

The

REPORTER



OFFICIAL PUBLICATION OF
PHI ALPHA DELTA
LAW FRATERNITY

DECEMBER - - 1933

A New Edition of a Great Legal Classic

Daniel on Negotiable Instruments

SEVENTH EDITION
REVISED AND ENLARGED

by

THOMAS H. CALVERT

of the Raleigh, North Carolina Bar, author of the sixth edition of Daniel on Negotiable Instruments and formerly judge of the Superior Courts of North Carolina

Nearly sixty years have passed since Senator Daniel first gave this work to the profession, and it is indeed a great tribute to it that it is still considered the standard, recognized authority on this great subject today.

Twenty years have passed since the publication of the previous edition and perhaps in no other period of our legal history have there been so many changes in the law and in the conception of rights and liabilities, especially in regard to corporate relations. Notwithstanding the adoption of the Uniform Negotiable Instrument statute by all the States, the Congress for the District of Columbia, and by the Territories, it is very important to have a comprehensive and historic treatment of the subject, and in this edition we have combined the exception of the common law of negotiable instruments or of the law merchant with a discussion of the effect of the Negotiable Instrument statute.

Three Volumes

Price \$25.00

BAKER, VOORHIS & CO.

119 Fulton Street

New York

THE REPORTER

Official Publication of the Phi Alpha Delta Law Fraternity

PUBLISHED QUARTERLY IN OCTOBER, DECEMBER, MARCH AND MAY

Supreme Editor
EARL H. HATCHER

Published at 5225 Wilshire Blvd., Los Angeles, California

VOL. XIX

DECEMBER, 1933

No. 12

TABLE OF CONTENTS

Active Chapter News.....	33
Alumni Chapter Directory.....	61
Changes In Foreign Credit.....	13
Directory of Active Chapters.....	58
Directory of National Officers.....	2
Fraternity Calendar	3
Introduction to Suggested Uniform Aviation Act.....	23
"Jefty" O'Connor	4
Misrepresentation as a Basis of Liability.....	16
News of Alumni	50
Professional Directory	62
Supreme Justice's Letter	11
Supreme Secretary's Page	15
Supreme Vice Justice's Letter.....	49
The Money Situation.....	5
Twenty-five Years Ago	8

Office of Publication, 5225 Wilshire Blvd., Los Angeles, California.
Terms:—\$2.00 a year in advance; single copy, 50 cents. Advertising Rates: Professional cards, \$2.00 per year. Rates for display advertising furnished on application. Entered as second class matter, January 16, 1932, at the postoffice at Los Angeles, California, under the Act of August 24, 1912. Accepted for mailing at special rate of postage of 1½ cents per pound or fraction thereof, provided for in the Act of February 28, 1925, embodied in paragraph 4, section 412, Postal Laws and Regulations, authorized January 16, 1932.

Directory of National Officers of Phi Alpha Delta Law Fraternity

NATIONAL OFFICERS

Supreme Justice

ALLAN T. GILBERT, (*Blackstone*)
231 S. La Salle Street, Chicago, Ill.

Supreme Vice-Justice

FRANK E. RUTLEDGE, (*Webster*)
147 Capen Blvd., Buffalo, N. Y.

Supreme Secretary

FRANK M. LUDWICK, (*Benton*)
5225 Wilshire Blvd.
Los Angeles, California

Supreme Historian

LAWRENCE R. LYTLE, (*Chase*)
719 Wynne Bldg., Cincinnati, Ohio

Supreme Marshal

MARSHALL R. DIGGS (*Calhoun*)
Interurban Building
Dallas, Texas

Supreme Editor

EARL H. HATCHER, (*Benson*)
920 Kansas Ave., Topeka, Kansas

BOARD OF TRUSTEES OF ENDOWMENT FUND

Chairman

AUGUST A. RENDIGS, JR., (*Chase*)
1109 2nd National Bank Bldg.
Cincinnati, Ohio

REX HARDY, (Story)

535 Van Nuys Bldg., Los Angeles, Calif.

THOMAS P. OCTIGAN (*Blackstone*)
25th St., and Lowe Ave., Chicago, Ill.

BOARD OF TRIBUNES

JOHN J. NANGLE, (*Benton*)
Chamber of Commerce Building
St. Louis, Mo.

FRANK L. FAWCETT, (*Ryan*)
15-23 Cawker Bldg., Milwaukee, Wisc.

GEORGE E. FINK (*Story, Campbell*)
33 North LaSalle St., Chicago, Ill.

DISTRICT JUSTICES

Eastern District

A. A. VERRILLI, (*Calhoun*) Justice
Northcourt Bldg., White Plains, N.Y.

B. F. GARVEY, (*Taft*) Deputy
1010 Vermont Ave., N. W.
Washington, D. C.

Southern District

PAUL PARSONS, (*Ruffin*) Justice
Massey Bldg.
Birmingham, Ala.

Northern District

ERNEST H. PETT, (*Ryan*) Justice
Gay Bldg., Madison, Wis.

Central District

F. P. ASICHEMEYER, (*Clark*) Justice
Telephone Bldg., St. Louis, Mo.
LEROY TAYLOR, (*Benton*) Deputy
Commerce Bldg., Kansas City, Mo.

Western District

LIONEL B. BROWNE (*Temple*) Justice
State Building, San Francisco, Calif.
M. ALLEN POMEROY, (*Dunbar*) Deputy
Securities Bldg., Seattle, Washington
CALVIN BEHLE, (*Sutherland*) Deputy
Walker Bank Bldg.
Salt Lake City, Utah

THE SUPREME ADVISORY BOARD OF PHI ALPHA DELTA LAW FRATERNITY

Composed of All Past Supreme Justices

ROLAND M. HOLLOCK, WILLIAM C. HEALION, WALDEMAR C. WEHE, PAUL C. MEIER,
THOMAS P. OCTIGAN, SAMUEL H. ROBERTS, JOHN DOYLE CARMODY, EDWARD J.
HESS, JAMES P. AYLWARD, EDGAR A. JONAS, GEORGE L. STEWART, AUGUST A.
RENDIGS, JR., FRANK L. FAWCETT, GEORGE E. FINK, REX HARDY, JOHN J. NANGLE.

Fraternity Calendar

October 1st.....Chapter audit due in Secretary's office
October 15th.....Form D due in Secretary's office
October 15th.....Order Chapter Forms and
Supplies from Secretary's office
November 1st....Per Capita taxes due in Secretary's office
November 4th.....Celebration of Founder's Day
January 15th.....Chapter audit due in Secretary's office
March 15th.....Form E due in Secretary's office
April 1st.....Election of all chapter officers
April 15th..Convention credentials due in Secretary's office
May 30th.....Form J due in Secretary's office
Summer, 1934Convention

Initiation fees must be paid immediately following initiation of any member.

Magazine Material

September 15th.....for October issue
November 15thfor December issue
February 15thfor March issue
April 15th.....for May issue

No material arriving after the 20th of the above mentioned months can be used in that particular issue.

"Jefty" O'Connor

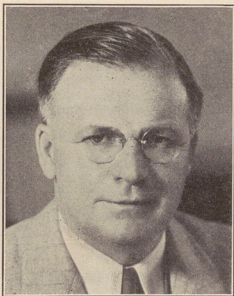
Comptroller of the Currency

One of the outstanding PADs in public life today is J. F. T. O'Connor, Comptroller of the Currency, for the National Government. Brother O'Connor is a native of North Dakota; an alumnus of the University of North Dakota, 1907; an LL.B. of Yale in 1909 and M.A. of Yale, 1910. He was an instructor at Yale from 1910 to 1912 and later a lecturer at the University of North Dakota. In Los Angeles he was a member of the law firm of McAdoo, Biblett, O'Connor and Clagett. He is a member of Phi Alpha Delta Law Fraternity, Calhoun Chapter.

One of the busiest and most responsible officials in Washington—a city where every official has many duties and responsibilities—is J. F. T. O'Connor, who was a noted Los Angeles lawyer before heeding the President's call to serve his country in the National Capital.

He is, respectively, Comptroller of the Currency, a member of the Federal Reserve Board, a director of the Federal Deposit Insurance Corporation and a member of the Deposit Liquidation Board.

As Comptroller of the Currency, he has jurisdiction over every national bank in the United States, and is in direct charge of all receiverships and conservatorships of national banks. Some idea of the magnitude of this work may be gained by the statement that, on October 16, 1933, there were 5,048 licensed national banks in the country, as well as 751 national banks in conservatorships and 1,198 national banks operated by receivers. Through banks in receivership, the Comptroller now directs practically every known business, including some 200,000 acres of land, cotton plantations, orange groves, pineapple plantations, wheat farms, tobacco plantations, factories, hotels, apartment buildings, coal mines, railroads, various



J. F. T. O'Connor

manufacturing plants, and, in fact, almost any other branch of industry that might be mentioned.

The Federal Reserve Board, of which Bro. O'Connor is a member, has general supervision over the various Federal Reserve Banks, fixes discount rates and determines loan policies.

Probably no Government agency has aroused more interest than the Federal

Deposit Insurance Corporation, of which Comptroller of the Currency O'Connor is one of the three directors. Through this corporation, individual deposits in banks which affiliate with it will be insured in full up to \$2,500 after the first of next year. All banks which are members of the Federal Reserve System automatically become members of the insurance fund, while state non-member banks which can qualify are eligible to join. It is expected that practically all banks in the country which can join will do so. Before non-member state banks can be admitted they must be examined as to their qualifications, and, to do this work, nearly 900 experienced bank examiners are now inspecting such institutions in the various states, under the direction of Bro. O'Connor and the

(Continued on Page 7)

The Money Situation

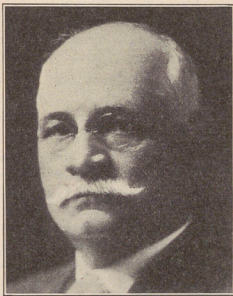
BROTHER DUNCAN U. FLETCHER; born in Sumter County, Ga., January 6, 1859; educated in country schools and Gordon Institute; graduated from Vanderbilt University, June, 1880; began practice of law in Jacksonville, Fla., July, 1881; admitted to practice in all State and Federal courts, including United States Supreme Court; LL.D., John B. Stetson University; member Legislature of Florida, 1893; mayor of Jacksonville, 1893-1895 and 1901-1903; chairman board of public instruction of Duval County, 1900-1906; chairman State Democratic executive committee, 1904-1907; nominated United States Senator in primary election, June, 1908, and unanimously elected by legislature; renominated in primary election, June, 1914, and reelected November, 1914, by popular vote; renominated in primary election June, 1920, and reelected November, 1920; renominated in primary election June, 1926, and reelected November, 1926; renominated, without opposition, in primary election June, 1932, and reelected November, 1932; was chairman of the United States Commission and of the American Commission on Rural Credits and Agricultural Finance, whose work resulted in the Federal farm loan act; chairman, Committee on Banking and Currency; member of Committees on Commerce, Military Affairs, Mines and Mining, and Printing; chairman of the Joint Committee on Printing. Brother Fletcher is a member of Phi Alpha Delta from Fletcher Chapter and contributes the following article for the REPORTER.

■ The restoration of prosperity is the great achievement to which this Administration has deliberately pledged itself. Every major act of the Congress and of the Administration since March 4th has been definitely directed to this great end.

The Congress, in agreement with the President, and under his leadership, gave to him three specific powers for the attainment of its purposes:

First, to enjoin the reserve banks to expand their credit by three billion dollars; secondly, to expand the currency by the issuance of three billion dollars of Treasury notes for the purchase of Government obligations; thirdly, it went to the extreme limit of authorizing the President—if necessary to the accomplishment of this great achievement—to cut the gold content of the dollar.

■ Putting into effect this policy for the expansion of credit and currency has been seriously delayed by the enormous task of carrying out the National Recovery Act, the Agricultural Relief Act,



Senator Duncan U. Fletcher

the Securities Act, the Home Mortgage Act, and many other acts of the recent Congress. In the meantime money in circulation has been contracted in the amount of 707 million dollars (March 31st through August 31st). Federal reserve bank credit for the same period has been contracted by one billion dollars—or from \$3,233,000,000 on March 31st to \$2,239,000,000 on

August 31st. For the last three months the total Federal reserve bank credit fluctuated only \$39,000,000. On September 9th this credit item had been increased to \$2,316,000,000, an increase of \$108,000,000 over the June average. On the other hand the total Loans and Investments of member banks in the Federal Reserve System showed a loss of approximately \$2,700,000,000 from December 31, 1932, through June 30, 1933, the same being the last two available figures. For the same period, total deposits decreased to the extent of approximately \$2,355,000,000 in member

banks alone. These figures speak volumes and undeniably demonstrate the fact that there has been no expansion of our credit or currency.

■ At the present time, however, it is in my judgment of the greatest immediate importance that without any further delay we put into effect the policy authorized by the Congress to expand credit and currency. The Autumn of the year is past. The major farm crops will be moved onto the market and out of the hands of the farmers within the next 40 or 60 days. The farmer's annual obligations will mature during this period of time. The years of depression have left him little or no margins of surplus, hence he is going to be forced to market his crops in order to pay his obligations. One evidence of the farmer's distress is expressed in terms of his applications to the Farm Credit Administration for farm mortgage financing amounting to approximately one billion dollars. The market price today of his products remains below the cost of production. Something must be done to increase the returns to the producers.

■ Autumn also brought with it our greatest volume of favorable trade balances due to our heavy export of both farm commodities and industrial products. Seasonally prices rise and employment and purchasing power increase during this autumnal period. The time is opportune for vigorous action on our part to drive back the forces of depression when all natural factors have given the maximum of assistance.

During the late spring and early summer, in anticipation of the pursuit of this policy, property and commodity values began to rise. Some doubt, however, as to whether the policy of expansion will be carried out in the immediate future has arisen. This doubt should, in my judgment, be removed immediately. Without any further delay we should put into effect the policy authorized by Congress to expand credit and currency.

■ The reserve banks should be directed to buy not less than one hundred millions of Government bonds weekly, and the Treasury should issue a like amount of new Treasury notes with which to buy the bonds issued for the Public Works Program. The effect upon the public will be to accomplish the great result pointed out by the President in his inaugural address, which I paraphrase: "The greatest thing we have to fear is fear itself." The people must be made to know that money in terms of both currency and bank credit shall not be beyond their ability to obtain—the fear and vacillating attitude of some bankers notwithstanding.

It is within the power of the Administration through these two operations to *drive* credit and currency from the cloistered shelter and security of investment in Government obligations into the channels of legitimate commerce and trade.

■ The Treasury should by all means make immediate use of the new Treasury notes provided for in the so-called Thomas amendment to the Agricultural Relief Act. The limit of purchases should not, in my estimation, be restricted to the emergency relief construction bonds, but should include all Government obligations, particularly those bearing high rates of interest. The use of these notes in payment for bonds purchased in the open market will reduce the holdings of these securities by the reserve banks and member banks, and in equal amounts will either increase the reserves of member banks with the Federal reserve banks, or reduce their indebtedness. To the extent that these bonds are purchased from individuals, it will result in the creation of either demand or savings deposits in commercial banks.

Deposits so created will not remain idle. Depositors will seek other forms of investment. Banks, at the same time, will not permit their funds to lie idle in Federal reserve banks, but in turn

will have to seek alternative investments. Moreover, whereas heretofore banks and other investment institutions have used their facilities to finance emergency construction through the purchase of bonds they will have forced upon them either new currency or new deposits.

■ During the last three months when the reserve banks bought an increased amount of Government bonds—thereby expanding member-bank reserves in a like amount—another revival in the rise of property values resulted. This rise must be continuous. Since this Administration came in there has been an increase in the value of corporate securities alone of approximately sixteen and one-half billions of dollars. For every legitimate rise of one dollar per share in the securities of approximately five hundred thousand corporations in the United States, it means about one and one-half billions of dollars increase in the value of the property of shareholders. This alone is an immediate contribution to the purchasing power of 20 million shareholders. In a similar manner the values of other properties,

such as homes, farms, products and personal services have increased by billions of dollars. The price of farm products is again the grave exception.

The vacillating behavior of bankers and the inevitable cry at the disparity between the rise of prices and increased purchasing power is no adequate reason, however, for abandoning our objectives. Success means the ultimate restoral of four billions of national income per month to our people. We dare not wait the time-honored four year period for this restoration.

■ Timely action is the essence of our program. We must discharge our duty with unflinching courage and with the determined purpose to bring about the immediate restoration of property values. This will give rise to new vigorous purchasing power and be the greatest of factors in restoring the employment of human labor.

The American people have a right to know from the leaders of the Administration what the national policy is. It has been declared by Congress and I give my interpretation of it

“Jefty” O'Connor

(Continued from Page 4)

two other directors of the corporation.

Plans for the Deposit Liquidation Board were only announced by President Roosevelt recently. The purpose of this agency is to free through funds furnished by the Reconstruction Finance Corporation, approximately one billion dollars in deposits in closed state and national banks throughout the nation. As one of the six members of this board, Comptroller O'Connor will add to his duties of rehabilitating national banks a similar aim for state non-member banks.

J. F. T. O'Connor's efforts to give the

United States a sounder banking structure have not gone unnoticed. It is pleasant to be able to say that even those of opposite political faith have recognized his ability and determination. Recently, James Couzens, Republican Senator from Michigan, said of him: “My information is that no public officer in Washington has devoted himself more unselfishly or is putting in more hours at his desk than Mr. O'Connor. Mr. O'Connor has won the admiration of those whom he has contacted since he took office.”

