remedy proposed by these recent converts to reform is really not law enforcement but the repeal of certain laws, the violation of which is shocking to the ordinarily not so very tender consciences of the violators. Such a repeal, they assure us, will put an end to the orgy of crime, make our high school and college students relatively moral and studious, and eliminate the evil effects of non-enforcement generally. Candidates for executive offices who have nothing better to offer than sincerely to pledge themselves to an earnest effort to enforce all laws are laughed to scorn as impractical dreamers, demagogues, or worse.

Personally I am inclined to the opinion that laws are better enforced now than ever before with the inevitable result that the commission of crime is being gradually reduced. That would at least

seem to be the case in North Dakota. A couple of decades ago it was quite common in several of the north central counties of the state to have to devote two or three weeks of each term of court to the trial of criminal cases ranging from murder to more or less harmless misdemeanors. During the last few years, in many of these counties, there have been few if any criminal cases to dispose of, with the exception of a gradually dwindling array of bootleggers, most of whom plead guilty. In these counties law enforcement and the resulting gradual elimination of crime would seem to be all that could reasonably be desired. And even in the more metropolitan Red River Valley similar tendencies are noted. The Fargo Forum of August 4th stated that on that day the Fargo jails were empty—not such a bad showing, considering the size of the city and the number of transients on hand at that time of the year.

It may be because of this splendid showing of law enforcement and resulting obedience to law that our North Dakota young people are such a wonderful improvement on their forbears — and this in spite of the fact that graduations from high schools and colleges are now fully as common as were graduations from the eighth grade not so very long ago. And those venerable and somewhat awkward and self-conscious preachers of morals and obedience to law who, with the zeal of recent converts, deplore the dreadfulness of the young folks of the present time when compared with those of their own youth either did not attend high school or college themselves or it is just another case of distance lending enchantment to the view.

Of course, a certain proportion of law violations always have been unpunished and possibly always will be. If, for instance, the provisions of Chapter 162 of the Session Laws of 1927, relating to highway traffic regulations, were to be strictly enforced it is reasonably certain that an overwhelming majority of those within hearing of my voice would be languishing in jail instead of enjoying the hospitality of the Magic City. These prohibitions are probably nevertheless necessary though our failure to enforce them to the letter is supposed to cause disrespect and disregard for all law. Those of us who have served one or more terms as prosecuting attorneys have a stubborn suspicion that some laws are being constantly violated with more or less impunity, as for instance laws designed to keep the sex impulse within bounds, laws against Sabbath breaking, and, according to some authorities who insist that they know whereof they speak, last but not least, laws prohibiting the manufacture, sale, and possession of intoxicating liquors. While we may hope for the millenium of complete and perfect law enforcement, most of us are really so pessimistic that we do not expect to live to see it.

It has of late been deemed quite the proper thing to compare law enforcement in England and America to the very great disparagement of the latter. We are sometimes prone to overlook the fact that a just comparison is not possible. England is a nation made up of homogeneous parts welded into a harmonious whole through an unbroken development of laws and traditions extending over a period of nearly one thousand years; while America is an infant among nations, made up of every rce and nationality under the sun—a seething caldron of differing and at times conflicting views, traditions and ideals. When

this is kept in mind America has every reason to be proud of what is being accomplished in the line of law enforcement and loyalty to our institutions.

The machinery designed to capture and identify lawbreakers must keep abreast of the condition of the times. Means which eventually proved effective against the James and Younger brothers would be quite useless when matched against a modern bank robber using high powered automobiles and airplanes. This phase of law enforcement receives masterly treatment in the report of the Committee on Criminal Law written by our very efficient Attorney General.

In view of the foregoing considerations this report has no recommendations to offer. North Dakota is to be congratulated upon the splendid manner in which its laws are being enforced. As the perplexing problems resulting from the ever increasing complexity of modern life become more and more difficult of solution, so there is being evolved a new and better citizenship thoroughly trained to solve those problems. And while we know that many, all too many, violations of our criminal laws go unpunished, still we feel that, on the whole, our law-enforcing machinery is operating in a fairly satisfactory manner, and that in spite of the dismal forebodings of the noxious sediment and the obnoxious froth everything is as well as can be reasonably expected with the United States in general and with North Dakota in particular.

TORGER SINNESS, Chairman.

COMMITTEE ON POWERS, TERMS AND SALARIES OF JUDGES

The Committee begs to report that it believes that our judges can be more useful and the administration of justice more efficient if they are given larger powers. It particularly recommends the repeal of the law forbidding the directing of verdicts. The purpose of this law was excellent, but, in practice, it has worked out very badly. The idea was that with a verdict by the jury in all cases, the Supreme Court could often settle a controversy without the expense of a new trial. In practice, however, the law has two glaring defects. In the first place, a party who, before the law, would have received a directed verdict, is put to the expense of ordering a transcript on which to make a motion for judgment notwithstanding the verdict. In the second place, in cases where under common law rules, there is no evidence to go to a jury, the court is given the practically impossible task of framing issues for submission to the jury.

Believing in continuity in office and in the value of judicial experience, the Committee recommends the passage of a constitutional amendment increasing the terms of Supreme Court Judges to 10 years and District Court Judges to 6 years.

The present salaries of our judges were adopted at a time when the dollar was worth far more than now, and when, measured in terms of dollars, men's incomes were far less than they are today. They are out of all proportion to present day needs. A suitable increase would cost the individual taxpayer practically nothing. We all want the best men as judges, and we cannot continue to get them if we

persistently pay insufficient salaries. The Committee recomemnds that the salaries of the judges of the Supreme and District Courts be substantially increased, at least as much as provided for in the bill for that purpose introduced in the last Legislature, which proposed to fix the salaries of the Supreme Court Judges at $7,500 and of the District Court Judges at $6,000.

JOHN H. LEWIS, Chairman.

MINORITY REPORT OF COMMITTEE ON POWERS, TERMS AND SALARIES OF JUDGES

The Committee begs to report that it believes that our judges can be more useful and the administration of justice more efficient if our judges are given larger powers so that the Supreme Court may often settle controversies without the expense of new trial by the direction of verdicts, or new trials.