Twenty-Five Years Ago

By GEORGE E. FINK

Past Supreme Justice

Some twenty-five years ago, viz: November 21st, 1908, George H. Williams Chapter at the University of Oregon was installed by Brothers Gustav G. Schmitt and James L. Conley, alumni of Marshall and Campbell Chapters respectively, assisted by Brothers F. G. Kemp, Nelson R. Anderson, Howard H. Service and Fred M. DeNeffe, all Campbell Chapter alumni.

On the following (Saturday) evening a fine class of honorary members was initiated, viz: George H. Williams, after whom the Chapter was named; Judge Robert G. Morrow, of the State Circuit Court; Judge Charles Edwin Wolverton of the United States Circuit Court; Alfred C. Schmitt, brother of Gustav G. Schmitt, and Alfred E. Clark.

Honorable George H. Williams was Chief Justice of the Supreme Court of Oregon (Territory) from 1853 to 1857, and declined re-appointment. In 1864 he was elected to the United States Senator from Oregon and was a member of the Reconstruction Committee introducing and securing passage of the Military Reconstruction Act, under which the Confederate States were reorganized, and their normal relation to the Union re-established. He framed the Fourteenth Amendment to the Constitution of the United States in the form in which it was adopted. In 1871 he was appointed Attorney General of the



George E. Fink

United States, resigning from that office in 1874. President Grant nominated Judge Williams for Chief Justice of the United States Supreme Court, but before his nomination was acted upon by the Senate, Judge Williams withdrew his name and declined the office. He was Mayor of Portland from 1901 to 1904. At the time of

his initiation he was 86 years of age, hale and hearty, and engaged in active practice of the law at Portland.

Judge Robert G. Morrow was born in Detroit on December 11th, 1861. He attended the Ann Arbor High School and later entered the Literary Department of the University of Michigan, from which he graduated in 1883, in which year he located in Portland and read law in the office of Judge Williams, above mentioned. He was admitted to the Oregon Bar in 1885, and in 1892 was appointed Reporter of the Supreme Court editing Volumes 23 to 49 inclusive, of the Oregon Reports. In 1908 he was elected Judge of the State Circuit Court for Multnomah County, resigning of course as Reporter.

Judge Charles Edwin Wolverton was born in Des Moines County, Iowa, in 1851, his parents moving to Oregon in 1853. His first education was acquired in the District School about one and a half miles through the woods from his father's farm. He graduated from

Christian College at Monmouth, Oregon, with a Bachelor of Science degree in 1871, and with a Bachelor of Arts degree in 1872. He graduated two years later from the Law Department of the University of Kentucky at Lexington, Kentucky, entering upon the practice of law at Albany, Oregon, in 1874. In 1880 he became attorney for the State Board of School Land Commissioners for Linn County, Oregon. In 1892 he was elected delegate at large to the National Republican Convention at Minneapolis, Minnesota. In 1894 he was elected Justice of the Supreme Court of Oregon, and became Chief Justice in turn four years later. He was elected for a second term in 1900 and served continuously until November, 1905, when he was appointed by President Roosevelt as Judge of the United States District Court for the District of Oregon. He was serving a second term as Chief Justice of the State when appointed to the Federal Bench.

Alfred C. Schmitt was born on a farm in Pulaski, Wisconsin. At 25 he graduated with honors from Knox College with the degree of Bachelor of Arts. He later entered the University of Chicago from which he graduated with the class of 1898, with the degree of Master of Arts. In 1903, he graduated at Leipzig University, Germany, with the degree of Bachelor of Philosophy. The following year he took special work at Oxford University, England, in International Law, Economics and History as his major subjects. He was professor of Economics and History for one year at Park College, and for one year at Albany College, Oregon, on the same subjects.

Alfred E. Clark was born in Minnesota in 1873; admitted to the Bar in 1896, and until 1906 practiced law at Mankato, Minnesota. He became widely known as a public speaker and during the last four or five years of his residence there was engaged on one side

or the other of practically all important litigation, civil and criminal, in the southwestern part of Minnesota. He moved to Oregon in 1906, and is regarded as one of the leading members of the Oregon Bar.

The men above mentioned were initiated as honorary members at a banquet following the honorary initiation at the Portland Hotel. James L. Conley, Campbell, acted as Toastmaster.

Mention is made of the installation of this chapter because it was the first chapter to be established on the Pacific Coast, and credit for this Chapter, charter for which was many years later withdrawn through no fault of the chapter, was due almost entirely to Brother Schmitt, an alumnus of Marshall Chapter.

On December 6, 1908, William G. Hammond Chapter was installed at the University of Iowa, Iowa City, Iowa. The ceremonies were held in rooms which the petitioners had previously secured as permanent quarters for the Chapter. The installing officers were Supreme Justice Ledvina, Supreme Treasurer Dolan, Frank Jordan of Fuller Chapter, R. C. Leggett of Fairfield, Iowa, and Walter G. Bauch of Blackstone Chapter.

In looking for material for this particular article, I find Volume One of Number Four of "Phi Alpha Delta", issued in February, 1909, Daniel B. Fox, Editor, and Louis A. Cambridge, Business Manager, to be an exceedingly interesting number covering in full the proceedings of the Ninth Annual Convention, held at the Sherman House, May 15 and 16, 1908, and many interesting Chapter letters from which I take the following:

CAMPBELL CHAPTER

"Howard H. Service and Nelson R. Anderson compose the law firm of Nelson and Anderson with offices at 443 New York Building, Seattle, Washington."

Brother Anderson is still practicing law at Seattle, but Howard H. Service found his way back East and is now Vice-President of S. S. Kresge and Company at Detroit, Michigan.

"Irvin W. Long is with Luman Good-enough in the Hammond Building, Detroit, Michigan."

This firm is now known as Good-enough, Voorhies, Long & Ryan in the Penobscot Building, Detroit, Michigan.

"Willard T. Barber is a student of law, Oriel College, Oxford England, as a Rhodes Scholarship man."

After completing his studies at Oxford, Brother Barber returned to the United States, and served some years on the law faculty at the University of Michigan. He has since passed on.

STORY CHAPTER

Mention is made in Story Chapter's letter of the initiation of Rex G. Hardy. Brother Hardy after serving as clerk and justice of his chapter went on up to the Supreme Justiceship, and is now practicing law at 535 Van Nuys Building, Los Angeles, with Supreme Secretary Frank M. Ludwick as his partner.

MAGRUDER CHAPTER

"Fred L. Wham, '09, of football fame was chosen by many critics for the "all western" tackle this year. Fred became famous for his ability to block kicks. It is also well to mention that he had the highest average of any of the football men. . . ."

Brother Wham is now United States Circuit Judge for the Eastern District of Illinois, at Centralia, Illinois.



Supreme Justice's Letter

By ALLAN T. GILBERT



Dear Brothers:

This letter will reach you at the beginning of the new year—a new year which the national officers hope will bring much improvement in your individual lives. We also hope that to those of you who have not participated in the fine traditions of our fraternity, it will bring a renewed interest and will find you in the ranks of those active brothers who have contributed so much to carrying this great organization of ours through serious times. We are all hopeful for the future.

Each one of us should endeavor to picture this fraternity as a great national organization. Within its ranks we have brothers who are taking a leading part in molding the national policies under this present administration. Whether republican or democratic, our brothers are always found striving to contribute to the progress of this great nation.

Our Supreme Vice-Justice, Frank Rutledge, has been ably organizing State Associations, and through these contacts that will be made a greater power for good will be at our command.

Through recent efforts of some of the leading alumni in Washington, D. C. in cooperation with the Supreme Board, we expect a great revival of Fraternal Devotion. When we contemplate the leaders of the bar and in the political life

of our country—including personal advisers of the President—holding high office—senators—congressmen, etc. that meet at our national capitol—think of what it would mean to have an efficient clearing house in Washington, D. C.

And then the inauguration of a National PAD night on January 20th under the able leadership of Bill O'Shea in Chicago. Several broadcasts will be made from various stations throughout the country, namely: WMAQ, Chicago, Illinois from 6:15 to 6:30 P. M. (Central Standard Time); station KMTR, Los Angeles, California from 10:00 to 10:30 P. M. (Pacific Coast Time); WLW, Cincinnati, Ohio, from 7:15 to 7:30 P. M. (Eastern Standard Time), and others to be announced later.

Every PAD in the United States will be notified by mail before the 20th the stations broadcasting and general information regarding the plans for that night. Tune in and hear what some of your Brothers are doing. If possible attend your nearest meeting, but if you have to stay at home you should be able to hear on your radio from the East coast to the West Coast. Every Chapter will be participating in some function.

There seems to be many things to talk of, but the most important is that you, as a loyal brother, make a resolution to take some active part in the Fraternity. The biggest thing of all is that the alumni must do their bit if we are to succeed. The brothers in the active chapters have done wonderful work through this depression of ours—and the least we can do is to relieve them of some of their burdens.

The Supreme officers send you all the Seasons best greetings.

Fraternally yours,

ALLAN T. GILBERT.

Changes in Foreign Credit

BROTHER EMIL ST. ELMO SCHNELLBACHER; born at Quincy, Ill., in 1901. He received his A.B. degree from the University of Illinois and his LL.B. degree from Georgetown University. In 1926, he was admitted to the District of Columbia and Illinois Bars. In 1924, he was appointed Commercial Agent in the Department of Commerce; in 1926, he was designated Assistant Chief, Commercial Intelligence, which position he has held ever since. He is co-author of "Sources of Foreign Credit Information"; author of "Credit and Payment Terms in Foreign Countries" and numerous articles and treatises on foreign credit and collection. He is married and has two children. Brother Schnellbacher is a member of Magruder Chapter of Phi Alpha Delta, and has graciously prepared the following article for the REPORTER.

■ Each man's observations on any subject are determined from the vantage point of his own position. The extent to which he is broad in concept, and has breadth of vision, is based largely upon the experience which he has gained in his work, and often on his profession itself. Having followed the ups and downs of foreign credits and collections during the past ten years, it has been my privilege to observe the trends which are bringing about the allegedly revolutionary developments of this new year.

I believe that the job of the foreign credit and sales man is most trying, but one of the most interesting, in the realm of American business. It gives perspective because success in the profession requires a broad background. Recognition of the phases that are commonly part of his routine gives one a view of the situation that has developed in the fields of production and distribution that now call for remedies in the form of codes and trade agreements.

■ For the past four years, the American exporter has needed to know, more than ever before, the obstacles which his customers must overcome, and he has



E. E. Schnellbacher

gained or lost good will to the extent to which he has manifested intelligent co-operation. The years of depression have purged the world's marts of the least efficient firms. Practically all of the distribution centers of the world acquired many traders, firms and individuals, who only operated on the crest of prosperity, and who only made profits under the most propitious circum-

stances. To pick the survivors, and then see through the maze of exchange restrictions, tariff revisions in each and every foreign country, gradations in production costs—these problems arise to plague the man passing on foreign orders.

To the three C's of credit so familiar in domestic practice, the exporter must add a fourth: Current Conditions. He must know in considerable detail the causes and effects of the hurdles he must jump; he must know the troubles facing his foreign customers. He must know what is affecting his customer, and how he is weathering local economic conditions in his own country, in order properly to extend credit and meet competition.

■ Then, out of the depression has come a change in buying practice. Foreign

merchants have long been accustomed to place large orders for stocks annually, or semi-annually. The year 1930, however, was a period of liquidation in world markets. To care of depletions in stocks, smaller orders were placed, at more frequent intervals. This innovation of small volume, but frequent ordering, seems likely to become general, aided by the constantly growing use of radio and air mail, and improved steamship service. There follow changes in terms of sale, new discount practices, and the seller must ever be alert that in changing his selling terms, he is not only not putting his own business at a disadvantage, but also is not affecting his American competitors, and his own industry as a whole.

■ Exporters are pioneers in the realization that everything is interdependent in business, and that each industry leans on the other through the media of wage earners, consumers and distributors. Recognition of certain standard practices in credit and sales methods came along years ago to exporters. The export trade organizations have been among the first to acquire the abandonment of individual practices harmful to the whole group, and to secure benefits that accrue to the entire nation, as well as to themselves. As a group, they are more national in spirit than almost any other body of individuals linked by interests in common.

The attitude of restlessness prevailing in export circles has brought about

much planning for the future. Acting towards the improvement of our national relations abroad, they have attained closer cooperation among themselves, particularly in the exchange of information and trade practices. They have worked out more or less standard terms of sale applicable in different commodities sold in various countries, and have avoided the ill effects of the bargaining practices that have so characterized trade in recent years.

■ It is well established that coordination and cooperation within industries is thoroughly essential; it is observed that the cooperation such as is now manifested in the codes being adopted throughout industry has long existed among exporters. Foreign trade organizations were among the first to insist upon membership being more than the result of paying dues, and they have always endeavored to raise the standards of their membership.

It is observed that one confined to a single channel of American business life may have seen the problems of that profession as identical to the whole confusion that surrounded us not so long ago; and that the solutions worked out in one group are good medicine in others. And organizations which are strongest today are those who brought about regulation from within, and through directed cooperation, raised the standards above the requisites of public opinion as expressed through legislation.

DON'T FORGET
PHI ALPHA DELTA NIGHT
JANUARY 20, 1934

Contact your nearest chapter for details.

Supreme Secretary's Page



By FRANK M. LUDWICK

The Supreme Executive Board is pleased to announce the awards recently made by the scholarship committee through its chairman, Lyman P. Wilson, Professor of Law at Cornell University.

These awards are made annually from papers submitted by Seniors whom the Deans of all law schools, where Phi Alpha Delta has chapters, have certified rank highest among PADs in scholastic attainment for their period in law school. The subject of the article is selected by the candidates and must be of a legal nature. The awards are based upon the quality of the article submitted.

The first award goes to Charles Keating Rice (Wilson Chapter) and consists of a six volume set of "Cook on Corporations".

Second award goes to George Strouse (Staples Chapter) and consists of a five volume set of "Schouler on Wills, Executors and Administrators".

The third award goes to James L. Walsh, Jr. (Taney Chapter) and consists of a volume of "Walter's Brief Writing and Advocacy".

Winning papers will be published in the REPORTER.

Honorable mention is made of papers from the following:

- Russell S. Grove (Keener Chapter)
- Charles G. Briggie (Fuller Chapter)
- Reid A. Curtis (Fletcher Chapter)
- Elton B. Jones (Dunbar Chapter)

The Supreme Executive Board also announces the following Chapter awards:

1. To the Chapter most prompt in furnishing requested reports: WATSON CHAPTER—One volume "Walker's Errors in Civil Proceedings".
2. To the Chapter most prompt in paying financial obligations: JAY CHAPTER—Two volumes of "Daniel on Negotiable Instruments".
3. To the Chapter furnishing the best letters to the REPORTER, and
4. To the Chapter most prompt in furnishing letters to the REPORTER. Both awards to: MAGRUDER CHAPTER—Two volumes of "Daniel on Negotiable Instruments".
5. To the Chapter showing the greatest interest in National activities: KNOX CHAPTER—Three volumes of "Blashfield's Instructions to Juries".

Misrepresentation as a Basis of Liability

By CHARLES KEATING RICE

Wilson Chapter

Charles Keating Rice, winner of the first prize for articles submitted by active members of Phi Alpha Delta of high scholastic standing, was born at Watertown, New York, on May 16, 1910. He graduated from Watertown High School in 1927 as an honor student. He then served a law clerkship (1927-28) in the law offices of Purcell, Cullen & Pitcher, in Watertown. Late in 1928, he entered Cornell University and was graduated therefrom with the degree of Bachelor of Arts. He entered the Cornell Law School and is a candidate for the degree of Bachelor of Laws in 1934. He was leader of the Irvine Club, winner of Moot Court League Competition in 1931-32. He was awarded the Cornell Law Association tuition scholarships in 1932 and 1933, and was winner of the Fraser Scholarship for 1933-34. He is a contributor to the Cornell Law Quarterly, a member of Phi Kappa Phi and clerk of Wilson Chapter of Phi Alpha Delta. His prize winning article is published herewith.

■ The need for a re-examination of the bases of liability for misrepresentation becomes steadily more apparent from the constant inroads being made upon the doctrine of caveat emptor. Everyone admits the trend toward liability without fault for misrepresentation; more important is the question, how far should it go.

The simplest classification of misrepresentation divides it into three classes,—honest, negligent, and fraudulent. A general hesitancy on the part of the courts to extend liability for negligent misrepresentation has, however, lead to much confusion of thought in this field and has caused many courts to ignore the essential distinctions between the classes. Thus liability in deceit has been declared in cases in which the defendant was, at most, merely negligent and likewise in cases where the defendant had merely warranted an



Charles Keating Rice

important fact. A sort of osmosis by which the courts pass so easily from one of these fields to the other is certainly deserving of closer inspection.

■ In the majority of jurisdictions, liability for honest misrepresentation is largely confined to a contract liability for breach of warranty. Historically, it meant more than that. Originally,

the action on a warranty was on the case for deceit and sounded in tort rather than in contract. The remedy in tort was recognized at least a hundred years before special assumpsit came in to dominate the field of warranty. Warranty, today, is conceived of as almost exclusively a contract action, yet there seems no good reason why the tort action on a warranty should not co-exist with it. The tort action seems to have fallen into disuse because under assumpsit the common counts for money had and received could be pleaded so

that the plaintiff could recover his consideration. It did not fall into neglect, as many courts later seemed to think, because of inherent defects in the action itself, or because it was outmoded by the progress of the law. Its decline is traceable to matters of convenience. It was not unnatural, however, that the infrequent use of the remedy in tort and the unceasing use of the remedy in contract should cause many courts to believe that the contract action had swallowed up the tort remedy or, at least, made an action of tort on a warranty impossible without an allegation of scienter. It was not necessary at common law to allege scienter in an action of contract or tort on a warranty, and the gravamen of the action was then, as it should be now, the warranty itself, and not conscious deceit. This early conception of warranty finds expression in the modern rule that any affirmation of fact inducing a sale is a warranty whether or not it is an offer to a contract of sale. A few jurisdictions have consistently recognized the co-existence of these remedies. Of them Mr. Williston has said that they "are not, as is sometimes supposed, a mere following of early authority after the reason for the earlier rule has ceased to exist; they involve a recognition of the fact that a warranty is a hybrid between tort and contract." As long ago as 1910, Mr. Williston urged the extension of the action of deceit to cover honest misrepresentation. It would seem, however, that the wider adoption of the tort action on a warranty would obviate the necessity of this. Indeed, it would reach about the same result without the practical difficulties which attend the existence of liability in deceit. At the same time the barrier of privity of contract which is so often the *bête noire* of actions on a warranty or for negligent misrepresentation would be overcome.

■ Under Sec. 12 the Uniform Sales

Act, it appears that any affirmation of fact or promise by the seller relating to the goods is a warranty "if the natural tendency of such affirmation or promise is to induce the buyer to purchase the goods and if the buyer purchases the goods relying thereon." This is certainly a recognition of the fact that the fundamental basis of the cause of action is not a promise, but a representation and that warranty had a tort origin. The adoption of the Sales Act by the majority of American states dealt a heavy blow to the doctrine of *caveat emptor*. It is no longer necessary to prove an intent to contract or even a subordinate contract. Only the affirmation of fact or promise by the seller tending to induce the sale need be proved. The English rule is somewhat different. In *Chandelor v. Lopus*, Crojac 4 (1625) it was held that there must be words of warranty since "everyone in selling wares will affirm his wares are good; yet if he does not warrant them to be so, it is no cause of action." The tendency for many years, however, was away from this decision, and it began to look as if, even in England, any express affirmation of fact inducing a sale would be a warranty. Sec. 62 of the English Sale of Goods Act says that a warranty is "an agreement with reference to goods which are the subject of a contract of sale, but collateral to the main purpose of such contract, the breach of which gives rise to a claim for damages." In *Heilbut, Symons and Company v. Buckleton*, (1913) A. C. 30, this was interpreted to mean that for a warranty to exist there must be a promise on which the minds of the parties had met. There must be an independent subordinate contract with all the usual requirements of a contract. In other words, England emphasizes the promise and minimizes the representation. Of this decision, Mr. Williston said at the time, "That good old doctrine for the encouragement of trade, known as *caveat emptor*,

has received no such support for many years."

■ It is hornbook law that one not in privity of contract may not sue on a warranty express of implied. There are two reasons generally given for this rule, neither of which is particularly convincing. One is that the original purchaser may have intended to preserve his rights against the original seller. But just as frequently, he may intend to transfer all his rights to the sub-vendee. The other is that a warranty is a contract of personal indemnity and is a warranty only against harm suffered by the original vendee. That is reasonable if that is what the parties really intended, but often it would seem that there was no such intent or that the intent was on the part of the seller alone. The real reason for the rule seems to be a policy of the law to protect a vendor against one with whom he did not deal personally. The more satisfactory policy would seem to be to prevent wasteful and circuitous actions, since the sub-vendee can usually recover from the original vendee who in turn can due the vendor. Many attempts have been made to circumvent the doctrine of privity, and to some extent at least, it seems that the orthodox rule is crumbling. Particularly is this true in the foods cases where some courts have construed the warranty to run with the chattel in analogy to covenants running with the land. Other courts have not denied the orthodox rule, but have found some means of evading its harsh effects. It has been suggested that the sub-vendee be considered a third party creditor beneficiary of the contract between vendor and vendee. Others liken the situation to a unilateral contract in cases where the vendor is a manufacturer and the original vendee is a retail dealer. The manufacturer would thus make the offer through a retailer and the consumer would accept by purchasing

from the retailer, the warranty thus inuring to the consumer. Still others feel that in the days of radio and billboard advertising, manufacturer and consumer are themselves essentially in privity of contract, since the retailer is frequently but a conduit bringing the two parties together. It must be admitted, however, that the doctrine of privity is still strongly entrenched in the law at least as far as warranties are concerned.

■ A brief recapitulation of liability for honest misrepresentation shows the present situation to be this; in the great majority of states, liabilities for honest misrepresentation is recognized only in the case of a warranty made by one in privity of contract with the plaintiff; liability is imposed in *assumpsit* and not in tort in the great majority of states, though there is a growing minority of jurisdictions which recognize the co-existence of contract and tort actions on a warranty; in the United States there need be no intent to warrant if the natural tendency of the words is to induce the sale; in England, there must be words of warranty and an intent to warrant. (It is submitted that this is a reactionary view, quite out of harmony with the historical development of the action.) The requirement of privity continues, but there are some indications of its crumbling; a very few states allow an action of deceit for an honest misrepresentation even though no scienter is present, and this view, though a distinctly minority one, has the support of Mr. Williston. In the great majority of states, liability for honest misrepresentation is found only in Sec. 12 of the Uniform Sales Act.

■ Liability for negligent misrepresentation has been obscured by what seem to be two false notions. One is that no duty of care is owed to one not in privity of contract. The other is that negligent language is not as harmful as a

negligent act. The result has been that liability for negligent misrepresentation has been very restricted in most states.

■ Since *Lawrence v. Fox*, 20 N. Y. 263 (1859) and *Seaver v. Ransom*, 224 N. Y. 233 (1918) it has been familiar law that for a breach of contract only the parties thereto or a recognized third party beneficiary thereof could sue. The question then came up whether, if a contract were negligently performed so a third person not a party to it or a beneficiary of it was harmed, that third person should be prevented from recovering for his injury because he was not in privity of contract with the alleged tortfeasor. Logically, it would seem that he should not, yet generally the courts have so held. A good example of this is found in *Goodlander Mill Company v. Standard Oil Company*, 63 Fed. 400 (1894) where the defendant shipped a tank of crude oil and negligently failed to equip the car with proper valves, so that much of the oil ran out and on to the plaintiff's property, causing much damage. The court held for the defendant, declaring that, "It was the duty of the shipper to equip the car so that its contents might be safely discharged by ordinary care and methods, but this was a *contract* duty owing to the consignee and not to the plaintiff because the material shipped was not in and of itself essentially dangerous."

■ The general rule that a manufacturer owes no duty of care to those not in privity of contract with him (and, therefore, may negligently misrepresent with impunity) is a result of a mistaken interpretation of *Winterbottom v. Wright*, 10 M. and W. 109 (1842) which really did not lay down the rule as it is generally stated. Subsequently the rule was cited so frequently that it became settled law, despite constant criticism. In *Le Lievre v. Gould*, (1893) 1 Q. B. 491 the issue was clearly

raised. One Hunt employed the defendant, an architect, to make reports on the progress of a building. The reports were carelessly made, and the plaintiff made advances in reliance on them, suffering considerable losses. The court admitted that, by analogy to the liability of one who leaves a dangerous instrumentality in a position where he knows people may use it to their damage, the argument could be made that the defendant was liable to any person to whom he had reason to suppose the certificate might be shown, but "the law of England has not gone that far, and it does not consider that what a man writes on paper is like a gun or other dangerous instrument and, unless he intended to deceive, the law does not in the absence of a contract hold him for drawing his certificates carelessly." The court thus fell back on the privity objection and distinguished, as well, between negligent speech and other negligent acts.

■ The New York cases on negligent misrepresentation illustrate the trends in this field and offer a splendid example of the judicial process as influenced by questions of public policy. In *Glanzer v. Shepard*, 233 N. Y. 236 (1922) the N. Y. Court faced approximately the same situation as in *Le Lievre v. Gould*, *supra*, except that the defendants were public weighers who had issued a certificate of weight carelessly prepared and plaintiff bought in reliance on it. Waiving aside the objection of privity, the court imposed liability on the defendants in these terms, "We do not need to state the duty in terms of contract or privity. Growing out of contract, it has none the less on origin not exclusively contractual. Given the contract and the relation, the duty is implied by law." The court did lip service to the distinction between negligent speech and acts and declared this to be the latter case, distinguishing

the *Le Lievre* case on this ground, though, as a matter of fact the negligence was the same in both cases (i.e., the careless issuance of certificates.) The court's oft repeated dictum, "constantly the bounds of duty are enlarged by knowledge of prospective use," was generally thought to mean a complete repudiation of the *Le Lievre* doctrine and the placing of liability for negligent misrepresentation on principles of pure negligence. This impression was strengthened by *Int. Products Company v. Erie R. R.*, 244 N. Y. 331 (1927).

■ In *Ultramares v. Touche, Niven and Company*, 255 N. Y. 170 (1931) liability for negligent misrepresentation in N. Y. was greatly limited. Defendants were accountants engaged to prepare a financial statement for a company about to float a bond issue. The statement, negligently prepared, was shown to the plaintiff, and, relying on it, plaintiff bought a number of bonds which later proved worthless. The court held the defendants were not liable, distinguishing the *Glanzer* case on the ground that the defendants were engaged in a public calling and so owed a higher duty of care, a fact but little stressed in the *Glanzer* opinion. The real basis of the decision appears to have been an argument of public policy. The court evidently felt that it would be dangerous to extend liability to a large and unidentified group since such liability might threaten the very existence, as such, of public accountants. The answer to this seems to be that negligence is not to be condoned because the number or identity of its victims is unknown. Nor does it seem that accountants would be driven out of business by the imposition of such liability. They are usually covered by insurance and the only result would seem to be to induce a higher standard of care. Negligence should be measured here, as elsewhere, by knowledge of prospective use.

■ Liability for negligent misrepresentation, then, seems to be confined to three instances:

1. Where plaintiff has a right to believe that he specifically has a right to rely on defendant's representations. (This practically establishes the old requirement of privity of contract.)

2. Where the representation concerns an article inherently or imminently dangerous to life or limb. (Liability is here imposed irrespective of privity of contract, but is confined to personal injuries.)

3. Where the defendant is engaged in a public calling. (Privity of contract is not required here, but few callings have, as yet, been declared to be public in this sense.)

■ The requirement of privity, which it was generally believed and hoped had been abolished by the *Glanzer* case, seems to continue as strongly as ever. It is believed that this is unfortunate and unsound, because, as was said in the *Glanzer* case, there is "no need to state the duty in terms of contract or privity." A perfect pattern of negligence can be found irrespective of privity, and the objection which is valid in the field of contracts should not be a cloak to escape liability in the field of negligence. Likewise any distinction between negligent language and other negligent acts is unfortunate. Speech is a verbal act, but it is as much an act as any other body movement, and certainly negligent speech can be as harmful as any other negligent act. To distinguish between them is to draw an unsound and unwise distinction between two different forms of acts, both of which conform to the same negligent pattern. It must be admitted, however, that liability for negligent misrepresentation has been greatly restricted by the courts.

■ Fraudulent misrepresentation generally results in an action for deceit, for which the orthodox requirements are

that "the defendant (1) must have made a false representation, (2) knowing it to be false, (3) concerning a material fact, (4) for the purpose of inducing the plaintiff to act and that, (5) the plaintiff was induced thereby to act, (6) to his damage." In the leading case of *Derry v. Peek*, 14 A. C. 337 (1889) England definitely established that conscious misrepresentation must be proved to sustain the action, but a number of American jurisdictions have felt that the strict requirements of the orthodox rule do not adequately protect persons who have suffered loss through reliance on misrepresentations. These courts which have denied the rule of *Derry v. Peek* are generally placed in two classes:

1. Those which hold that wherever a defendant makes a statement of fact as of his knowledge, he is held to a warranty of the accuracy of the statement.

2. Those which impose liability in deceit for an honest misrepresentation accruing to defendant's economic advantage where the defendant did not exercise reasonable care in ascertaining the facts on which his representation was based.

■ Deceit is, of course, a tort action, so the courts in the first class above appear to be doing one of two things. They are either declaring an absolute liability without fault in tort or they are allowing recovery in deceit for what is substantially a breach of warranty. It has been argued by Professor Bohlen that the courts in this group should realize that what they are really doing is to enrich the law of warranty and that, therefore, only those in privity of contract should be given the benefit of this action, unless, in the alternative, the courts are willing to abolish the requirement of privity even in contract actions. It is submitted that neither of these alternatives is necessary or, perhaps, even desirable. Mr. Bohlen seems

to conceive of warranty as exclusively contractual, yet as previously pointed out in this paper, warranty is as much tort as contract. It would seem that in view of its hybrid nature and historical origin, a court might easily allow recovery by one not in privity without doing violence to the law of warranty. It is misrepresentation which is the gist of the action, not scienter or a contractual relation. Nor would it necessarily seem to follow that, as an alternative, those courts, which adopt the warranty theory of deceit and at the same time allow third parties not in privity to sue in deceit, should for consistency extend the contractual action on a warranty to third parties. (In other words, while this act might be desirable as was pointed out in the discussion of honest misrepresentation, it does not seem to be a necessary step for a court which desires to adopt the warranty theory of deceit in favor of third parties and to retain the privity rule in contract actions.) The old tort action on a warranty and the warranty theory of deceit are very similar. Misrepresentation in fact is the basis of both, and contractual notions of privity should not determine their scope.

■ There are also logical difficulties to the second class above as well. Most of these courts speak of "facts susceptible of knowledge." This at once suggests the field of negligent misrepresentation, rather than deceit. Apparently these courts are extending liability in deceit because liability for negligent misrepresentation has been so restricted. Approximately the same result is reached in another manner. The chief objection is not to the result, but to the manner in which the result is reached. The principles governing deceit are very different from those governing negligence, and many courts applying this theory of deceit will undoubtedly be puzzled as to whether to treat the action as essentially governed by prin-

ciples of negligence (an unintended wrong) or by those of deceit (a conscious wrong, in general). Another objection is that the word deceit is linked up in the public mind with conscious wrong doing, and many juries are likely to hesitate in finding a person guilty of deceit who had no scienter, but was culpably negligent. Prof. Bohlen sums it up very nicely when he says, "Great confusion has resulted and improper analogies have been followed from a failure of the courts to realize that by abandoning conscious misrepresentation as a basis of liability, they have not merely extended the scope of the action of deceit, but have in fact recognized a new basis of liability which depends upon principles substantially different from those previously applied in that action."

■ One cannot survey the field of misrepresentation without a profound impression that a sense of justice is impelling many courts to declare liability in cases which do not square with the established principles of liability. It is this sense of justice which causes Mr. Williston to argue for liability without fault in the action of deceit. Many practical difficulties, however, beset every attempt to remove scienter from the action of deceit, several of which have been mentioned before. The very word deceit connotes an intentional wrong. Far better it would seem to adopt the tort action on a warranty

(thus removing the barrier of privity) and to extend liability for negligent misrepresentation by using the same standard of foreseeability in the field of negligent language as in that of other negligent acts. This would not be quite the equivalent of Mr. Williston's ideal (i.e. absolute liability without fault for misrepresentation), but even Mr. Williston admits that most misrepresentations covered by the extension of deceit and not covered previously will be negligent ones. The changes urged would provide a more sensible and more workable category of misrepresentation in place of the confusion which now attends the efforts of many courts to distort established principles in order to do justice. Judge Crouch of the New York Court of Appeals recently observed that, "wherever standards of Action are involved, (as in *MacPherson v. Buick Motor Company*) or incidentally in contracts (as in *Schnitzer v. Lang*) or in the uncertain ground between (as in *Glanzer v. Shepard*), there has been a sustained tendency to establish rules on a basis of social utility; and that in general means a greater measure of what informed public opinion would regard as justice." It is believed that the ideas here advocated would contain that "greater measure of justice" and at the same time conform to established legal precedents while avoiding the present confusion between deceit, negligence, and warranty.

DON'T FORGET
PHI ALPHA DELTA NIGHT
JANUARY 20, 1934

Contact your nearest chapter for details.

Introduction to Suggested Uniform Aviation Act

By LIONEL B. BROWNE

*Temple Chapter, Western District Justice,
Former Captain in Royal Air Forces*

(Continued from last issue)

PROPOSED UNIFORM AIRCRAFT ACT

An Act establishing the jurisdiction of the State of.....in space above and within its boundaries; providing for the regulation of aeronautics; providing uniform qualifications for the licensing and registration of airmen and aircraft; prescribing minimum requirements for airports and landing fields; providing for the rating of airports and landing fields; (a) providing for the payment and collection of fees for registration and certification of aircraft, airports and landing fields; providing penalties for violation of the provisions of this act and lawful regulations issued under the authority thereof; providing for the powers, duties and maintenance of (b) (the Administrative Body or Officer) to carry out the provisions of this act (c) and making an appropriation therefor (d) and repealing an act entitled "....."—as amended—and all other acts or parts of acts in conflict herewith.

- (a) If desired by individual state.
- (b) Name individual state desires to give its administrative officer or department.
- (c) If desired by individual state.
- (d) If repeal of existing act, etc., is necessary.

Sec. 1. The sovereignty in the space above the lands and waters of this state, as set forth in article....., Section..... of the Constitution ofis declared to rest in the State of.....,

except where granted to and assumed by the United States pursuant to a constitutional grant from the people of this State.