Believing in the continuity in office and in the value of long judicial experience, the committee recommends the passage and enactment of a constitutional amendment in North Dakota, so as to increase the terms of the justices of the Supreme Court to ten years and of the judges of the District Court to six years.

That the present salaries of our judges and justices were adopted at a time when the dollar in trade value was far more than it is today and when measured in terms of dollars men's income was far less than it is today. They are out of all proportion to the present day needs. A suitable increase will cost the individual taxpayer practically nothing. We want the best qualified attorneys as judges and justices of our Supreme and District Courts, and we can expect to continue in having them serve by securing for them sufficient salaries. The committee therefore recommends that the salaries of the justices of the Supreme Court and judges of the District Courts be substantially increased at least by the amount provided for in Senate Bill No. 94 introduced during the last session of the legislature of North Dakota, which proposed to fix the salaries of the justices of the Supreme Court at $7,500.00 per annum and of the judges of the District Court at $6,000.00 per annum.

JOHN KNAUF.

COMMITTEE ON PUBLIC UTILITIES

Section 139 of the Constitution of the State of North Dakota provides as follows: "No law shall be passed by the legislative assembly granting the right to construct and operate a street railroad, telegraph, telephone or electric light plant within any city, town or incorporated village, without requiring the consent of the local authorities having the control of the street or highway proposed to be occupied for such purposes."

During the past fifteen years the legislature has enacted innumerable laws, in an attempt to place the control of public utilities, such as are referred to in this section of the Constitution, under the supervision of the Railroad Commissioners.

Your committee is not recommending either local control over these utilities or centralized control at the state capitol, but we are calling the attention of the Bar to the fact that so long as this section of the Constitution remains, the attempt to place such control with the Board of Railroad Commissioners is a simple evasion of the spirit and intent of our Constitution. The result is an ambiguous situation, leaving doubt as to the power of either body, in the minds of the most careful utility lawyers. As it stands today, the local authorities must grant the franchise, but cannot grant a franchise providing for such rates as they believe to be proper, because the Board of Railroad Commissioners are the sole arbitrators as to rates, and under this unscientific system, we have come to a pass where neither the public nor the utility is likely to obtain satisfactory service. We cite an instance: A gas company in a certain city submitted two schedules of rates to the Board of Railroad Commissioners at the time of the installation and the opening up of their plant. Both were rejected because the rates were lower than were charged by other utilities in the State. And the public has consequently been obliged to pay a larger price for gas than would otherwise have been necessary.

The Railroad Commission, in insisting upon higher rates, were using their judgment in determining that the rate offered by the Gas Company would not be sufficient to reimburse the company for its service, and undoubtedly the Commission was basing these conclusions upon results in other cities, probably differently located, spread over larger areas and farther from the source of power and raw material.

Be that as it may, it is a sample which shows how unsatisfactory is the law as it now exists, with dual powers, and we recommend that either the Constitution be amended and the question of all public utilities placed with the Railroad Commission, including local electric lights, telephone, gas and street railway properties, or that they be placed with the local community as contemplated at the time of the adoption of the Constitution.

On the question as to which would be the preferable method, much can be said both ways. We frankly believe that the Railroad Commission would protect the bondholders and those who invest in public utilities, generally speaking, to an extent which might not be possible under the local jurisdiction theory. The local governmental bodies naturally lean towards low rates for these services, in view of the fact that they touch every inhabitant of the city or community.

On the other hand, the local bodies would be more apt to discriminate in that expense which is now so prevalent among utility companies, of maintaining headquarters for offices in New York, Chicago, Minneapolis and wherenot, in connection with a light plant or telephone exchange in some little city in North Dakota. Through this system, the income can be disposed of without any material benefit to the local user, and we fear in a great many cases, this is done. The very fact that these larger companies who maintain in addition to all the help needed locally a duplicate in some of the larger cities in the east, purchasing the smaller plants throughout the State at figures which

appear from time to time in the daily press, and which to those who reside locally in the community and know the physical value of the properties purchased, look large, indicate that profits are possibly beyond that which might be commensurate in the investment in any special or particular locality.

On the other hand, if the local authorities had the matter in charge, they could drive a harder bargain and get more for their money, probably resulting, as it has in the past, of occasional failures, where the public utility management allowed themselves to be outtraded.

As stated at the outset, we are not recommending either system, but we highly recommend that some definite action be taken to adopt one system or the other, doing away with the uncertainty which now exists in view of the fact that most of our statutory law has to be strained, and the Constitution curtailed to give them effect.

Your committee, of course, recommends, if the Constitution is changed, the adoption of a uniform public utilities act. Such an act is now in the making by a special committee of the National Association of Railroad Commissioners.

We also recommend that the Board of Railroad Commissioners be placed upon a fee system, thus relieving the general taxpayers of the State, and placing the burden upon the utilities, which, in turn, would reflect it back to the consumers or customers, and relieve that portion of the State not interested from carrying on the expense of the Board of Railroad Commissioners' activities in connection with public utilities.

No attempt at detail suggestions is being made, because such study as your committee has been able to make, confirmed the view that we must first do away with the present hybrid state, making either the local municipality supreme or the Railroad Commission supreme in the question of granting rights to utilities and fixing conditions under which they may operate, relative to both the use of highways, streets or public grounds, and the rates to which they are entitled.

We submit that no concerted effort in this line can be taken without a change of the fundamental law in the State.

No criticism is voiced or intended against the State Railroad Commission.

Among other interesting matters presented by individual members of the committee are: 1. The matter of relieving street railway companies of the burden of constructing or repairing paving between railway tracks, some states having extended this relief by legislation; 2. A change in the method of taxing public utility property, or rather additional legislation to enable the State Board of Equalization to take into consideration the percentage-of-value assessments of other property by local communities for the purpose of equalizing utility assessments in the various localities.

HALVOR L. HALVORSON, Chairman.