This section is consistent with the present so-called uniform state law. (Aeronautics Bulletin No. 18, dated August 1, 1928. Department of Commerce)

It is logically desirable as section one because it immediately fixes the limit of jurisdiction.

Sec. 2. All crimes, torts, and other wrongs committed by or against an operator or passenger while in flight over this state shall be governed by the laws of this state; and the question whether damage occasioned by or to an aircraft while in flight over this state constitutes a tort, crime or other wrong by or against the owner of such aircraft shall be determined by the laws of this state.

In accordance with the present so-called Uniform State Law. (Aeronautics Bulletin No. 18, supra).

The section is desirable for the reason that it preserves the individuality of the various states in their treatment of public or private wrongs.

Sec. 3. All contractual and other legal relations by operators or passengers while in flight over this state shall have the same effect as if entered into on the land or water beneath.

Sec. 4. "Person" as used in this act means any person, copartnership, firm, association or corporation; providing, however, that only natural persons may be licensed to operate or pilot aircraft in.....

Sec. 5. In this Act "Aircraft" means any contrivance now known or hereafter invented, used or designed for navigation of or flight in the air, including gliders, parachutes and other contrivances designed for such navigation, but used primarily as safety equipment.

"Operating aircraft" means performing the services of aircraft pilot.

Gliders, though coming within the definition of "Aircraft" as defined in the Air Commerce Act of 1926, are not as a practical matter capable of being regulated by that Act. Gliders are not used in interstate commerce and as pointed out in the introduction hereto, all that the 1928 Act does is regulate commercial use. Hence, it would to date be practicably impossible, with a glider, to violate the provisions of that act. It may be possible that gliders might be so operated as to violate the Federal traffic rules or interfere with interstate commerce, but it is indeed improbable that such might occur.

Most glider regulation will, as a practical matter, be done by the states. The Federal Government will doubtless issue glider and glider pilot's licenses in due course as well as rules and regulations appertaining to glider operation.

The necessity for Federal licenses will then exist under sections eight and nine hereof, and state rules and regulations may then be adopted under section thirteen, modeled upon Federal action.

Sec. 6. Interstate or foreign air commerce within the purview of this act shall be interpreted to cover and include aircraft and operators engaged in interstate commercial operation for hire or in furtherance of a business, or naviga-

tion of aircraft from a place outside this state to a place inside this state or from a place inside this state to a place outside this state for hire or for operation in the conduct of a business, as well as from a place within this state to another place within this state, but through the air space of any place outside the jurisdiction of the state of....., as in this act declared.

Agrees with the definition used in the Air Commerce Act of 1926 and consequently avoids duplication of regulation.

Sec. 7. Intrastate air commerce within the purview of this act includes and covers the navigation and operation of all other aircraft, except operators and aircraft operating under the authority of the United States Government, being official or military in character.

Establishes jurisdiction of state over all aircraft and operators not included in interstate commerce as previously defined, with the two exceptions noted. While official and military aircraft of the United States Government could not be regulated by the States even should they so desire, the exceptions mentioned in the act will remove all doubt.

See: *Ex parte Willman*, 277 Fed. 819, and *Dobbins v. Commissioners*, 16 Peters 435, discussing the same principle though relating to taxation.

Sec. 8. It shall be lawful for any person to operate aircraft in intrastate commerce if such person is licensed and registered and holds an unrevoked, unsuspended and uncanceled license issued under the laws of the United States government and if such person have in addition thereto, on his person, a license issued under and by virtue of the laws of this state as herein-after provided.

It shall likewise be unlawful to operate aircraft in violation of the limitations of or the rights conferred by the license issued by the United States Government.

This section permits the United States

Government to examine into the qualifications of all applicants for licenses to operate aircraft and in addition thereto places the actual examination of such applicants in their hands. The state is thus saved the expense of such examination, a uniform qualification is maintained and practically the only thing necessary for the state to do is to demand the Federal licenses before issuing the state license to an applicant. State politics are removed from the field of licensing.

Sec. 9. The public safety requiring and making it desirable that aircraft operating in intrastate commerce conform in design, construction and airworthiness to the standards prescribed by the United States Government for aircraft subject to its jurisdiction, it shall be unlawful for any person to operate aircraft in intrastate commerce unless it is licensed and registered under the laws of the United States. Such aircraft must be thereafter registered with, and a certificate of such registration issued by the State of....., as hereinafter provided. The certificate must be kept and displayed at all times in the pilot's cockpit of such aircraft.

It shall likewise be unlawful for any person to navigate an aircraft in violation of the limitations of or the rights conferred by the aircraft license issued by the United States.

It is hereby made the duty of the registered owner of any aircraft registered in the State of....., as herein provided, to report to the (*Administrative Body or Officer*) any accident, any transfer of title, or any cancellation, suspension, revocation or termination of the aircraft license issued by the United States Government, within twenty-four hours after the occurrence of any of the above contingencies.

The United States Government has expressed its willingness and desire to assist States in the regulation of aviation. This section places the inspection

burden upon the Federal Government. In other words, all the "overall" work is done by the government and the State regulation occurs without a duplication of effort or an interference with the machinery provided for such inspection.

Sec. 10. Non-resident operators of aircraft and aircraft duly registered for the current year in the state or country of which the owner is a resident, and in accordance with the laws thereof, may, in lieu of securing an operator's or aircraft license as otherwise required by this act, apply to the (*Administrative Body or Officer*) for non-resident registration as in this section provided.

(a) A non-resident operator of aircraft shall apply to the (*Administrative Body or Officer*) for a temporary operator's license upon the appropriate official form, stating therein his name, home address and temporary address, if any, while within this state, together with such description of his operator's licenses as may be called for in the form provided by said (*Administrative Body or Officer*). The (*Administrative Body or Officer*) may issue such non-resident operator a license to operate aircraft in this state for a period of thirty (30) days thereafter. This section shall be operative where such non-resident operator lands or plans to land any aircraft more than once in this state.

(b) Aircraft belonging to non-resident owners or duly registered for the current year in any state or country whose laws require a registration of such aircraft by the United States Government, must be registered where such aircraft lands or plans to land more than once in this state. Application shall be made to the (*Administrative Body or Officers*), within two (2) days after such aircraft lands in this state. Data may be required by the (*Administrative Body or Officer*), which data shall be complete as is required for non-resident operators, as in this section provided. The (*Administrative Body or Officer*)

may, upon receipt of such required information, issue, without charge, a license for such aircraft, which shall remain in effect for thirty (30) days therefrom.

(c) The (*Administrative Body or Officer*) shall file operator's and aircraft applications received, and such records shall be available to members of the public upon request.

(d) The (*Administrative Body or Officer*) shall issue non-resident operator's and aircraft licenses of a distinctive form containing the date it is issued, the date of expiration and a statement that such registration is of the non-resident type.

Persons having forced landings in the state or persons stopping to replenish supplies or equipment, who planned to immediately leave the state would not be required to register.

The directors of airports throughout the state might act as agents of the Department for the purpose of receiving non-resident applications and immediately licensing the same so that no delay would occur between the application for registration and the receipt of permission to operate aircraft.

Sec. 11. The operators licenses here-in required shall be kept in the personal possession of the licensee when he is operating aircraft within this State, and must be presented for inspection upon demand of any passenger, actual or prospective, any peace officer of this State, or any official of the United States Government, or any official, manager or person in charge of any airport or landing field in this State upon which he shall land.

Provided, that in the event of a forced landing the certificate must be shown to any person requesting to see the same.

As previously stated, the state license seems to be the only solution to practical state regulation. While opposed by

many persons, it must be acknowledged that no adequate check can be kept on intrastate operators without a state record or license. The requiring of a Federal license alone is insufficient for the reason that the States cannot depend on affirmative action in the suspension and revocation of Federal licenses. Many unlawful acts might be committed by intrastate operators and the Federal Government might well refuse to act because the offender was not at the time engaged in interstate flying.

Sec. 12. A (Commission or Department or Officer or such name as might be chosen for the State Administrative Body or Officer) is hereby created to be known as the (*Name of State*) (or example—Aviation Commission or Commissioner),—*if a Commissioner*—who shall be appointed by the Governor and whose term shall be for.....years from the date of his appointment and who may be removed by the Governor for cause.*If a commission*which shall consist of.....members, a (for example) Commissioner and.....Executive Officer(s), each to be appointed by the Governor, and each to serve for.....years from the date of his appointment. The Governor may remove a member for cause.

(a) The (Chief Administrative Officer or if only one officer, as the case may be) must possess at the time of his appointment a Federal Transport Pilot License or in the event a higher grade license is issued by the United States Government, then such higher grade license.

(b)If an executive officer or officers are desired.The Executive Officer (s) must possess.....(qualifications) (His or Their) duties shall be executive in character.

(c) The (*Administrative Body or Officer*) shall be located at....., where suitable quarters shall be furnished.

(d) (If salaried) . . . The (Chief Administrative Officer) shall receive a salary of.....(\$.....00) per annum. (If salaried executive officer(s). The Executive Officer(s) shall receive a salary of.....(\$.....) per annum.

(e) The (Administrative Body or Officer) shall have authority to employ not more than.....stenographers, to carry out the provisions of this act.

(f)(Bond is desired).....
The (Chief Administrative Officer and/or (the Executive Officer(s) if any) shall.....each.....give to the State a surety bond in the sum of.....Thousand Dollars (\$.....00), to be approved by and deposited with the State Treasurer, for the faithful performance of his duties.

Discussion of Section Twelve

Section 12 leaves open to the individual states the question of whether they do or do not want a commission. Some states will undoubtedly be able to get along with but one Administrative Officer, at this time at least. If any state so desires, it can await further aviation development before appointing assisting officers and this result can be accomplished by the above suggested section, at any time without interference with the uniform provisions of the act. In other words, section 12 relates purely to internal matters and future action by the legislature in amending this section would create no change in the result which we seek to accomplish.

The most important feature of this section, however, is that portion requiring the Chief Administrative Officer or Commissioner to be possessed of certain Technical qualifications. In the first place, it is reasonable that persons operating aircraft should not be instructed as to how they should pilot aircraft by one not qualified to tell them. In the second place, uniformity can be constitutionally achieved only if the administrative chief is possessed of

technical knowledge. A further discussion of this latter feature will follow under Section 13.

Sec. 13. The (*Chief Administrative Officer or Commissioner etc.*) is hereby empowered to hereafter promulgate such air traffic rules and regulations for the navigation, protection and identification of aircraft as he may deem necessary for the protection of the public and the advancement of aeronautics.

Note that the existing air traffic rules promulgated by the Secretary of Commerce under the authority of the Air Commerce Act of 1926, are not written into this proposed law. The reason being that if they were so included, legislative action would be required before they might be changed. Some states would have such legislative action, others would not, and the general effect of any law endeavoring to adopt in toto the Federal Air Traffic Rules would be to have as un-uniform a set of intrastate air traffic rules as it would be possible to secure.

In addition it is most reasonable to assume that many of our present air traffic rules will be changed to meet changing conditions.

The Legislature may constitutionally and legitimately delegate the right to promulgate technical rules which require a technical knowledge.

In re Potter, 164 Cal. 735, 40;
Gaylord v. Pasadena, 175, Cal. 439;
State v. Dudley, 182 N. C. 825; 199
S. E. 64;
New Orleans v. Stein, 137 La. 657!
69 So. 45;
State v. Syas, 136 La. 630; 67 So.
522;
Sabre v. Rutland R. Co. 86 Vt. 366;
85 Atl. 701;
United States v. Grimaud, 220 U. S.
506;
Light v. United States, 220 U. S. 523.

If the Administrative Officer, being technically qualified, concluded to

adopt for intrastate flying, rules and regulations consistent with those adopted by the United States for interstate flying, uniformity of air traffic rules would result without constitutional objection.

At the National Conference of Commissioners on Uniform State Laws at Memphis, Tenn., in 1929, more time was consumed on the question "whether a uniform state aviation law should adopt by reference the Federal laws and air traffic rules then existing and to be *thereafter* either enacted by Congress or promulgated by the Secretary of Commerce", than on any other matter considered by the Committee of the whole.

Regardless of desirability or intention, the law is very definitely settled that any such action would not be a valid delegation of legislative power.

Cooley on Constitutional Limitations, 8th Ed. Vol. 1, P. 224;

Knickerbocker Ice Co. v. Stewart, 253, U. S. 149;

In re: Peppers, 189 Cal. 682;

Opinion of the Justice's, 239 Mass. 605; 133 N. H. 453;

State v. Intoxicating Liquors, (Maine, 117,) Atl. 583.

The limit of the right to delegate power is expressed in Section 13, as submitted.

Sec. 14. The (*Administrative Body or Officer*) shall cooperate with the Department of the United States Government regulating interstate air commerce, in the interest of aeronautical progress.

Being a declaration of policy and recognizing that the United States Government may, at any time, change the department administering the provisions of the Air Commerce Act of 1926. If such a change occurred, it would have no effect on any of the provisions of this suggested act, as reference is at no point made to the Department of or the Secretary of Commerce.

Sec. 15. It is hereby made the duty of the (*Administrative Body or Officer*) to inform the nearest, available peace officer of the cancellation, suspension

or revocation of the license of any aircraft, landing field, or operator. "Nearest available peace officer" as used in this section means the peace officer nearest to the airport or public or private landing field where such aircraft or operator was last known to be or at which such aircraft or operator ordinarily was located.

As a practical matter, nearly all air "police-ing" will be done by ground officers. It does not require a policeman in an airplane to see that a plane without a license is kept on the ground. The nearest police officer can arrest for a violation of most laws, as easily as any one else.

The nearest peace officer is easily ascertainable.

Sec. 16. It is hereby made the duty of every registered owner of aircraft to inform the (*Administration Body or Officer*), upon request, the name, address, the class and license number of an operator who at a particular time and place was operating any designated aircraft belonging to such owner.

With this assistance from aircraft owners, careless stunting and air acrobatics would be practically eliminated.

In addition thereto, the dropping of objects from aircraft, which has been known to occur, would be controlled, by placing suspension or revocation of state licenses as the penalty thereof.

This requirement would also assist members of the general public and provide a ready means of relief in the event of the abuse of their private or public rights.

Sec. 17. The (*Administrative Body or Officer*) shall collect the following fees for the issuance of licenses to and for the registration of the following:

- (a) Flying schools, the sum of \$—— per annum;
- (b) Landing fields for aircraft doing commercial flying, the sum of \$—— per annum; providing the "landing fields" as used in this subdivision means a field from which

passengers or property are carried for hire or from which instruction in flying is given for remuneration, it being the intention of this subdivision that a license fee be paid by persons engaged in commercial flying for the inspection, etc., of the fields from which such commercial flying is done, even though municipal or county airports be used by such persons engaged in commercial flying, and it not being the intention of this subdivision to collect a fee for the licensing of municipal or county airports;

(c) Pleasure planes used in intrastate commerce the sum of \$—— per annum; (d) Commercial aircraft in which instruction in flying is given for remuneration or in which passengers or property are carried for hire, the sum of \$—— per annum;

(e) Operators, the sum of \$—— per annum.

(f) Gliders, the sum of \$—— per annum.

(g) Glider operators, the sum of \$—— per annum.

Flying schools may or may not be included. Private landing fields for pleasure craft are excluded in the above.

Sec. 18. This should be a bookkeeping section in accordance with the laws of each state, and provide for the receipt of and payment of moneys—if such is the case—by the (*Administrative Body or Officer*).

If the state law provides for a deposit of all moneys received with the State Treasurer, this section should so provide. The same may be said with respect to deposits in any special fund with the State Treasurer, in which event this section should provide for the creation of such special fund. If moneys can be withdrawn from such fund, upon proper claim approved by the (*Administrative Body or Officer*), mention of such fact should be made herein.

As the requirements of each state vary so greatly in these particular respects,

it is thought advisable to make no suggested draft of this section.

Sec. 19. It is hereby made the duty of every person licensed to pilot or operate aircraft by this state to forward such license in an envelope, postage prepaid, addressed to the (*Administrative Body or Officer*) at ———, ———, within twenty-four hours after notice of cancellation, suspension, revocation or termination of any character of license issued by the United States Government to pilot or operate any aircraft, provided, that if such state license is otherwise delivered as above required within forty-eight hours, such delivery shall be sufficient.

Upon the occurrence of any of the above contingencies the operator could no longer operate under the state law. The forwarding of this license to the state administrative body or officer would immediately set the wheels in motion to prevent violations. The next step would be to notify the nearest peace officer, who would be in a position to check up on possible violation. If operators knew this fact they would not risk violations of state laws.

Sec. 20. It is hereby made the duty of every person, copartnership, firm, association or corporation owning, renting or leasing aircraft which has been registered with and licensed by this state, under the provisions of this act, to forward such license, in an envelope, postage prepaid, addressed to the (*Administrative Body or Officer*) at ———, ———, within twenty-four hours after notice of cancellation, suspension, revocation or termination of any license and registration of such aircraft by the United States Government. If otherwise delivered within forty-eight hours, such delivery shall be sufficient. The expression "notice of termination" as used in this section means actual termination with or without notice.

This section takes care of cases where licenses might be summarily suspended, etc., as well as those cases where licenses

might be terminated by lapse of time, ie., Expiration, etc.

Sec. 21. All airports or landing fields used in intrastate commercial operation must be suitable for landing and must contain effective landing area, meeting the following minimum requirements:

(a) Minimum size at sea level must be 1600 feet of landing area in all directions, with clear approaches or two landing strips capable of permitting four way landings at all times. Such landing strips must have clear approaches and be at least 500 feet wide and 2000 feet long and must not cross or converge at any angle of less than 60 degrees.

(b) For each 1000 feet elevation from sea level the minimum length requirement in subdivision (a) of this section shall be increased by 10 per cent.

(c) Surrounding obstructions or hazards will diminish the effective landing area by seven times the height of such obstructions, obstructions to be measured from the base thereof; providing, however, that if there remains after deducting the obstruction ratio provided for in this subdivision, the minimum effective landing area hereinabove required, such minimum area shall be sufficient.

(d) Nothing in this section shall be deemed to prevent municipalities or counties from promulgating regulations affecting airports or landing fields where such regulations concern purely local conditions and do not conflict with the law of this State. Such regulations, however, shall not be effective further than one thousand feet (1000) from the boundaries of airports or landing fields in all directions.

Principally technical requirements. In (b) above, note that requirements increase as elevation increases, the reason being that planes require a greater

distance to take off and land as the elevation increases.

Note that these requirements concern airports and landing fields from which commercial flying is done. This requirement does not burden private landing fields, where owners would more than likely do all in their power to prevent accidents to themselves and their equipment, and for the further reason that space for private landing fields might, in the nature of things, be limited.

Sec. 22. No persons or property shall be carried for hire or reward to or from other than a landing field or airport which has met the minimum requirements for airports and landing fields as set forth in Section 21 hereof. In the event of an emergency or forced landing this section shall not apply. The (*Administrative Body or Officer*) is hereby authorized to issue a certificate of compliance with such minimum requirements, which must be posted in a prominent place at such airport or landing field.

Sec. 23. Whenever the (*Administrative Body or Officer*) shall receive a verified written complaint charging any operator with reckless, negligent or other unlawful operation of any aircraft either licensed by this state or operating by permission of this state, the (*Administrative Body or Officer*) may in (*its, or his*) discretion fix a time and place for a hearing to determine whether or not the operator's license held by such person shall be suspended or revoked on the ground that such person is unfit to be so licensed.

The person so complained of shall be either personally served with a written notice or a copy of a written notice shall be deposited in the mail addressed to such person at the last address of such person appearing on the records of said (*Administrative Body or Officer*). Service by either of the above methods must be made at least five (5) days prior to the date of said hearing, noti-

fying said person to appear and show cause at such hearing why his license to operate aircraft in this state should not be suspended or revoked.

Such hearing shall be held by the (*Administrative Body or Officer*) (or by either one thereof) or by any person or persons, not exceeding three, (*who or whom*) the (*Administrative Body or Officer*) may designate. Such hearings may be held in advance of the time set in the written notice at the written request of said licensee.

Upon the conclusion of such hearing the (*Administrative Body or Officer*) or the person or persons holding such hearing on (*his, its or their*) behalf, shall prepare findings based upon the evidence received and considered. If the findings are to the effect that the person referred to therein is a reckless or negligent operator of aircraft, or that he is incompetent or unfit to operate aircraft because of mental or physical infirmities or disabilities, or for other reasons, the (*Administrative Body or Officer*) shall thereupon suspend such operator's license for a period not to exceed six (6) months, or may revoke such license, and in either event shall require that such license certificate be surrendered to the (*Administrative Body or Officer*).

If in any case the respondent shall fail to appear at the time and place fixed for any such hearing, as is provided in this section, he shall be in default, and if in the opinion of the (*Administrative Body or Officer*) or the person or persons holding such hearing on his behalf, there is sufficient reason therefor, the license of the respondent may be ordered revoked or suspended, whereupon the (*Administrative Body or Officer*) shall, upon a notice of such order, revoke or suspend such license, as the case may be.

The (*Administrative Body or Officer*) or the person or persons holding any such hearing under the direction thereof, may summon witnesses in behalf of

the State, and may administer oaths and take testimony, may cause depositions to be taken and may order the production of books, papers, agreements and documents.

The fees for the attendance and travel of witnesses shall be the same as for witnesses before the (*Superior or District*) court, and shall be paid from the funds allotted (*to or by*) the (*Administrative Body or Officer*).

The Supreme Court, any Court of Appeal, or any (*Superior or District*) Court shall have jurisdiction upon the application of the (*Administrative Body or Officer*) to enforce all lawful orders of the (*Administrative Body or Officer*) under this section.

Upon the expiration of the period of the suspension of any license as hereinbefore in this section provided for, the (*Administrative Body or Officer*) shall return to the licensee his licensed certificate or in (*its or his*) discretion may issue to him a new certificate.

Provides for less drastic regulation than that contemplated by the Penal Section of the Act. The necessary due process is secured and provision is made for advancing hearings at the request of persons charged with reckless or negligent operation of aircraft.

Sec. 24. Every owner of aircraft, before operating the same in intrastate commerce, as in this Act defined, must register each such aircraft, except as herein otherwise provided, with the (*Administrative Body or Officer*).

(a) Each application for registration must be accompanied by the Federal license and registration certificate and shall be made upon the appropriate form furnished by the (*Administrative Body or Officer*). It shall contain the name of the owner and legal owner, also a description of such aircraft, including the name of the maker, the motor number, the year built, and the date first sold by the manufacturer or dealer to the

consumer and such further description of the aircraft as shall be called for in the form, and such other information as may be required by the (*Administrative Body or Commission*).

(b) In the event that the aircraft to be registered should be specifically constructed, reconstructed, or an imported product, such fact shall be stated in the application. The owner must, if requested by the (*Administrative Body or Officer*), produce such number plates, seals, certificates of registration, or other evidences of former registration as may be in the applicant's possession or control, or in lieu thereof, supply, at the option of the (*Administrative Body or Officer*), sufficient information thereof.

(c) It shall be the duty of the (*Administrative Body or Officer*) to determine the genuineness and regularity of every registration of every aircraft, as in this act provided, in order that every certificate issued for

each aircraft, shall contain true statements of the ownership thereof, and to prevent the registration of any aircraft by a person not entitled thereto, and the (*Administrative Body or Officer*) is hereby authorized to require any applicant to furnish such information in addition to that contained in the application as may be necessary to satisfy the (*Administrative Body or Officer*) of the truth and regularity of the application.

(d) Upon the registration of any aircraft the (*Administrative Body or Officer*) shall issue an appropriate certificate of registration to the owner and an appropriate certificate of ownership to the legal owner.

(e) Anything in this section to the contrary notwithstanding, no registration or certification shall be required while any aircraft is undergoing any test seeking to determine its airworthiness, under the supervision or direction of the United States Government.

(To be concluded in the next issue)

Subscribe To The Reporter Now

Two dollars will give you the Reporter for one year (4 issues)

Ten dollars will give you a life subscription.

Two dollars will give you a Professional Listing for one year (4 issues).
Mail subscriptions, listing cards and checks to the Supreme Secretary.

FRANK M. LUDWICK,

5225 WILSHIRE BLVD., LOS ANGELES, CALIFORNIA

ACTIVE CHAPTER NEWS

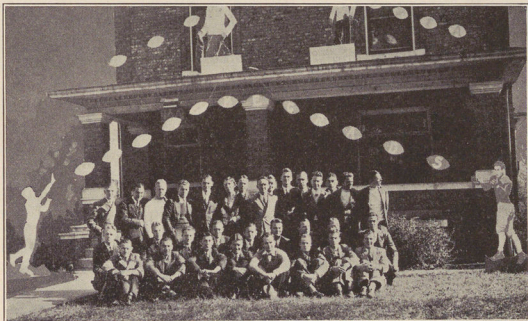
BENSON

Washburn College

■ "Nothing but good news" is the start of Benson Chapters' letter. Their house contains twenty-one men and is filled

of the Law school in the Fall elections.

The chapter house is outfitted with all new furniture and a dance is planned for December to help pay for the new decorations. Monthly smokers are still



Homecoming Day at Benson Chapter

to capacity. That many and more have their meals there daily. Not a single pledge has been lost and the new members are keeping the chapter "humming." Homecoming was one of the most successful events ever held by the chapter. In addition to all of these good reports the chapter announces that they are in fine financial shape.

Recently the officers of Benson chapter visited Green chapter and put on the initiation for them. Nine pledges were initiated and Green Chapter was in high spirits. It is becoming a habit for members of Green and Benson chapters to invite each to all affairs and this results in the friendliest of spirit.

Brother Fred Mann, vice justice of Benson Chapter, was elected president

being held and interest and attendance are high in all activities.

* * *

BENTON

Kansas City School of Law

■ Benton Chapter reports sixteen active members and five pledges. The present chapter room is in the Hotel Baltimore. A rushing party was held there in October and a dance given later the same month. Pledge Mahlen Z. Eubank was elected editor of the school annual.





Active Brothers of Blackstone Chapter

BLACKSTONE

Chicago-Kent College of Law

■ Blackstone Chapter at Chicago-Kent opened up the present year with twenty-two active men. In order to insure a "speedy get-away," so to speak, a Summer Session Smoker was held in August, at the Hamilton Club; which, it was found, furnished the necessary incentive for early semester rushing. For the first month a smoker was held every week. Permanent quarters have been established in one of the Club Rooms of the Great Northern Hotel, and there, bi-monthly smokers for members and guests will be held throughout the year. The chapter has been fortunate in having secured Brother Craig Hood, a Judge in Chicago Heights, for a very interesting talk on "Murder in the Suburbs"; and Brothers Thomas P. Oetigan, Past Supreme Justice; and Brother Allan T. Gilbert, Supreme Justice, for some of the meetings. The chapter has



taken pleasure also in accepting the invitations of the Chicago Alumni Chapter to several of their meetings; and it is felt that an important and worthwhile bond is being built.

The first social event of the year, the Thanksgiving Formal Dinner and Dance was held in the Walnut Room of the Bismark Hotel on Wednesday, November 29th.

Among the eight legal fraternities represented at Chicago-Kent, Blackstone of Phi Alpha Delta received the scholarship rating of second high. Brother Clement H. Vig, who has been a member and an officer of The Round Table, Chicago-Kent's Honorary Society for some time will graduate in June, 1934, with honors. Mention might also be made of Brothers C. L. Munroe, and J. Joseph Carraher, Jr., both of whom were successful in bar examinations of 1933. It is a pleasure to announce the marriage of one of the new brothers, Edward J. Friedrich to Miss Jerry Ellis, of Oak Park, Illinois.

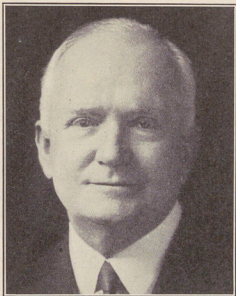
Chapter officers for the year 1933 are as follows: Justice, Loren M. Root; Vice Justice, James W. Collins; Clerk, Richard C. Swander; Treasurer, Marshall T. Ismond; Marshal, Myles J. Seyk. So far, six men have pledged for initiation in January.

BREWER

Stetson University

■ Brothers Burns and Hanna were appointed Sheriff and Clerk, respectively, of the Moot Court, thus receiving recognition for their scholastic standing of highest in the Junior class. Brother Foard was elected student Mayor of DeLand. Brother Adams is president of the Student Body.

Homecoming day witnessed the return of many PADs prominent in judiciary and bar activities of Florida. Some of those present were Brothers Attorney General Landis, Governor Dave Sholtz, founder of Brewer Chapter, Assistant United States Attorney General Wideman and many others.



J. Bert Fish

■ Brewer Chapter points to the Honorable Brother J. Bert Fish with pride. Not only is he a charter member of their chapter and a graduate of Stetson University, but he has always been most interested and active in the chapter's progress. For many years he was a prominent attorney in DeLand and was Judge of the Volusia County Court of Records. He is also one of Florida's largest orange growers. He was recently appointed by President Roosevelt as United States Minister to Egypt and is now located at the embassy at Cairo.

CHASE

University of Cincinnati

■ At the opening of school Chase Chapter held a rush party at the Hotel Alms. Eight men were pledged at this affair..

Brother Wiseman lived up to his name by attaining the highest grade in the state at the June Bar Examinations. Brother Simrall of the class of '34 won the Wald Prize for the highest grade on contracts.



* * *

CLARK

Washington University

■ Clark Chapter pledged eight men following its first rush party in November. Another rush party will be held soon at the fraternity house and it is expected that more men will be pledged at that time.



Everything points to a successful year. All meetings are held in conjunction with the alumni chapter. Brother Al Schweitzer, alumni president, has arranged a series of practical lectures on the mechanics of the law to be given by prominent members of the local bar.

Justice Edward Eyerman passed the bar examinations last summer although he has another year of law school work to get his degree. Brother Vandover is president of the Law School and Brother Maysack is president of the Senior Class.

* * *

COLE

Drake University

■ Cole Chapter maintains its usual creditable scholastic standing. Brother

Ferguson is among the honor men of the law school, last year getting seven hours of B plus and all the rest, A. Brother Briggs is president of the Honor "D" Club.



The chapter continues to hold semi-weekly luncheons and weekly meetings at the chapter room. Prominent Des Moines jurists and lawyers address the meetings monthly.

A number of brothers took advantage of the invitation extended by Hammond Chapter to attend the University of Iowa homecoming. This courtesy was greatly appreciated and thanks were extended to Hammond Chapter.

* * *

CORLISS

University of North Dakota

■ Corliss Chapter has fourteen new pledges. One of them, Lyman Brink, was elected King of the Law School for maintaining one of the best records ever made at North Dakota. The chapter is making plans for a big party at the time of the PAD birthday.



* * *

FLETCHER

University of Florida

■ Thirteen active members and five pledges answer the roll call at Fletcher Chapter. Pledge Darry Davis has a perfect average of 3.00 for the last semester.

The first Annual Alumni Breakfast was held as part of the Homecoming celebration at the University Campus. A smoker was held in honor of men attaining grades during the last semester.

GREEN

University of Kansas

■ The opening of school in September brought to Green Chapter a real tragedy. Classes had scarcely started when the beloved vice-justice, Stanleigh Tier, was fatally injured in an automobile accident in Lawrence. A senior in the Law School, for two years he had been a loyal and active member of the chapter. He was also active in campus affairs and was successively president and treasurer of Alpha Tau Omega. In deepest mourning all regret the passing of the brother, so young, so plucky, and so promising, and who had the respect of all who knew him. Green Chapter in a body attended the funeral.

Green Chapter began the school year under inauspicious circumstances. Graduation, death, and other causes had taken away all but five actives. However, these five, stimulated and honored by a brief visit by Supreme Secretary, Frank Ludwick, last August, and aided by a splendid group of initiates, have inaugurated what is already a very successful year. Two smokers were held for Freshmen from whose number thirteen likely chaps were pledged. One evening the Law School faculty members (three of whom are PADs) were guests, and entertained with amusing accounts of their summer travels. Three meetings took the form of after-dinner forums presided over by practising attorneys of Lawrence who enlightened all with hints regarding the practical side of law. At another meeting all had the pleasure of hearing Dr. Burdick's famous lecture upon Medical Jurisprudence.

Seven new members were initiated the Seventh of November. They are:

Harold Bolton of Abilene, Kansas.

Horace Botsford of Kansas City, Mo.

John Jay Darrah of McPherson, Kansas.

J. Paul Jorgensen of Mt. Hope, Kansas.

John H. Lehman of Abilene, Kansas.

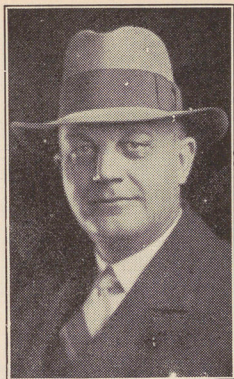
Donald D. Phillips of Colby, Kansas.

James Warren Wallace of Prescott, Kansas.

The initiation ceremony was conducted by the officers of Benson Chapter, who very generously came over for the occasion and lent their assistance; Justice John Weeks, Fred Mann, Max Hall, Robert Cobean, and Auburn Light. Phil Cook, a Green alumnus, also assisted in the initiation.

The supreme event of the Fall was the honorary initiation of the Honorable James Milbank Challiss of Atchison, president of the Kansas State Bar Association, and the Honorable Cyrus Crane, of Kansas City, Mo., last year's president of the Missouri State Bar Association, both alumni of the University of Kansas School of Law. Dean Robert McNair Davis bestowed the honorary keys upon the initiates. The initiation was followed by a banquet with speeches by Dr. Ernest H. Lindley, Chancellor of the University, Professor Thomas E. Atkinson of the Law School faculty, and the Honorable Balie Waggener of Atchison, Green alumnus, and member of the State Board of Regents. The main addresses were made by the honored initiates. The keynote of all the speeches was the importance of high ethical standards in the practice of law. Both of the initiates have been known for their courage in insisting upon higher standards within their respective bar associations. Along with the seriousness of the evening there was occasion for humor and amusement. Those who have heard Jim Challiss will never forget his sparkling wit and his capacity for reminiscence.

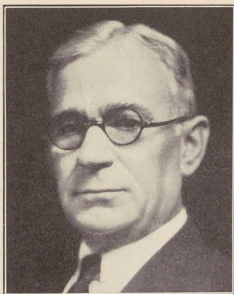
Green Chapter is indeed proud of its two newest honorary members. Brother John Milbank Challiss was born at Atchison, Kansas, in 1870. His parents were pioneers of the state, having settled there in 1856. He attended Kansas State University, through the Collegiate Course and graduated as valedictorian



John Milbank Challiss

of the Law Class in 1894. He has been active in politics and is one of the organizers of the American Law Institute. He has been president of the Kansas State Bar Association. After serving two terms as County Attorney at Atchison, Kansas, he formed a law partnership and practiced corporate law almost exclusively, being general attorney for the Missouri Pacific Railroad, and Western Coal and Mining Company, for the State of Kansas. At present he is with the law firm of Waggener, Challiss & May.