REPORT OF SECRETARY-TREASURER

Receipts

Balance on hand at last report	$1,933.31
Received from banquet committee, 1927 meeting	203.75
Received, balance 1927 license fees (21)	105.00
Received, first installment 1928 license fees (362)	1,810.00
Received, second installment 1928 license fees (164)	820.00
Received, third installment 1928 license fees (49)	245.00
Total	$5,117.06

Expenditures

Voucher No.		
50	Roscoe Pound, expense annual meeting	$ 100.00
51	R. E. Wenzel, traveling expense annual meeting	42.03
52	W. A. McIntyre, annual meeting expense	468.00
53	W. A. McIntyre, President, expense	132.00
54	Bismarck Tribune, envelopes	10.75
55	O. B. Herigstad, executive committee expense	25.42
56	Horace Bagley, executive committee expense	17.67
57	Aloys Wartner, executive committee expense	29.14
58	W. H. Hutchinson, executive committee expense	23.21
59	W. H. Stutsman, executive committee expense	28.00
60	V. R. Lovell, executive committee expense	17.14
61	A. W. Cupler, committee on cooperation with press	6.32
62	McElroy's, flowers, Judge Cooley	3.00
63	Margaret Hackett, registration annual meeting	4.00
64	Hotel Ryan, luncheon for guests	17.50
65	Oliver Lundquist, box rent	1.50
66	R. E. Wenzel, September allowance	40.00
67	R. E. Wenzel, postage and miscellaneous, August and September	1.05
68	Gertrude Cockerill, annual meeting, ladies entertainment	12.50
69	R. E. Wenzel, executive committee, expense	22.98
70	A. R. Jongewaard, reporter, annual meeting	30.45
71	Humphreys & Moule, Bar Briefs envelopes	32.00
72	Bismarck Tribune, September Bar Briefs	33.00
73	Shotwell Floral, Cooley funeral	15.45
74	N. J. Bothne, executive committee, expense	16.96
75	J. H. Lewis, executive committee, expense	28.86
76	F. T. Cuthbert, executive committee, expense	15.59
77	Alice Angus, stenographic services	5.00
78	Oliver Lundquist, stamped envelopes	11.51
79	G. S. Wooledge, executive committee, expense	27.80
80	R. E. Wenzel, October allowance	50.00
81	R. E. Wenzel, postage and miscellaneous	1.41
82	Theo. Kaldor, executive committee, expense	3.57
83	Globe-Gazette, Addresso plates	39.86
84	Bismarck Tribune, October Bar Briefs	46.00
85	Aubrey Lawrence, stenographic expense	20.00
86	Aubrey Lawrence, executive committee, expense	46.57
87	A. R. Jongewaard, reporting annual meeting	63.75
88	R. E. Wenzel, postage, express, etc.	3.08
89	Geo. M. McKenna, expense, American Law Institute	118.98

Voucher No.		
90	Bismarck Tribune, November Bar Briefs	33.00
91	Aubrey Lawrence, President, expense	13.70
92	C. W. Harper, desk	18.00
93	Humphreys & Moule, committee list, printing	17.50
94	Humphreys & Moule, letterheads	13.50
95	R. E. Wenzel, November allowance	50.00
96	Oliver Lundquist, 200 stamps	4.00
97	R. E. Wenzel, postage, express, etc.	6.69
98	R. E. Wenzel, December allowance	50.00
99	Oliver Lundquist, box rent	1.50
100	Oliver Lundquist, postage, Bar Briefs	10.00
101	Aubrey Lawrence, President, expense	21.30
102	Paul Campbell, Uniform Laws Committee	6.92
103	R. E. Wenzel, postage and miscellaneous	2.27
104	Hoskins-Meyer, Nuchols funeral	10.00
105	Bismarck Tribune, December Briefs	33.00
106	Bismarck Tribune, envelopes for proceedings	17.60
107	Sullivan Floral, Leighton funeral	15.00
108	R. E. Wenzel, January allowance	50.00
109	Aubrey Lawrence, President, expense	25.82
110	Bismarck Tribune, Bar Briefs (Proceedings)	515.50
111	Oliver Lundquist, postage, Bar Briefs	5.00
112	R. E. Wenzel, postage and miscellaneous	5.50
113	Bismarck Tribune, February Bar Briefs	49.00
114	State Bonding Fund, Secretary-Treasurer bond	5.00
115	R. E. Wenzel, February allowance	50.00
116	R. E. Wenzel, postage and miscellaneous	1.87
117	Quick Print, Inc., Bar Briefs envelopes (6000)	35.40
118	GlobeGazette, adjustment addressograph	1.50
119	Aubrey Lawrence, February President expense	15.50
120	Bismarck Tribune, March Bar Briefs	33.00
121	R. E. Wenzel, March allowance	50.00
122	R. E. Wenzel, March postage and miscellaneous	2.25
123	Oliver Lundquist, box rent	1.50
124	Aubrey Lawrence, March President expense	19.00
125	Wachter Transfer, drayage	1.50
126	Dakota Law Review, donation	200.00
127	Bismarck Tribune, April Bar Briefs	33.00
128	R. E. Wenzel, April allowance	50.00
129	R. E. Wenzel, postage and miscellaneous	2.35
130	Aubrey Lawrence April President expense	22.59
131	R. E. Wenzel, May allowance	50.00
132	Oliver Lundquist, envelopes	11.51
133	R. E. Wenzel, postage and miscellaneous	1.75
134	Aubrey Lawrence, President expense and misc.	68.09
135	R. E. Wenzel, June allowance	50.00
136	Oliver Lundquist, box rent	1.50
137	Bismarck Tribune, June Bar Briefs	33.00
138	R. E. Wenzel, postage and miscellaneous	6.80
139	Business Service, Addresso plates	1.90
140	Aubrey Lawrence, President expense, June	25.80
141	Shotwell Floral, Pollock funeral	12.00