Brother Cyrus Crane was born in Suffield, Connecticut, in 1866. He graduated from the University of Kansas in 1887, with an A. B. degree and secured his legal education through private study. He was admitted to the Missouri Bar in 1890. Since then he practiced law continuously with the law firm of Lathrop, Morrow, Fox & Moore, later becoming a partner in its successors, Lathrop, Crane, Reynolds, Sawyer & Messereau. He represents some of the largest firms in the state as legal counselor and is also prominent in several



Cyrus Crane

business organizations. Some of his achievements are Phi Kappa Psi, Phi Beta Kappa, honorary member of Phi Alpha Delta; former president of the Kansas City Bar Association; past president of the Missouri State Bar Association; member of the American Bar Association; University Club; past president of the Professional Men's Club; past president of the Kansas City Chapter Sons of Revolution.

Victors in last year's combat, Green Chapter accepted the challenge of Phi Beta Pi, Medical fraternity, for another annual combat on Nov. 29th., the afternoon before Homecoming. The team is in excellent condition, and they expect to win the 15-lb. turkey as usual.

Green Chapter cooperated with Benton, Benson, Reese, and other middle western chapters in arranging a joint meeting at Kansas City, Saturday evening, December 9th.

Brothers Barber and Lehman are Justices on the Law School moot courts while Brothers Harding, Penney and Menghini are Commissioners of the same. Pledge Harold Irwin is Law School representative on the men's student council of the University.

HAMMOND

University of Iowa

■ Scholastically, Hammond Chapter has done quite well, rating 6th place among all of the fraternities on the campus. Brothers George Obear and Melvin Dakin acquired a straight 4 point average.

A party was held at the chapter house late in October with Professors Sayer and Ladd of the Law School as guests. The Barristers' Ball, all Law School formal, will be held at Iowa Memorial Union on December 15th.

Brothers Charles Crawley and Dale Missildine won the Junior Law Club arguments and are eligible to compete in contest to argue before the Supreme Court of Iowa on Supreme Court Day of their senior year. Brothers Joseph Nelson and Arthur Sternberg will argue soon for this competition.

The new LAW COMMONS building being constructed now will be completed next fall. It is similar to a like building at Michigan and will accommodate 150 men. There also will be dining service. The four legal fraternities will have quarters in the new building. It is being built on a bluff west of the Iowa River and in a few years the state plans to build a new law school building in the same vicinity.

A number of brothers took advantage of the opening of pheasant season in the northern counties of the state. All reported a good hunting trip and each man got his limit.

* * *

JAY

George Washington University

■ John Jay chapter enjoys a scholastic average of B, with Brothers Ellison and



Young on the "George Washington Law Review" staff.

A joint dinner was held with Taft Chapter recently. Plans are now being made for the initiation of eight pledges.

* * *

HARLAN

University of Oklahoma

■ HARLAN chapter is sponsoring a series of talks by chapter members, on traditions of Oklahoma University, from material prepared by some of the older faculty members. These talks are given weekly over WNAD, the radio station of the university. The first meeting of this year found twelve members back, in addition to two PADs on the law school faculty.

Chapter dinners are held twice monthly, in addition to the regular business meetings, and plans are being considered for another state convention similar to the one held last year.

Wirt Peters is Law School representative to the Men's Council, Leslie Pain and Barney Burns are on the debate squad, Tom Wright is a member of the state legislature, and Pledge Wilson is vice-president of the junior law class.

Officers are:

Justice.....	Wirt Peters
Vice-Justice.....	Michael Ward
Clerk.....	Elmer Million
Treasurer.....	J. D. Anderson
Marshal.....	Campbell Hippen

* * *

JEFFERSON CHAPTER

University of Virginia

■ Brother Horace Marshall has been elected president of the Law School. Outstanding men on the Virginia Law



Review are

Brothers Horace Marshall, William Staples, Robert Carstophene and Charles

Evans. Jefferson Chapter has had an exceptionally good rushing season. Smokers have been given for the benefit of the rushees and a dance held each year.

KENT

University of Idaho

■ The October meeting of Kent Chapter was given over to a banquet welcoming Dr. A. L. Harding to the Law Faculty. Dr. Harding is taking the place of Dr. Pendleton Howard, who is on a year's leave of absence teaching at the University of Wisconsin.



The legal aspect of the Home Loan Association was the topic of an address and discussion at the November meeting.

Senior members of the chapter have been busy preparing for the first mock trial of the year. The legal tangle is over a mere automobile accident involving three parties and its many complications are wonderful to behold.

* * *

KNOX

University of Arizona

■ Twenty-seven members and ten pledges is one of the reasons for Knox Chapter's many outstanding achievements. At a recent honor assembly three brothers were awarded class honors in the College of Law. First year honors were won by Brothers Ellis and Meek. Second year honors were won by Brother Anderson, Justice of Knox Chapter. All brothers are doing exceptionally well scholastically.

Knox Chapter was honored and grateful for the privilege of presenting the law school with a handsome set of books. The chapter won the books for showing greatest interest in national activities and contributing most thereto during the school year.

Activities are numerous. On November 11th an initiation banquet was held at the Santa Rita Hotel, and among those present were several outstanding attorneys of the state. A picnic was held on November 26th.

Errol Platt, a new pledge and first

Knox Chapter Activities and Pledges



ZARRY SOUTH	FRANK DWYER	CHARLES WILSON	JOHN ANDERSON
RONALD ELLIS	CHASE SCULLY	CHARLES DONOFRIO	HOMER SHANTZ, JR.
WILLIAM BURKHART	ERROL PLATT	LOWELL HARGUS	SYDNEY COX
RICHARD MEASON	FRANCIS DONOFRIO	ELMER COKER	JOSEPH MEEK

string player on the Arizona football team, received a broken leg in the New Mexico-Aggie game. Brother Chase Scully spent an enjoyable summer visiting England and Scotland. Brother Stephen Spingarn passed the Arizona State Bar examinations. He is a Senior in the law school. The chapter initiated as honorary members Judges Ross and Lockwood of the Arizona Supreme Court. Brother Jack O'Dowd attended summer school at the University of Washington at Seattle. Sixteen men were pledged at the beginning of the semester including Homer Shantz, son of the president of the University of Arizona.

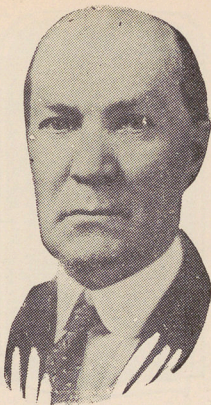
In reminiscing over "Fifty Years of Practice," Chief Justice of Arizona, Judge Henry D. Ross, LLB, new honorary member of Phi Alpha Delta, Philander Chase Knox Chapter at the University of Arizona, told of horse thieves re-stealing his "fee" when he had secured an acquittal for the desperadoes, in Prescott, Ariz., territorial court.

"The thieves gave me a bill of sale for some horses," Judge Ross said at the initiation banquet attended by honorary members, members and pledges in the Santa Rita Hotel, Tucson, Ariz., "but after the acquittal, when I went to 'collect', I found they had made away with my fee."

Judge Ross and Associate Justice of the State Supreme Court, Judge Alfred Collins Lockwood, were initiated as honorary members of Phi Alpha Delta, at an Armistice Day initiation and banquet.

Phi Alpha Delta is highly honored in accepting such men as the two new honoraries to membership in the Knox chapter. They both bring a world of friendship and a wealth of information and knowledge to the organization.

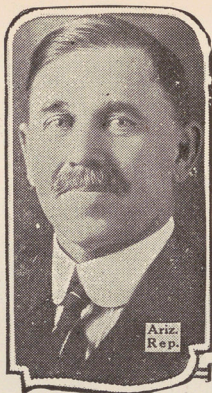
Chief Justice Ross was born in Berryville, Ark., September 12, 1861, received preliminary schooling at Clark Academy there, and later was awarded his LL.B. from Iowa State University in



Judge Henry D. Ross

1883. He married Margaret Wheeler of Vicksburg, Miss., April 24, 1890. Two children, Henry Davis and John Wheeler, were born to them. Justice Ross removed to Arizona in 1886, and continued a legal career in private practice, interspersed by several terms in office, including district attorney of Yavapai county, 1888-90; Coconino county, 1890-92; registrar U. S. Land Office, Prescott, 1893-98; U. S. District Attorney Yavapai county, 1898-1911, resigned; Justice Supreme Court of Arizona three terms, 1911-1929 (Chief Justice during three periods). He is a Democrat, of Presbyterian religion and is a member of the American Academy of Political and Social Science.

Justice Alfred Collins Lockwood was born in Ottawa, Ill., July 20, 1875; received his education in public and high schools of the city, was married to Daisy Maude Lincoln of San Jose, Calif., in June 15, 1902, there being three children, Lorena Elizabeth, A. Charlotte and Chester R. Justice Lockwood taught in the public schools of Maricopa coun-



Justice Alfred C. Lockwood

ty, Arizona, 1897 to 1902, when he was admitted to the bar of Arizona, practicing at Nogales and Douglas. He was city attorney of Douglas, 1905-1910, when he entered private practice until 1913, when he became a judge of the Superior Court of Cochise county, until 1924. In 1925 he was named associate Justice of the Supreme Court of Arizona. He is a Democrat, a Congregationalist, and a member of the Masonic and Elk brotherhoods.

The event completed the most active two months of the Philander Chase Knox chapter, in its history at the University of Arizona.

Professor L. J. Curtis, adviser of Phi Alpha Delta, gave an entertaining talk on "Ordeals," at the initiation banquet, explaining the old methods of trial by water, fire, candles and crabs, used to determine a man's guilt or innocence.

Activities were opened September 18, when all members enrolling in the law college were invited to attend an Arizona desert picnic, west of Tucson in the city recreational area, studded with giant Saguara cactus.

It was at this picnic, that Brother Frank Ludwick, supreme secretary of Phi Alpha Delta, then visiting in Tucson on a tour of western state chapters, so distinguished himself as a mediator in a situation crucial as the Supreme Secretary ever encounters. Brother Ludwick refereed an indoor baseball game between imbibers and non-imbibers of 3.2, on a sandy, mesquite and cactus covered diamond.

Two days later, on the evening of September 20, at the home of ex-Justice Chase Scully, a real old-fashioned "Stag" party was held, at which 16 men were pledged. Brother Ludwick, livened the evening with interesting discussion and humorous stories. C. Wilson Keeler was accepted to brotherhood from Sutherland Chapter, University of Utah.

Plans for the rush party and picnic, and the initiation and pledging were arranged by Justice John G. Anderson, who spent considerable work during the summer in outlining Phi Alpha Delta plans for the year.

It was announced that the meritorious work of the Knox chapter during the college year 1932-33, was rewarded by the Supreme Executive Board of Phi Alpha Delta, with the set of Blashfield's Instructions to Juries, in recognition of its being the chapter which "showed the greatest interest or contributed the most to national activities."

Credit for this great honor, present officials of the Knox chapter announced, should go to last year's officers, headed by Justice Chase Scully. The Knox chapter was in perfect standing with the Supreme Chapter during the "worst of the depression," it was announced.

Under the direction of Justice Anderson, many interesting and educational meetings have been planned. Alumni members who are now in high honor in the profession are carefully chosen and will address the group on technical subjects as often as is practicable. This program will be followed throughout the year, Justice Anderson announced.

MAGRUDER

University of Illinois

■ The following Magruder men successfully passed the Illinois Bar examinations this year: Brothers Hahn, Powers, Stern, Carlson and Johnson.

The chapter is recently reorganized and has taken on a new zest and peppery flavor that promises great things. They are publishing a bulletin called *Magruder Alumni News*. It is a newsy publication planned to foster interest between alumni and active members.



At the suggestion of Dean Harno the chapter has adopted a policy of holding small discussion meetings devoted to topics of national interest.

Friday, November 17, 1933, the members of the University of Illinois Law Faculty, and Magruder Chapter members and pledges gathered at the Theta Kappa Phi Fraternity House, Champaign, to pay homage to what farm members commonly called the Pig. Notwithstanding attacks by both Republican and Democratic parties, the Pig performed to perfection while Brother D'Anza kissed his anterior end and Pledge Roupas planted a soul kiss on his posterior end.

Professors Weiseiger, McCaskill, McDougal, Schnebly, Holt, Goble and Summers represented the faculty, Dean Harno and Professor Britton being absent due to other business.

In absence of the Supreme Justice Allan T. Gilbert, who was in Washington, D. C., on business, the National Chapter was represented by Brother William O'Shea, Chairman in charge of the PAD Birthday Party and radio

broadcast, and Justice of the Chicago Alumni Chapter for 1934.

Alumni members present were Brothers Earl Harrington and Ed Collard. Other guests were Judge Cassels, Piatt County, and Fred Hamill, former City Attorney of Champaign.

After the Ritual of the Pig, toastmaster Ed Collard read letters purporting to be from President Roosevelt to the faculty. First on the list was Prof. McCaskill, who was made dictator of Codes and Code Pleading with instructions to "crack down" on any lawyer who does not follow the new Illinois Code. Prof. Summers, after some controversy settled only by the roll of dice, was made Chief Administrator of the Oil Code, rather than putting his sheep-shearing ability to use under Secretary Wallace.

Prof. Weiseiger was given a seat on the Stock Exchange (evidenced by a Chick Sale's Seat) in appreciation of his ability to "buy on the bulges and sell on the dips".

Prof. Frederick Green, "Gibraltar" of the Law School in general, and the constitution in particular, was given the commission of preserving the Constitution of the United States. George Washington Gobel was given the Ambassadorship to Russia in appreciation of his support to the Roosevelt party. Upon receiving the special ambassadorship to the whole of Europe, Prof. McDougal decided to act as spokesman for the faculty by telling stories for a half hour or more.

The evening ended with a talk on PAD by Brother O'Shea speaking for the National Chapter.

Law School students this fall saw results from their petition presented last year asking that they be classed as graduate students rather than under-graduates. Under the new ruling, a law student who has already received a degree is a graduate student and entitled to their privileges.

MARSHALL

University of Chicago

■ The Junior Class Law School election placed Brother Paul Kitch as president, Brother Charles Washer as treasurer and Pledge A. L. Cram as Council Representative. Other outstanding brothers are Fred Merrifield, who is President of the Law School Council, Vice-President of the Law School Bar Association, Contributing Editor of the Chicago Law Review, Representative to the Graduate Student Council; and George McMurray, who is "Recent Case Editor" of the Chicago Law Review. This review has gotten out its second issue and is regarded as a success.

A dinner dance was held on November 4th at the Bismarck Hotel. Brother Horace Dawson (Marshall), who is an authority on Patent Law, and now practicing in Chicago, recently gave three lectures on Patents, Copyrights, and Trademarks at the University.

* * *

McKINLEY

Ohio State University

■ The law students of Ohio State University are making plans for the formation of a Junior Bar Association. It will be patterned after the one in operation at Duke. At present only a few of the larger schools have such an organization but the plan is gaining such popularity and favor that it soon should be considered by all schools. Its purpose is to fit the student for practice by affording the means of getting practical experience such as clinic work or writing for law review publications. Outstanding speakers will be selected for the lectures.

* * *

MORGAN

University of Alabama

■ Morgan Chapter has eighteen active members and fourteen pledges. Brothers Hugh Reed, J. E. Jones, J. Arch McKee, G. R. Oliver, Ed Hamil, Ira Pruitt, J. P. Miller and Shaffeur Boone are to be congratulated for their fine scholastic

record. Their grades are among the best in the Senior class and far above the average.

Brother J. E. Jones and Pledge Mill-sap were elected to represent the Senior class on the Honor Committee. Brother J. D. Brown and Pledge Charles Hawkins were elected to represent the Junior class on the Honor Committee. The school operates under the Honor System. Brother G. R. Oliver was elected president of the Law School; Brother Pugh, Secretary of the Senior class; Brother Hamil, Class Prophet, and Brother J. A. McKee, Class Historian. Pledge Maloney was elected President of the Junior Class.

Morgan Chapter holds two luncheons and one banquet each month. They have as their guests prominent alumni who speak on current subjects.

On January 20th, Morgan Chapter with Birmingham Alumni Chapter will join hands for the purpose of celebrating the PAD birthday. Invitations will be extended to all PADs in Alabama to attend the celebration. The alumni chapter has taken a great interest in the active chapter resulting in a fine harmonious feeling between the two.

* * *

REESE

University of Nebraska

■ This successful social season started off with a well attended and highly praised house party on October 14th. Homecoming day, a month later, was one of the greatest get-togethers ever held by this chapter. A large number of alumni were present. The event had a program consisting of a house dance, general meeting and a fine dinner. Next on schedule is the formal dance to be held on December 16th in the main ballroom of the Hotel Cornhusker.

It certainly looks like a great year



scholastically too. Brother Taylor, Justice of Reese Chapter, continues to lead the Senior Class with a lead that almost assures his being top graduate. Brother Johnson and Pledge Wiltse are among the leading four (prospective Coif men) in the Junior Class. Brother Johnson is scholarship chairman and has been putting the neophytes through their paces.

Pledge Wiltse was elected Junior Class president by acclamation and Brother Keriakedes, besides being an outstanding football man, is one of the organizers of the new Progressive party in campus politics that recently swept the fall elections. Brother Taylor is teaching the class in Legal Research as well as advising a Freshman group. Under his leadership the chapter has succeeded in accumulating a fine library of a thousand volumes.