Voucher No.		
142	R. E. Wenzel, postage and miscellaneous	4.65
143	to 152 inclusive, essay prizes	100.00
153	R. E. Wenzel, July allowance	50.00
154	Bismarck Tribune, July Bar Briefs	33.00
155	Paul Campbell, Uniform Laws Committee	8.73
156	Quick Print, Inc., registration cards	5.00
157	O. B. Herigstad, Citizenship Committee	84.00
158	Bismarck Tribune, May Bar Briefs	33.00
159	Aubrey Lawrence, President, expense, July	27.18
160	Novelty Sales Co., badges, annual meeting	28.22
161	Oliver Lundquist, postage, Bar Briefs	5.00
162	R. E. Wenzel, expense, Minot	20.10
163	Oliver Lundquist, post cards and envelopes (600)	19.16
164	Quick Print, Inc., printing cards	4.00
165	Bismarck Tribune, August Bar Briefs	108.00
166	R. E. Wenzel, August allowance	50.00
167	R. E. Wenzel, postage, express and miscellaneous	6.23
	Total	$3,968.93
	Balance	$1,148.13

Expenditures Analyzed

1. 1927 Meeting

Voucher No.	Amount
50	$ 100.00
51	42.03
52	468.00
55	25.42
56	17.67
57	29.14
58	23.21
59	28.00
60	17.14
63	4.00
64	17.50
68	12.50
Total	$ 784.61

2. Cooperation With Press

61	$ 6.32

3. Law Review

126	$ 200.00

4. 1927 Proceedings

70	$ 39.45
87	63.75
106	17.60
110	515.50
Total	$ 636.30

5. Miscellaneous

Voucher No.	Amount
62	$ 3.00
83	39.86
99	1.50
73	$ 15.45
77	5.00
89	118.98
92	18.00
104	10.00
107	15.00
114	5.00
118	1.50
123	1.50
125	1.50
136	1.50
138	6.80
139	1.90
141	12.00
142	4.65
Total	$ 263.14

6. President 1926

53	$ 132.00

7. Printing and Postage

54	$ 10.75
67	1.05
71	32.00
78	11.51
81	1.41
88	3.08
93	17.50
94	13.50
96	4.00
97	6.69
100	10.00
103	2.27
111	5.00
112	5.50
116	1.87
117	35.40
122	2.25
129	2.35
132	11.51
133	1.75
161	5.00
167	6.23
Total	$ 190.62

8. Executive Committee

65	$ 1.50
69	22.98

Voucher No.	Amount
74	16.96
75	28.86
76	15.59
79	27.80
82	3.57
134	26.84
156	5.00
162	20.10
Total	$ 169.20

9. Secretary-Treasurer

66	$ 40.00
80	50.00
95	50.00
98	50.00
108	50.00
115	50.00
121	50.00
128	50.00
131	50.00
135	50.00
153	50.00
166	50.00
Total	$ 590.00

10. President

85	$ 20.00
86	46.57
91	13.70
101	21.30
109	25.82
119	15.50
124	19.00
130	22.59
134	41.25
140	25.80
159	27.18
Total	$ 278.71

11. Bar Briefs

72	$ 33.00
84	46.00
90	33.00
105	33.00
113	49.00
120	33.00
127	33.00
137	33.00
154	33.00

Voucher No.	Amount
158	33.00
165	108.00
Total	$ 467.00

12. Uniform State Laws

102	$ 6.92
155	8.73
Total	$ 15.65

13. Citizenship Committee

143 to 152 inclusive	$ 100.00
157	84.00
Total	$ 184.00

14. 1928 Annual Meeting

160	$ 28.62
163	19.16
164	4.00
Total	$ 51.38

Statement

This is to certify that there was paid over to R. E. Wenzel, as Secretary-Treasurer of the State Bar Association, out of the State Bar Board Fund, the sum of Two Thousand Nine Hundred and Eighty Dollars ($2,980.00), and no more, between the 5th day of September, 1927, and the 1st day of September, 1928.

J. H. NEWTON, Secretary State Bar Board.

Statement

This is to certify that there was paid over to R. E. Wenzel, as Secretary-Treasurer of the State Bar Association, out of the State Bar Board Fund, the sum of Twenty Nine Hundred Eighty Dollars ($2980.00) and no more between the 5th day of September, 1927, and the 1st day of September, 1928.

JOHN STEEN, State Auditor.
By J. O. LYNGSTAD, Deputy.

This is to certify that there was turned over to R. E. Wenzel as Secretary of the State Bar Association of North Dakota, as the sum collected for sale of banquet and luncheon tickets by the committee, the amount of $203.75 and no more, represented by our check No. 8259. W. A. MCINTYRE.

This is to certify that the balance in the hands of the State Bank of North Dakota on deposit to the credit of the State Bar Association of North Dakota on this 31st day of August, 1928, is the sum of $1156.13.

BANK OF NORTH DAKOTA,
By G. V. ERICKSON, Teller.

Checks Outstanding

149	$	1.00
150		1.00
151		1.00
161		5.00
	$	8.00

R. E. WENZEL, Secretary-Treasurer.

Audited this 4th day of September, 1928, and found correct.

Auditing Committee:
THEO. KALDOR,
N. J. BOTHNE.

COMMITTEE ON UNIFORM STATE LAWS

Your Committee on Uniform State Laws recommends: 1. That the uniform act for the creation of a Commission on Uniform State Laws be adopted as a law of this State, with the following changes: (a) That the appointments therein be made by the President of this Association instead of the Governor; (b) That Section 5 of said act be so written as to provide for $1,000, and to omit the words therein "and for the payment to the National Conference of Commissioners on Uniform State Laws of the sum of $....."; 2. That from and after the appointment of the commissioners as in said act provided such commissioners be ex-officio members of the Uniform State Laws Committee of this Association, and the chairman of such Commission be chairman of the committee of this Association.

The Conference of Commissioners will shortly have their annual meeting. They will have under consideration a Uniform Mechanics' Lien Act, some amendments to the Negotiable Instrument Act, Public Utilities Act, Public Utilities Securities Act, Business Corporation Act, Social Welfare Acts, Firearms Act, Acknowledgment Act, Aeronautics, Compulsory Attendance of Witnesses and Guardianship of Soldiers. At the close of their 1927 session they had proposed 43 acts. North Dakota has adopted 11 of these acts. Fourteen states equal or exceed this adoption. Wisconsin is the highest with 26 acts adopted.

Your committee is informed that during the year Hon. C. L. Young of Bismarck was appointed by the Governor as a Commissioner to fill the vacancy caused by the removal of Hon. Sveinbjorn Johnson.

Your committee is informed of the death of Hon. Charles A. Pollock of Fargo, who has served for some years as one of North Dakota's commissioners, and as such served well and faithfully, giving unstintedly of his time and means, and for whose cooperation and assistance your committee desires now to express its appreciation and thanks, and therewith its sincere regret and realization of its loss in his death.

One of the more serious problems with which we are confronted is the one of education. It will be necessary to educate the public, particularly our legislators. Then there is the necessity of educating the Bar. The Bar must assume its proper place in moulding and directing this movement. It is regrettable that the members of this profession should be the objects of criticism by leaders of this move-

ment, particularly criticism that relates to want of information and knowledge respecting the work and its necessity. If the criticism is justified, some means must be found to secure their interest, bring to their minds a realization of the fact that there is a demand for uniform laws, and that this movement affords the only way to meet the demand other than through the Federal Congress.

We feel the success of this movement is necessary to preserve the powers of the states and keep Congress within its constitutional limits, and so preserve that most sacred of all things to us as Americans, the Constitution and our present scheme of Constitutional government. We teach respect for this greatest gift of our ancestors, and demand its preservation intact; so let us not overlook conditions which, in the absence of our doing our duty as states and locally, will require ever and ever great encroachment on the reserved powers and overriding of delegated powers. Let us not continue to complain of boards, commissions, inspectors, etc., and at the same time sit idly by refusing to perform our duty with respect to local self government which must of necessity augment the reasons for our complaint.

Your committee feels that, impliedly from its appointment, this Association has recognized the necessity and importance of this work, and demands its performance. If not, we submit there should be no committee.

In 1927, through the activity of the Safety Council, the Uniform Motor Vehicle Acts were adopted in North Dakota. Your committee and others of this Association also had some part therein. The relation of the Conference to these acts is scarcely recognized, however. The Conference should have received credit for the preparation of the laws and their proposal as necessary uniform laws.

During the past year your committee has made an effort, through articles in Bar Briefs and elsewhere, to stir up interest in this work and a realization of its necessity and importance. Your committee, through speakers at meetings of the Women's Federated Clubs, were able to present this work. We express our appreciation to these ladies and the speakers for their cooperation. In our approaches to the members of this Association we met with a hearty willingness to cooperate, but we frequently received discouraging expressions of lack of information regarding the movement, coupled with a demand for literature and other means of information. Occasionally, and where least expected and from those who should be expected to carry on the work with unstinted enthusiasm, even if for no other reson than their activity in behalf of your Association along other lines, we even found opposition to the movement and doubt as to the benefit to be gained from efforts to advance the work. Your committee has also been confronted with suggestions of overlapping of functions, or rather encroachment upon the work and duties of other committees. These matters should be settled. The Association has signified its approval of the movement, and, consequently, until otherwise instructed by the Association, the committee will attempt to function to its highest ability.

We have made our recommendations as above for the reason that we are of the opinion that if this work is deemed by us of suffi-

cient consequence to undertake, our effort should be to secure the most efficient work, and this cannot be secured by requiring our commissioners not only to donate their time and services, but to donate the actual expenses as well. They must attend and participate in the work of the Conference and its committees, and should direct the work and activity here at home. We feel warranted in saying that they will not do so, at least with the requisite spirit and enthusiasm, if required to meet their expenses as well as give time and service. Our experience should demonstrate this. Expressions from some of them have established it. Legislative authority for their appointment, and the financing of their expenses by the State, would mean much in the way of accomplishment. In the event of adoption of the act proposed we have recommended that these commissioners be and constitute, in part at least, your committee; and that the chairman be chairman of your committee. The reason and benefit of this relation would seem apparent.

Your committee has refrained from further recommendation than the adoption of the law. If this is approved by the Association it will, of course, be necessary that a proposed bill be drafted and presented to the Legislature, and the work of securing its enactment be performed. Should the Association desire that this committee perform this work, upon your instruction to that effect, and with the cooperation of your Legislative Committee, we shall willingly undertake its performance.

PAUL CAMPBELL, Chairman.

THE AMERICAN BAR ASSOCIATION

OFFICERS

President, Gurney E. Newlin, 935 Title Insurance Bldg., Los Angeles, Calif.
Secretary, W. P. McCracken, 209 S. LaSalle St., Chicago, Ill.
Assistant Secretary, Richard Bentley, 209 S. LaSalle St., Chicago, Ill.
Executive Secretary, Olive G. Ricker, 209 S. LaSalle St., Chicago, Ill.
Treasurer, John H. Voorhees, Sioux Falls, South Dakota.

EXECUTIVE COMMITTEE

Silas H. Strawn, Chicago, Ill.
E. A. Armstrong, Princeton, N. J.
E. B. Tolman, Chicago, Ill.
James F. Ailshie, Coeur d'Alene, Idaho
J. W. Allen, Boston, Mass.
Frank Pace, Little Rock, Ark.
Charles A. Boston, New York, N. Y.
P. M. Pogue, Cincinnati, Ohio
R. A. Van Orsdel, Omaha, Neb.
B. W. Sanborn, St. Paul, Minn.
Thos. W. Davis, Wilmington, N. C.
Guy A. Thompson, St. Louis, Mo.