Three Reese Chapter men are on the staff of the Nebraska Law Bulletin. Three of the four library assistants are PADs. This chapter is the only legal fraternity with a frat house on the campus.

Twenty-two men were pledges to PAD. Among the members of this group are John Landis, son of District Justice Landis of Seward; Bayard Payne, Jr., son of Justice Payne of the Supreme Court; Howard Holtzendorf and Lester Danielson, student chairman and secretary respectively of the Nebraska Young Democrats Club. The first two named are sons of Phi Alpha Delta fathers.

Brother Harvey Hillman was principal orator in last year's conference championship debate team and appears to be headed for a stellar role again this year.

* * *

ROSS

University of Southern California

■ The thirty active members of Ross Chapter held a picnic this summer in the Verdugo Hills near Los Angeles. Over seventy people attended the picnic

and had an enjoyable time. Another successful outing was held at Catalina Island. Luncheons are held every Tuesday at the College Inn. A Christmas dance is being planned at the Cocoanut Grove.

Brothers Henry Walker and Ted Russell were active on the Southern California law review last year. Brother Don Bent was president of the Senior Class, Brother John Houser was president of the Junior Class and Brother Ray Brown was head of the Freshman Class. Brother Houser was elected president of the law school for the 1933-34 term.

Politically and scholastically Ross Chapter anticipates a highly successful year. Three men are on the Law Review. Seven of the eleven instructors in the Law School are PADs.

Ross Chapter is honored by its two new honorary members.

Brother Presiding Justice Albert Lee Stephens has been prominent in the judiciary of Southern California for many years. He was Justice of the Peace in the Los Angeles Township Court from 1906 to 1910; City Attorney of Los Angeles from 1913 to 1919; and Superior Court Judge from 1920 to 1933. He was appointed to Division Two of the 2nd Appellate District, Court of Appeal of California in 1932, and in 1933, elevated to the presiding Justiceship thereof. He was Chairman of the Committee that investigated Airplane Sites in Southern California for the Federal Government following the war. He is an honorary member of the Order of Coif of the University of Southern California Law School, and now an honorary member of Ross Chapter of Phi Alpha Delta.

Recently, he swore in a Municipal Judge in Los Angeles and expressed himself, in part, in the following manner:

"With the oath I am about to give you, you will be clothed with tremendous power. A judge who abuses his power is the most de-

spicable of all tyrants. Be considerate. Only twice in my long experience have I used discipline in my court. Never have I threatened jail to lawyer or layman. Never enter a judgment without a conscious realization of its effect. No judgment should be casual. Have the courage to enforce penalties in criminal matters, but if you think it wrong let the heavens fall about you before you send a man to prison. The supreme duty of the judiciary is to preserve the liberties of the people."

Brother William Edward Burby received his A. B. and J. D. degrees at the University of Michigan in 1917 and 1922. He was Professor of Law at Notre Dame University from 1922 to 1924 and the following two years was Professor of Law at the University of North Dakota. He became Professor of Law at the University of Southern California in 1926. His subjects are Torts, Sales, Equity, Conflict of Law, Personal and Real Property, Future Interests, Trusts, Wills, Evidence, Partnership, and Municipal Corporations. He is a well known compiler of case books on community property and has written numerous leading articles for the Southern California Law Review and the Law Review of West Virginia Law School. He is a member of the Michigan and California Bars and is the originator and editor of Legal Briefing Service of California Advance Sheets.

* * *

RYAN

University of Wisconsin

■ Ryan Chapter has a program consisting of two dances each year, a large dinner with a guest speaker each month and a smoker-beer party every month.

The members maintain club rooms with a PAD as caretaker. Here are held the rushing parties and the smokers. It is now planned to have a dinner party once each month at the University Club

with alumni members and guest speakers.

At a banquet held at the University Club, Professor N. P. Feinsinger discussed his investigation of divorce litigation which he made in England last summer.

Brothers Ernest Feidler, Chris Steinmiz, Dan Hopkinson, Norris Maloney and Thomas Stone attained averages entitling them to be on the staff of the law review.

* * *

STORY

De Paul University

■ Open house and pledge smoker at Story chapter was an outstanding success. Held on the same date as the Chicago Alumni Chapter Football dinner the chapter was literally stormed by alumni guests. Some of the brothers present were: Past Supreme Justice Colonel J. D. Carmody, Past Supreme Justice G. E. Fink, Supreme Justice Allan T. Gilbert as well as members from Blackstone, Ryan, Marshall, Fuller, and Webster Chapters. Brothers McCabe and Pulaski of De Paul University also attended the meeting. They are members of the College of Law faculty.

Sixteen men of promising ability were pledged at the smoker. The active chapter gave a dance in honor of the pledges at the chapter house on November 11th. It was a social and financial success.

Vice-Justice John Moynihan was elected president of the Senior Class Night School.

Story chapter, through the medium of the "Reporter" extends an invitation to visiting brothers who might be in Chicago to visit Story chapter house at 1505 N. Dearborn Parkway.

* * *

TANEY

Southern Methodist University

■ Taney Chapter's average for the second half of last year was 79 and led the nearest contemporary by two full

points. Brother Harris '34 again led his class for the year as did Brother Harrison '35, in last years' Freshman class.

An annual Freshman scholarship will be awarded each year to the member of the Freshman class with the highest average for the year. It was won last year by Brother Harrison.



A dinner was given for the members of the incoming class. Moot court trial was instituted in the chapter and then held for the law school as a whole. Taney chapter won its debate with Delta Theta Phi. The members of Dallas Court of Civil Appeals acted as judges.

All members of this chapter were pleased by an invitation from Brother Hugo Swan, Justice of Dallas Alumni Chapter, to attend a luncheon of the Dallas Clearing House Association, to hear an address by Brother J. F. T. O'Connor (Calhoun), Comptroller of Currency of the United States, during his recent speaking tour. Supreme Marshal Diggs arranged for the address. The entire chapter attended the luncheon, including Dean C. S. Potts of the Law School, an Honorary member of Taney Chapter. Brother O'Connor disclosed many of the voluminous tasks of his office and presented a complete and accurate description of the present banking situation of the country. At Dean Potts' invitation, Brother O'Connor spoke before the entire student body of the university and was greeted by them with greater enthusiasm than was accorded any other speaker this year.

TEMPLE

Hastings College of Law

■ This chapter holds regular semi-monthly meetings in its club rooms at the Mark Hopkins Hotel. Dinner dances and stag parties are frequently given. Members of the chapter organized the Hastings Club, which is rapidly gaining power in school affairs. The chapter is also instigator of most of the student body activities and functions of social significance.

This year sees the chapter dominating in the college. There are thirty-one active members, most of whom will return next year. Interest in chapter affairs is keen with the entire membership of the chapter taking part and co-operating. Officers are real leaders and have the respect of the brothers. Scholastically and socially speaking, Temple Chapter boasts the most representative group of men in the college and other legal fraternities seek to participate in their celebrations.

Brother William Hayes, chapter treasurer, is also student body president. He is an excellent student with better than a B average. Brother Henry von Morpurgo, chapter marshal, is student body treasurer and one of the college's most active organizers.

* * *

WATSON

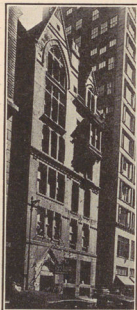
University of Pittsburgh

■ Watson Chapter has eighteen active members and twenty pledges. The reception smoker given for first year men was a huge success and at a later date a private party was held for pledges. Review sessions for first year men are being conducted and all classes are well attended. The group has become very enthusiastic and desires a continuance of these reviews.

WEBSTER

Chicago Law School

■ At Commencement exercises two brothers took active part in the ceremonies. Brother H. F. Tollkuehn delivered the Salutary address and was awarded the Cum Laude Degree for excellent work in his course of studies. Brother William H. Holzinger delivered the Valedictory address and was awarded the Cum Laude Degree for having the highest average grade in his class.



The chapter has enjoyed a successful rushing season and a recent smoker brought in eight pledges. An elaborate initiation with legal refreshments, will soon be held at the Hamilton Club.

Excellent speakers are promised with Past Justice Hale assisting in the program.

* * *

WILLEY

University of West Virginia

■ Monthly dinners with alumni guests and speakers are a regular part of the chapter program.

Brothers Paul D. Farr and Stanley E. Dadisman are members of the West Virginia Law Quarterly Board and last

year served on the Moot Court Board. Brothers Wesley E. Tinker, last year Justice, Charles H. Haden and Kingsley R. Smith were paramountly instrumental in inaugurating the College of Law honor court last year. Brother Smith is now pursuing higher legal studies at Harvard under a scholarship granted as a result of his unusually high marks. Justice A. Hale Watkins is an outstanding campus leader.

* * *

WILSON

Cornell University

■ Brother Herbert A. Heerwagon is Editor of the Cornell Law Quarterly and Brother Harry R. Bigelow is Managing Editor. Brothers H. Matthew Dwyer, C. K. Rice and Norman MacDonald are writers for this same publication.



Brother Harwood Huffcut is president of the Law Association Student Body and Brother Dwyer is vice-president.

Brother Heerwagon has been a member of the Quarterly board for two years. He is holder of the Boardman Prize Scholarship for highest scholastic standing in the third year class and is a student of unusual merit. He is a member of Phi Beta Kappa and Phi Kappa Phi as well as the Cornell honorary society.

Brother Bigelow is holder of various law school scholarships. He distinguished himself in Moot Court finals in his first year, and is a holder of the Van Cleef and Frazier Scholarships.

DON'T FORGET

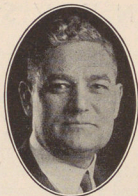
PHI ALPHA DELTA NIGHT

JANUARY 20, 1934

Contact your nearest chapter for details.

Supreme Vice Justice's Page

•



By FRANK E. RUTLEDGE

In connection with our plans to organize state PAD Associations, I feel greatly encouraged and believe that during 1934 our records will show quite a number as a foundation to build on for the future.

Already State Associations have been organized in California, Nebraska, West Virginia, Utah, Oklahoma and Washington and many more will be organized at winter meetings of the various State Bar Associations.

On another page of this magazine, you will see the list of organizers who have been appointed and stories regarding two or three state associations which have recently been formed. The idea has appealed to PADs from coast to coast.

This plan will make it possible for members living in small towns, where there are no chartered alumni chapters, to affiliate with the national organization and at least once a year the associations will have sessions at the time of the state bar association meetings.

Members of the state associations will have no initiation fees and there will be no cost for a charter, as is the case with our city alumni chapters.

Now, in regard to our alumni chapters—many of them have been functioning during the past year in excellent shape and have held regular meetings as well as summer outings. More and more they are meeting with the active Chapters in their vicinities to the advantage and pleasure of both Chapters. The Chicago Alumni Chapter is particularly active; the Kansas City Alumni Chapter recently joined with Benton, Green and Benson Chapters in an exceedingly interesting affair. I would like to see more of such gatherings in the various portions of the country. The Washington Alumni Chapter is exceedingly active this year. At the present time all of the Chapters are busy planning programs for the big night of January 20th.

Too much stress cannot be laid upon the assistance which the alumni members can give to their Chapters in rushing, through joint meetings and personal contacts.

Increasing interest and enthusiasm throughout the country make it possible for me to predict that 1934 will be the most progressive and satisfactory year in our fraternity history.

NEWS OF ALUMNI

CHICAGO ALUMNI

■ The officers of the Chicago Alumni Chapter are keeping their word of making this year the greatest in the history of the Chapter. Over 150 brothers in Phi Alpha Delta—the largest number to attend a regular monthly meeting—were present at the “Big 10 Meeting”, on October 17, at the Hamilton Club.

Among those present were Judges Jonas, Schiller, Moran, Helander, McCarthy, and Hamlin, Dean Harno of the University of Illinois, Col. John Doyle Carmody of Los Angeles, former Atty.-General Oscar Carlstrom, Fletcher Lewis, G. A. Burash, Mal Foley and Frank Murray. Five Supreme Justices, Brothers Jonas, Fink, Gilbert, Octigan and Carmody, were among those present. Marshall Chapter (University of Chicago) and Fuller Chapter (Northwestern) called off their meetings to attend in a mass.

The Committee in charge of the meeting consisted of Bros. Clarke, Justice, O'Shea, Treas., O'Brien, Stern, Chrisman, Hancher, Fink, Beck, Horner, and Moran.

After the 150 members finished using 600 knives, forks, and spoons on 300 one-half fried chickens, the meeting was formally opened by Justice Clarke acting as toastmaster.

First speaker of the evening was the Treasurer, Bill O'Shea, who announced that dues for students out of school for less than 3 years was \$1.00 a year, and 3 years or over \$3.00. He also informed the Chapter of the sad death of Brother Majeski. After he returned the floor, Brother Clarke introduced a brother who hails from Iowa, Northwestern and Harvard, Roswell Chrisman, who in turn introduced Brother Judge William E. Helander, who related his experi-

ences as Judge of the American Legion Court.

Brother Stern introduced Brother Dean Albert J. Harno who traveled 150 miles to attend the meeting, and who amused the meeting with his usual wit.

Brother O'Brien next introduced “Tug” Wilson, Director of Athletics at Northwestern University who spoke on “Football and the Big 10”.

Supreme Justice Gilbert introduced Brother Carmody who closed the evening by telling a story.

Music was furnished by Stanley Olin and his Illinois Knights.

Unlike football sports writers, the Reporter will not estimate the number of PADs that jammed the Chicago Bar Association dining room and stood in the doorways on Thursday, October 19th, to pay honor where honor was due to a Capen Chapter brother, Federal Judge Louis Fitz-Henry, who the previous week was elevated from the District Court bench to that of the United States Circuit Court of Appeals for this district.

At the speaker's table sat PADs, Judges, present and past Supreme Justices, States and District Attorneys—too numerous to mention. At one end of the table sat Col. John Doyle Carmody (retired U. S. A.), past Supreme Justice of PAD.; Allan T. Gilbert, present Supreme Justice, and George E. Fink, another Past Supreme Justice, who, by the way, had the honor of initiating Judge FitzHenry, then City Attorney of Bloomington, Illinois, as an honorary member of PAD.

The honor of introducing the distinguished guest of the day fell upon the

broad shoulders of Brother "Pete" Green, past Supreme Historian who as Dwight H. Green is known as the honest, fearless District Attorney of the North District of Illinois. After briefly summarizing the achievements of Judge Fitz-Henry, Pete Green introduced the speaker of the day.

After speaking briefly of his fraternal activities, Judge Fitz-Henry spoke on the New Illinois Practice Act, bringing out the similarity of that Act and the Federal Equity Rules. He advised his audience to study the Federal Equity Rules to get a better insight of the new Practice Act. His discussion of existing difficulties brought about by the wide difference in forms of practice and the manner in which the new code eliminates these difficulties was very illuminating. Although the entire luncheon lasted only an hour, it was a truly enjoyable one.

Chairman Bill O'Shea breaks the following news as advance notice of the annual formal dinner dance to be held January 20, 1934, at the Drake Hotel.

(1) To make it "a bigger than ever affair" Magruder Chapter from the University of Illinois has been invited to participate. That Chapter intends to charter a bus and attend en masse.

(2) The name has been changed from the "Six Chicago Chapters Annual Ball" to the "Seven Illinois Chapters Annual Ball".

(3) It will be the Ninth Annual Ball.

(4) It will be held on the night of the 31st Anniversary of the National Chapter over a nation-wide network to bring to every PAD in the country news of this great law fraternity. Supreme Justice Allan T. Gilbert will deliver a radio message from the dance floor to every PAD.

* * *

■ Brother Owen Cox (Green) is practicing at Miami, Florida.

CINCINNATI ALUMNI

■ The Cincinnati Alumni Chapter has 175 members and holds regular monthly meetings. They will hold a Christmas party on December 22nd, and will also celebrate the doom of the "noble experiment".

* * *

CLEVELAND ALUMNI

■ Officers of Cleveland Alumni Chapter for the past year are Claude J. Parker, Justice; Andrew Pangrace, Vice-Justice; James L. Broes, Clerk; and Darwin N. Benesh, Treasurer.

Monthly luncheon meetings with guest speakers have been the program of the past year. Now being planned is a large affair to celebrate the thirty-first anniversary of the founding of the Fraternity.

* * *

DETROIT ALUMNI

■ Detroit Alumni had the pleasure of a visit from Supreme Justice Allan Gilbert who attended their annual dinner, on December 5th, at the Detroit Golf Club. At the luncheon held at the Detroit Athletic Club, with a few local officers, there was a detailed discussion of some of the problems of Campbell Chapter. As principal speaker at the dinner Brother Gilbert went over some of the matters discussed at the luncheon and offered several valuable suggestions. Eight active members attended. Local alumni present were Brothers Servis, Moon, Long, Greiner, Miller, Coulter, Tait, Heideman, Snider, Fead, Yost, Stone, Cook, Diehl, House, Martin, Smith and Gall.

* * *

KANSAS CITY ALUMNI

The banquet of the Missouri-Kansas chapters succeeded in spite of a Young Republican convention going on at the same time in Topeka.

About one hundred attended, including twenty-two activities and pledges from Green Chapter, three members of

the faculty from the University of Kansas School of Law, and at least a half dozen instructors and professors from the Kansas City School of Law.

Bert Newland, former Justice of Benton Chapter was toastmaster. To Bert goes the credit for the clever decorations and programs.