NORTH DAKOTA REPRESENTATIVES

Member General Council, Aubrey Lawrence, Fargo
State Vice President, L. J. Palda, Minot
Members of Local Council, C. L. Young, Bismarck; H. A. Bronson, Grand Forks; F. T. Lembke, Hettinger; John Hanchett, Valley City

NORTH DAKOTA BAR ASSOCIATION

OFFICERS

President, John H. Lewis, Minot
Vice President, Horace Bagley, Towner
Secretary-Treasurer, Richard E. Wenzel, Bismarck

EXECUTIVE COMMITTEE

John H. Lewis, Minot
Horace Bagley, Towner
Richard E. Wenzel, Bismarck
Aubrey Lawrence, Fargo
Fred T. Cuthbert, Devils Lake
Geo. M. McKenna, Napoleon
Thos. G. Johnson, Killdeer
P. W. Lanier, Jamestown
G. S. Wooledge, Minot

OTHER COMMITTEES

American Law Institute

Geo. M. McKenna, Chairman, Napoleon
R. C. Morton, Vice Chairman, Carrington
Geo. P. Homnes, Crosby
M. W. Lauder, Wahpeton
Lloyd B. Stevens, Cando
G. Grimson, Rugby
E. E. Cassels, Ellendale
Lynn U. Stambaugh, Fargo
O. H. Thormodsgard, University
R. D. Chase, Jamestown

Comparative Law

J. O. Hanchett, Chairman, Valley City
A. M. Kvello, Vice Chairman, Lisbon
C. J. Kachelhoffer, Wahpeton
J. E. Garvey, Cavalier
H. E. Dickinson, McClusky
H. B. Spiller, Cavalier
W. C. Crawford, Dickinson

Constitution and By-Laws

G. F. Dullam, Chairman, Bismarck
G. McLain Johnson, Vice Chairman, Hillsboro

D. J. O'Connell, Towner
H. D. Shaft, Fargo
W. H. Adams, Bottineau
H. C. N. Lynn, Linton
D. J. McLennan, Rolla

Criminal Law

F. F. Wyckoff, Chairman, Stanley
J. J. Weeks, Vice Chairman, Bottineau

Chas. H. Shafer, Mayville
James Morris, Bismarck
John Moses, Hazen
J. F. Sullivan, Mandan
H. B. Nelson, Rugby
J. J. Kehoe, Cando
J. C. Adamson, Devils Lake
Geo. W. Thorp, Fargo

Ethics, Bench and Bar

John Burke, Chairman, Bismarck
W. H. Hutchinson, Vice Chairman, La Moure

Clifford Schneller, Wahpeton
Fred Jansonius, Bismarck
R. H. Sherman, Kulm
Robert C. Freerks, Jamestown
P. G. Swenson, Grand Forks

Internal Affairs

A. L. Netcher, Chairman, Fessenden
Philip R. Bangs, Vice Chairman, Grand Forks

R. H. Bosard, Minot
J. P. Cain, Dickinson
J. W. Schmidt, Fargo
Daniel B. Holt, Fargo
John J. Nilles, Langdon

Jurisprudence and Law Reform

Aloys Wartner, Chairman, Harvey
Chas. Coventry, Vice Chairman, Linton

Thos. H. Pugh, Dickinson
I. A. Acker, Hillsboro
J. H. Hougen, University
R. L. Phelps, Steele
Benj. Greenberg Grafton

Law Enforcement

Seth W. Richardson, Chairman, Fargo
Chas. E. Wolfe, Vice Chairman, Wahpeton

C. F. Kelsch, Mandan
F. D. Kneeland, Jamestown
A. L. Parsons, Lidgerwood
F. M. Jackson, Hettinger
F. E. McCurdy, Bismarck
E. E. Fletcher, Langdon
J. S. Frame, Fargo

Legal Education and Admission

Roger W. Cooley, Chairman, University
Horace Young, Vice Chairman, Fargo

F. E. Heckel, University
Harry Rittgers, Jamestown
John T. Keohane, Golden Valley
Morris Aker, Hankinson
C. J. Vogel, Fargo
W. M. Westley, Cooperstown
F. L. Dwight, Valley City
A. G. Burr, Bismarck

Legislation

Fred J. Traynor, Chairman, Devils Lake
Chas. H. Starke, Vice Chairman, Dickinson

L. R. Baird, Dickinson
T. L. Brouillard, Ellendale
John Knauf, Jamestown
H. F. Horner, Fargo
Alfred Zuger, Bismarck
H. C. DePuy, Grafton
W. H. Stutsman, Mandan
W. A. McIntyre, Grand Forks

Local Organizations

R. J. Downey, Chairman, Devils Lake
T. F. Murtha, Vice Chairman, Dickinson

Ivan V. Metzger, Williston
J. B. Wineman, Grand Forks
R. G. Manly, New Rockford
A. P. Guy, Oakes
T. D. Pierce, Fargo
C. L. Foster, Bismarck
John Sad, Valley City
Sumner Buck, Jamestown

Memorials

Tracy R. Bangs, Chairman, Grand Forks
Wm. R. Owens, Vice Chairman, Williston

James Johnson, Minot
T. D. Casey, Dickinson
V. R. Lovell, Fargo
Marion Conklin, Jamestown
D. S. Ritchie, Valley City
W. E. Purcell, Wahpeton
A. M. Christianson, Bismarck
V. H. Crane, Mott

Fee Schedule

Fred T. Cuthbert, Chairman, Devils Lake
Emil Scow, Vice Chairman, Bowman

Harold F. King, Park River
L. L. Butterwick, Minnewaukan
Albert Weber, Towner
Harvey J. Miller, New England
J. E. Williams, Washburn
George I. Rodsater, Mohall
I. N. Steen, Carson
J. A. Heder, Wahpeton

Powers, Terms, Salaries of Judges

William Lemke, Chairman, Fargo
Francis Murphy, Vice Chairman, Fargo

Seth W. Richardson, Fargo
William Langer, Bismarck
E. R. Sinkler, Minot
H. G. Owen, Grand Forks
John Knauf, Jamestown
A. W. Fowler, Fargo
H. A. Mackoff, Dickinson

Public Information, Cooperation With Press

Emanuel Sgutt, Chairman, Fargo
John W. Carr, Vice Chairman, Jamestown

Leonard E. Blaisdell, Minot
Mack V. Traynor, Devils Lake
S. J. Radcliffe, Larimore
Thos. J. Burke, Bismarck
A. J. Gronna, Williston
T. B. Elton, Grand Forks

Public Utilities

N. J. Bothne, Chairman, New Rockford
C. S. Buck, Vice Chairman, Jamestown

Robert W. Palda, Minot
Torger Sinness, Devils Lake
C. F. Peterson, Grand Forks
F. J. Graham, Ellendale
C. M. Pollock, Fargo

Uniform State Laws

Robert Norheim, Chairman, Alexander

H. W. Braatelien, Vice Chairman, Crosby

Walter L. Divet, Wahpeton
Geo. Thom, McClusky
A. G. Porter, Edgeley
C. S. Shippey, Hope
W. E. Hoopes, Carrington

Citizenship and Americanization

O. B. Herigstad, Chairman, Minot

H. F. Horner, Vice Chairman, Fargo

A. Benson, Vice Chairman, Bottineau

G. A. Lindell, Vice Chairman, Washburn

Acker, I. A., Hillsboro
Amundson, M. H., Bowman
Bangert, Chas., Enderlin
Bangs, Philip R., Grand Forks
Bateson, Wm., Rolla
Beede, A. McG., Fort Yates
Boehm, Paul W., Hettinger
Brownlee, C. P., Amidon
Burke, Thos. J., Bismarck
Brouillard, T. L., Ellendale
Butterwick, L. L., Minnewaukan
Clark, P. M., Mohall
Cooper, H. H., Kenmare
Coventry, Chas., Linton
Coyne, E. F., La Moure
Cummings, Lee, Carrington
Doerr, Aug. W., Napoleon
Donovan, E. J., Langdon
Duffy, M. W., Cooperstown
Fleck, J. P., Mandan
Forbes, A. C., Wahpeton
Greenberg, Benj., Grafton
Johnson, Thos. G., Killdeer
Knox, A. J., Williston
Leslie, A., Forman
Mackoff, I. A., Ashley
Mackoff, H. A., Dickinson
Mattson, E. P., New Rockford
McIlraith, E. J., Crosby
Meldahl, E. T., Finley
Miller, Harvey J., New England
Nelson, H. B., Rugby
Oppegard, G. F., Beach
Ployhar, Roy A., Valley City
Rittgers, Harry, Jamestown
Roberts, R. J., Lakota
Schwartz, David, Golden Valley
Steen, I. N., Carson
Stevens, L. B., Crary
Swendseid, R. E., Stanley
Taylor, J. S., Alexander
Thomson, H. P., Cavalier
Vinje, Arne, Steele
Wartner, Aloys, Harvey
Weber, Albert, Towner
Wilcox, B. S., Center
Wilson, B. L., Bowbells
Winter, P. A., McClusky

PAST EXECUTIVE COMMITTEES

1920 - 1921

Chas. A. Pollock, Pres., Fargo
Tracy R. Bangs, Vice Pres., Grand Forks
John E. Greene, Sec., Minot
John S. Frame, Fargo
S. D. Adams, Lisbon
Geo. P. Homnes, Crosby
L. R. Nostdal, Rugby
W. G. Owens, Williston
T. D. Casey, Dickinson

1921 - 1922

Tracy R. Bangs, Pres., Grand Forks
C. J. Fisk, Vice Pres., Minot
R. E. Wenzel, Sec., Grand Forks
E. T. Conmy, Fargo
L. R. Nostdal, Rugby
W. E. Purcell, Wahpeton
C. L. Young, Bismarck
F. F. Wyckoff, Stanley
W. F. Burnett, Dickinson

1922 - 1923

C. J. Fisk, Pres., Minot
L. R. Nostdal, Vice Pres., Rugby
R. E. Wenzel, Sec., Grand Forks
T. R. Bangs, Grand Forks
F. T. Cuthbert, Devils Lake
A. G. Porter, Edgeley
C. L. Young, Bismarck
John H. Lewis, Minot
Thos. H. Pugh, Dickinson

1923 - 1924

L. R. Nostdal, Pres., Rugby
A. W. Cupler, Vice Pres., Fargo
R. E. Wenzel, Sec., Bismarck
A. E. Wheeler, Devils Lake
A. M. Kvello, Lisbon
John Knauf, Jamestown
W. A. McIntyre, Grand Forks
G. S. Wooledge, Minot
T. F. Murtha, Dickinson

1924 - 1925

A. W. Cupler, Pres., Fargo
C. L. Young, Vice Pres., Bismarck
R. E. Wenzel, Sec., Bismarck
W. A. McIntyre, Grand Forks
A. M. Kvello, Lisbon
John Knauf, Jamestown
G. S. Wooledge, Minot
T. F. Murtha, Dickinson
A. E. Wheeler, Devils Lake

1925 - 1926

C. L. Young, Pres., Bismarck
W. A. McIntyre, Vice Pres., Grand Forks
R. E. Wenzel, Sec., Bismarck
V. R. Lovell, Fargo
Horace Bagley, Towner
W. H. Hutchinson, La Moure
John Knauf, Jamestown
G. S. Wooledge, Minot
T. F. Murtha, Dickinson

1926 - 1927

W. A. McIntyre, Pres., Grand Forks
Aubrey Lawrence, Vice Pres., Fargo
R. E. Wenzel, Sec., Bismarck
V. R. Lovell, Fargo
Horace Bagley, Towner
W. H. Hutchinson. La Moure
Aloys Wartner, Harvey
O. B. Herigstad, Minot
W. H. Stutsman, Mandan

1927 - 1928

Aubrey Lawrence, Pres., Fargo
John H. Lewis, Vice Pres., Minot
R. E. Wenzel, Sec., Bismarck
F. T. Cuthbert, Devils Lake
J. P. Cain, Dickinson
N. J. Bothne, New Rockford
Theo. Kaldor, Hillsboro
A. M. Kvello, Lisbon
G. S. Wooledge, Minot

ATTORNEYS REGISTERED FOR ANNUAL MEETING

Aaker, C. D., Minot
Adams, S. D., Lisbon
Bryans, J. E., Mohall
Burnett, W. F., Fargo
Barclay, William, Finley
Bangert, Charles G., Enderlin
Bradford, B. H., Minot
Benson, O. B., Bottineau
Brekke, G. O., Minot
Brace, C. E., Minot
Blood, H. S., Westhope
Bagley, Horace, Towner
Johnson, Thos. G., Killdeer
Johnson, James J., Minot
Kaldor, Theo., Hillsboro
Kvello, Alfred M., Lisbon
Knauf, John, Jamestown
Kneeshaw, W. J., Pembina
Lindlauf, Grant J., Minot
Louden, J. E., Grand Forks
Lewis, John H., Minot
Lembke, F. T., Hettinger
Lanier, P. W., Jamestown
Lawrence, Aubrey, Fargo

Buttz, C. W., Devils Lake
Burke, John, Bismarck
Baird, L. R., Dickinson
Bothne, N. J., New Rockford
Bach, C. B., Minot
Blaisdell, L. E., Minot
Benson, A., Bottineau
Braatelien, H. W., Crosby
Bosard, Robt. H., Minot
Bangs, Tracy R., Grand Forks
Cain, J. P., Dickinson
Cooley, Roger W., Grand Forks
Coyle, J. J., Minot
Cooper, Harry H., Kenmare
Cuthbert, F. T., Devils Lake
Coventry, Charles, Linton
Campbell, Paul, Minot
Craven, C. B., Carrington
Cottingham, C. N., Stanley
Clark, P. M., Mohall
Casey, Tobias D., Dickinson
Cupler, Arthur W., Fargo
Davis, C. B., Minot
Downey, Romanus J., Devils Lake
Dickson, W. B., Dickinson
Dickinson, B. A., Minot
Dwight, Floyd L., Valley City
Eide, Moody, Minot
Frederickson, Fred J., Valley City
Faber, A. J., Bismarck
Fletcher, E. E., Langdon
Funke, F. J., Minot
Finch, H. S., Fargo
Greffenius, A. F., Valley City
Grimson, G., Rugby
Garrity, John J., Minot
Homnes, Geo. P., Crosby
Heckel, F. E., Grand Forks
Herigstad, O. B., Minot
Harris, Fred E., Grand Forks
Halvorson, Halvor L., Minot
Habiger, Joseph H., Harvey
Harrison, Jas. T., Minot
Johnson, Nels G., Leeds
Jongewaard, A. R., Rugby
Johnson, E. N., Valley City
Johnston, J. L., Fessenden
Lowe, John C., Minot
Lambert, F. B., Minot
Miller, Ray O., Minot
Mackoff, H. A. Dickinson
McIntyre, W. A., Grand Forks
McKenna, G. M., Napoleon
Moellring, Geo. H., Williston
McGee, Geo. A., Minot
Medbury, F. W., Stanley
Mann, Lewis J., Van Hook
Mielke, H. E., Ryder
McCutcheon, E. B., Minot
McIlraith, E. J., Crosby
McLennan, D. J., Rolla
Morton, P. D., Minot.
Nuessle, W. L., Bismarck
Norheim, Robert, Alexander
Newton, J. H., Bismarck
Nestos, R. A., Minot
Netcher, Arthur L., Fessenden
O'Connell, D. J., Towner
Olson, George W., Stanley
Owens, William G., Williston
Ployhar, Roy A., Valley City
Pugh, Thos. H., Dickinson
Palda, Robert W., Minot
Rudolph, E. C., Tioga
Ritchie, D. S., Valley City
Sinnes, Torger, Devils Lake
Shubeck, Franz, Ashley
Sad, John, Valley City
Stutsman, W. H., Mandan
Thompson, S. W., Devils Lake
Traynor, Fred J., Devils Lake
Taylor, E. J., Bismarck
Vogel, Charles J., Fargo
Westley, William M., Cooperstown
Wehe, L. J., Bismarck
Wartner, Aloys, Harvey
Wenzel, R. E., Bismarck
Wilson, B. L., Bowbells
Wyckoff, F. F., Stanley
Waldron, C. A., Minot
Weeks, J. J., Bottineau
Youngblood, J. J., Fessenden
Young, C. L., Bismarck
Zuger, Alfred, Bismarck

Visiting Ladies Registered

Aaker, Mrs. C. D., Minot
Barclay, Mrs. William, Finley
Bradford, Mrs. B. H., Minot
Brace, Mrs. C. E., Minot
Berry, Mrs. H. L., Mandan
Bryans, Mrs. J. E., Mohall
Clark, Mrs. Kenneth W., Fessenden
Campbell, Mrs. Paul, Minot
Cain, Mrs. J. P., Dickinson
Dickinson, Mrs. B. A., Minot
Faber, Mrs. Alice E., Bismarck
Fletcher, Mrs. E. E., Langdon
Goss, Mrs. E. B., Minot
Goss, Miss Marion, Minot
Garrity, Mrs. J. J., Minot
Gibson, Miss E., Rugby
Herigstad, Mrs. O. B., Minot
Halvorson, Mrs. Halvor L., Minot
Johnson, Mrs. Thos. G., Killdeer
Johnson, Mrs. Ida J., Minot
Jansonius, Mrs. Fred, Bismarck
Lewis, Miss Esther, Minot
Lawrence, Mrs. Aubrey, Fargo
Lowe, Mrs. J. C., Minot
McGee, Mrs. Geo. A., Minot
McIntyre, Mrs. W. A., Grand Forks
McIlraith, Mrs. E. J., Crosby
Mann, Mrs. Lewis J., Van Hook
Norton, Mrs. P. D., Minot
Nuessle, Mrs. Emma W., Bismarck
Olson, Mrs. Geo. W., Stanley
Owens, Mrs. Wm. G., Williston
Owens, Miss Jeanette, Williston
Palda, Mrs. Robert W., Minot
Traynor, Mrs. Fred J., Devils Lake
Taylor, Mrs. E. J., Bismarck
Wyckoff, Mrs. F. F., Stanley
Wartner, Mrs. Aloys, Harvey
Young, Mrs. C. L., Bismarck