Robert L. Henry, present Justice of Benton Chapter and Harold Harding, Justice of Green Chapter, represented their respective chapters with fitting addresses. Leslie Taylor, newly appointed deputy Central District Justice, represented the Kansas City alumni chapter and presided over its election of new officers. For ten minutes or so the banquet was the scene of a spirited parliamentary battle waged by O. Hays Wardrip, Jeffersonian orator, and assistant prosecuting attorney. Wardrip battled alone in defiance of time, parliamentary rules, and the jeers of his listeners, and despite his oratory, saw his cause go down to splendid defeat. Fred Whitten was almost unanimously elected Justice of the Alumni Chapter, Geo. Charno, vice Justice, and O. Hays Wardrip, as a reward for his oratory, was unanimously elected treasurer. Fred Whitten talked briefly.

The Honorable Robert McNair Davis, Dean of the University of Kansas School of law was introduced by Fred Whitten, and discussed the role of the legal profession in the history of civilization. "No civilization can rise higher than its legal profession," he said.

The principal address and the climax of the evening was the address by the Honorable Allan T. Gilbert, Supreme Justice. Our Supreme Justice was frank. Using the "revival" of Green Chapter this fall as an example, he pointed out the things undone by the Missouri and Kansas chapters. Where Dean Davis left off, he went on—namely that the duties of the legal profession are those of the law fraternity particularly. In numerous ways he pointed out what Phi Alpha Delta has been doing, particularly in Chicago, and what

it is planning to do. He ended with a plea for the fraternity to interest itself in public affairs, in supporting worthy causes and worthy candidates for office, and suggested a similar banquet on the occasion of the national birthday party. At the end of the banquet Supreme Justice Allan Gilbert was honored with election to the Order of the Bovine Scoop—a high honor accorded by the Kansas City Alumni.

* * *

LOS ANGELES ALUMNI

■ No meetings were held during the summer months but with fall monthly meetings were resumed. In October, a barbecue party was held at the Uplifters Club, at Santa Monica. In November, a joint meeting was held with Ross active chapter, on occasion of the Ross initiation.

Prior to the California State Bar Meeting in September at Del Monte the officers of Los Angeles Alumni Association wrote all P A Ds in California suggesting formation of a state organization to promote closer contacts and cooperation within the state. Luncheon meetings were held and a state organization formed. Officers elected for the ensuing year were Kimpton Ellis, of Los Angeles, State Justice; Reece Clark, of Berkeley, Vice Justice for Northern California; James H. Mitchell, of Los Angeles, Vice Justice at large; Marion P. Betty, of Los Angeles, Vice Justice for Southern California; A. A. McDowell, of Los Angeles, Secretary and Treasurer.

* * *

SEATTLE ALUMNI

■ The Seattle Alumni Chapter met on Monday, November 6th, for a luncheon and "revival meeting" which was so well attended that great activity may be expected from the group. The first business of the meeting was the election of officers for the ensuing term. Those elected were Justice, Harold S. Morford; Vice-Justice, Felix Rea; Clerk, George S. Woodworth. The meeting

was attended by nineteen alumni of Seattle and included not only the younger members of the bar but some of the older members who have not been seen for some time.

In the future, meetings will be held on the first and third Monday of each month. A regular meeting place has not been decided upon but will be set from time to time. PADs in Seattle number about 110 and when activity starts a large meeting hall will be needed.

The Seattle alumni group is on its toes and coming along in grand shape. All express great enthusiasm over the revival of the alumni activities and are eager to participate in future programs.

* * *

WEST VIRGINIA STATE

■ Brothers in attendance at the West Virginia Bar Association meeting at Clarksburg, assembled in a private dining room of the Waldo Hotel for luncheon and meeting. Brother Wesley R. Tinker was chairman of the meeting and explained the object and desirability of a state association. It was moved and seconded that such an association be formed. Brother Tinker was elected Justice and Brother James H. Brewster, Jr., Secretary.

Present at the meeting were Brothers W. S. Wilkin, of Wellsburg; H. Julian Ulrich, of Wheeling; Frank L. Smoot, of Charleston; Wesley R. Tinker, of Wheeling; Charles P. Mead, of Wheeling; Charles McCamic, of Wheeling; Charles H. Haden, of Morgantown; James H. Brewster, Jr., of Weston.

* * *

■ The formation of a partnership for the general practise of law under the firm name of McVey, Randolph, Smithson & Garrity with offices in the Commerce Building, Kansas City, Missouri, was recently announced. Members of the firm who are PADs are C. A. Randolph (Green), Stanley Garrity (Benson), Louis L. Kirchner (Taft), and Alfred Kuraner (Green).

■ Brother Joseph A. Carey (Taft) is now associated with Brother William S. Culbertson (Calhoun) with law offices in the Colorado Building, at Washington, D. C. Brother Carey is well known to all PADs for his activities in Washington. Brother "Bill" Culbertson has but recently resumed the practice of law. He is an outstanding PAD who has gone far in his profession. In 1911, he attained his doctor's degree at Yale and has been the recipient of other high honors from many universities and foreign nations. He was formerly Counsel of the Federal Trade Commission, Vice Chairman of the Federal Tariff Commission, Minister to Roumania and until recently Ambassador to Chili. He is giving a series of lectures at the Foreign Service School of Georgetown University and is also an Industrial Advisor of the NRA.

* * *

■ When looking for a prominent PAD it might be well to try Washington, D. C. Here is a partial list of some PADs prominent in the national capital at this time: James Young Brown (Clay), Congressman from Kentucky; Richmond Keech (Taft), Peoples' Counsel, District of Columbia; Clyde Aitchison (Jay), Commissioner, Interstate Commerce Commission; Duncan U. Fletcher (Fletcher), United States Senator from Florida; Walter McCarthy (Jay), Justice, Superior Court, Virginia; Daniel O'Donoghue (Taft), Associate Justice, Washington, D. C., Supreme Court; Jesse Adkins (Taft), Associate Justice, Washington, D. C., Supreme Court; Huston Thompson (Jay), ex-Chairman, Federal Trade Commission; Guy T. Helvering (Campbell), Commissioner of Internal Revenue; Ryan Duffy (Ryan), United States Senator from Wisconsin; J. F. T. O'Connor (Calhoun), Comptroller of the Currency; William S. Culbertson (Calhoun), ex-Ambassador to Chile.

* * *

■ Brother Lee Stanford (Green) has opened offices in Concordia, Kansas.

■ Brother Judge Harry E. Hamlin (Campbell and Calhoun) is being considered as the choice of Progressive Republicans for their candidate for Illinois State Treasurer. Brother Hamlin has been a state legislator; served 2 years as Assistant Corporation Counsel of Chicago; 2 years as Assistant Attorney General of Illinois; three years as First Assistant U. S. Attorney; and as Municipal Judge in Chicago. He has a fine military record and has many friends in Chicago official circles. If he receives the party choice it is conceded that he will be a hard man to beat. At present he is practicing law in Chicago.

* * *

■ The belief that newspaper men should be protected by law from being forced to reveal news sources was advanced by Brother Professor Frederick S. Siebert (Magruder) at the 18th annual national convention of Sigma Delta Chi, professional journalism fraternity. Two states, Maryland and New Jersey, now have such laws. "Inviolability of confidence is part of the ethics of journalism. 'If it is good ethics, it is good law'", Professor Siebert said.

* * *

■ Five Magruder men passed examination and were admitted to the Illinois Bar at the recent test held in July. They are Richard F. Hahn, Raymond R. Stern, John E. Carlson, Robert J. Johnston and Ramon A. Powers.

* * *

■ Under the auspices of Loyola University on November 16th, Brother Professor Charles H. Kinnae (Magruder) delivered a talk on the Bankruptcy Act before members of the Chicago Bar Association.

* * *

■ Brother John W. Freels (Magruder) has been appointed local attorney for the Illinois Central System in Cook County.

■ Two old Corliss Chapter men returned to the University of North Dakota this year as instructors in the law school. They are Brothers Ross Tisdale, who teaches Business Law and Real Property and Bert Egermayer who teaches Contracts and Credit Transactions. Another PAD on the faculty is Brother Muus who teaches Torts, Constitutional Law, Ethics and Corporations. Another new instructor is Mr. Severson who was pledged to PAD when he attended law school at the University of Minnesota.

* * *

■ Brother Deneen A. Watson (Magruder) has become associated with the law firm of Sabbath, Perlman, Goodman & Rein, and will specialize in federal and state securities matters. He will be located at 10 South LaSalle Street, Chicago. Brother Deneen recently retired as secretary of the National Association of Securities Commissioners, and was connected with the Illinois securities department for four years.

* * *

■ Brother C. P. Bliss (Magruder) was elected first vice-president of the Illinois Press Association.

* * *

■ Brother George B. Lee (Magruder) has joined the law firm of Kane, Scott & Lee, of Harrisburg.

* * *

■ Brother Robert W. Johnston (Magruder '33) is with Mayer, Meyer, Austrian & Platt, in Chicago.

* * *

■ Brother E. E. Wineland (Magruder '31) is general of NRA forces at Flora, Illinois.

* * *

■ Brother Morris Durham (Magruder '23) is with Souvenir Hosiery, Inc., Chicago.

* * *

■ Brother Myron Ratcliffe (Magruder '26) is with the R.F.C. in Chicago.

■ Brother Scott P. Squyres (Harlan) of Squyres & Andrews of Oklahoma City, is organizing the Oklahoma State Alumni Association Chapter of Phi Alpha Delta. Assisting him are Brothers Bower Broaddus (Lawson) of Muskogee, A. B. Carpenter (Harland) of Shawnee, J. Wilford Hill (Green) of Cherokee, Waldo T. Owin (Harlan) of Altus, Q. B. Boydston (Harlan) of Fort Gibson, and Merrill S. Bernard (Benton) of Sand Springs.

* * *

■ Brother Albert L. Schweitzer (Lawson), former Prosecuting Attorney of St. Louis, was elected Justice of the St. Louis alumni chapter at a joint meeting of the alumni and Champ Clark chapter of Washington University. One hundred members of the Alumni chapter were present. Other officers chosen were as follows: Albert E. Cunliff, vice-justice; Phillip S. Alexander, clerk; Lester W. Spilker, treasurer; and Carl V. Einbeck, marshal.

* * *

■ Supreme Vice Justice Frank E. Rutledge (Webster) attended the October meeting of the Pittsburgh Alumni Chapter and discussed plans for the organization of the Pennsylvania State Alumni Chapter.

* * *

■ Brother Thomas F. McDonald (Campbell) of the law firm of Donnell & McDonald of St. Louis is in charge of the organization of the Missouri State Chapter of Phi Alpha Delta.

* * *

■ Brother Milton W. Hardy, former Justice of Harlan Chapter, has just opened offices for the practise of law in the Mayo Building, at Tulsa, Oklahoma.

* * *

■ Brother Morgan V. Martin (Wiley) is practising law at Martinsburg, West Virginia. It sounds as though he started his own town to practise in.

■ Brother David O. Mathews (Reese), of Omaha, Nebraska, has taken charge of the organization of the Nebraska State Alumni Chapter of Phi Alpha Delta. Much interest is being evidenced in Nebraska over this movement. He is being assisted by Brothers Arthur Balis of Lincoln, J. P. O'Gara of Lincoln, John P. Misko of Ord, Golden P. Kratz of Sidney, Judge H. H. Schaaf (former Justice of Reese Chapter) of David City, Wilber S. Aten of Holdrege, Donald F. Sampson of Central City, William Kee-shan and William C. Schaper with Schaper & Runyan of Broken Bow.

* * *

■ PADs played a prominent part in the American Legion Convention held in Chicago this year. Brother Governor David Scholtz (Fletcher) landed the 1934 Legion Convention for Miami, Florida. Brother Ryan Duffy (Ryan) was active on several committees and head of the Wisconsin delegation. Brother Colonel John Doyle Carmody (Taft) was delegate from Panama and on several committees. Brother Judge W. E. Helander (Fuller) was the duly constituted Judge of the Legion Court.

* * *

■ Brother Judge Edgar A. Jonas (Webster) is cooperating with the Chicago Bar Association in investigating alleged illegal expenditure and fund transfer in the chief justice's court. Judge Jonas is Municipal Judge and active in Bar Association investigations.

* * *

■ Brother John R. Snively (Magruder) of Rockford, Illinois, has been selected by the American Bar Association to serve as a member of the new standing committee on unauthorized practice of the law. He has also been elected Justice of the Peace, at Rockford.

■ Brothers Rolla Van Kirk (Green) and Hugo Serb (Green) of Dodge, Nebraska, were members of the last session of the Nebraska State Legislature Senate. Brothers John Comstock (Green) and LaMonte Lundstrom represented their constituents in the lower house.

* * *

■ Brother A. J. Kinnane (Magruder), formerly Dean of the Wyoming Law School, is now connected with the faculty of Loyola University Law School, in Chicago. He also practises law and specializes in security transactions. His home is in Elmhurst, Illinois.

* * *

■ Brother Paul G. Parsons (Ruffin), Southern District Justice, has established his office in the Massey Building, Birmingham, Alabama. Brother Lafayette E. Rogers (Morgan), recently admitted to the bar, is now associated with Brother Parsons.

* * *

■ The New York Alumni Chapter is again holding meetings at the Fraternity Club Building, Madison Avenue at 38th Street. They were able to return to their old quarters through an attractive offer of the management.

* * *

■ Brother Clare M. Vrooman (Clay) has become a partner in the law firm of Garfield, Cross, Daoust, Baldwin & Vrooman with offices in Cleveland, Ohio. Another PAD member of the firm is Cleaveland R. Cross (Hay).

* * *

■ Brother Glenn Paxton (Magruder) is with Townley, Wild, Campbell & Clark, in Chicago. He is the proud father of two sons.

* * *

■ Brother D. W. Woodbridge (Magruder) is teaching in the law school at William and Mary College.

* * *

■ Brother James Ingles (Magruder) is practicing law at Indianapolis, Ind.

■ Magruder active chapter is publishing a monthly Bulletin called the Magruder Alumni News and sending it to all alumni. Two issues have now appeared and contain a great deal of news of interest to all PAD. The purpose of the Bulletin is to acquaint the alumni of Magruder Chapter with the activities of the active chapter, other alumni members and news of the Law School of the University of Illinois. Alumni members of Magruder who have not received this bulletin will be put on the mailing list if they will write, requesting same, to the editor, Raymond R. Stern, 4117 W. 21st Place, Chicago, Illinois.

* * *

■ Brother Edwin Northrup, former Justice of Hay Chapter, stepped right out of school and into a position with the law firm of Pfeiffer & Fuels, in Cleveland, Ohio. He will be directly associated with Frank B. Fuels and will be in charge of the probate practise of the office.

* * *

■ Brother Leon "Red" Roulier (Green), county attorney of Colby, Kansas, was largely responsible for the uncovering of a bond forgery scandal in the treasurer's office of Nebraska and probably will be retained to bring the malefactors to justice.

* * *

■ Brother James Meek (Green) is practicing law with his father under the firm name of Meek & Meek, at Kansas City, Kansas.

* * *

■ Brother Balie Waggener (Green) is a member of the Kansas State Board of Regents.

* * *

■ Brother Dwight Wallace (Green) is with Amidon, Hart, Porter & Hook, in Wichita.

* * *

■ Brother John Markham (Green) is practicing in Parsons, Kansas.

■ Brother Carl L. "Curley" Ristine (Lawson) of Lexington, Missouri, attended the Missouri State Bar Association meeting at Kansas City, Missouri, late in September. He probably wonders where we got the nickname. Perhaps he does not remember but "we knew him when".

* * *

■ Brother Waldemar C. Wehe (Ryan), member of the Phi Alpha Delta Supreme Advisory Board, was elected president of the Board of School Directors of the City of Milwaukee. He is serving his eleventh year on the board and was president of the board in 1926-1927.

* * *

■ Brother Milton L. Meister (Ryan), formerly associated with the law firm of Bogue, Sanderson & Portage, announces the opening of law offices in the First National Bank Building at West Bend, Wisconsin.

* * *

■ Brother Albert A. Verrilli (Calhoun), Eastern District Justice, announces an addition to his family. Albert A., Jr., was born on November 3, 1933, and Mrs. Verrilli and "Al., Jr." are doing very well.

* * *

■ Brother Kimpton Ellis, Justice of Los Angeles Alumni Chapter, has been appointed as a member of the Standing Committee on Legal Aid of the American Bar Association.

* * *

■ Brother George K. Brasher (Benton) announces the removal of his law offices to the Dierks Building, Kansas City, Missouri.

* * *

■ Brother John C. Loos (Benton) announces the removal of his offices to the Dierks Building, Kansas City, Missouri.

* * *

■ Brother Weston E. Jones (Hammond) will practise law at Charles City, Iowa.

Judge Erskine M. Ross, in his Will, provided as follows "I give, devise and bequeath out of my estate to the American Bar Association the sum of One Hundred Thousand Dollars to be by it safely invested, the annual income of which to be offered and paid as a prize for the best discussion of a subject to be by it suggested for discussion, at its preceding annual meeting."

Brother Ross was an honorary member of Phi Alpha Delta and our chapter at the University of Southern California bears his name.

* * *

■ Brother Wm. V. "Bill" Crosswaite (Green) has resigned his Mound City practise to accept charge of the wheat division of the Benefit Contract Bureau in the Agriculture Administration, at Washington, D. C. His address is 1722 19th Street N. W., Washington, D. C.

* * *

■ Brother Herbert Hobbie, Jr. (Benson) is now located in Medicine Lodge, Kansas, with the law firm of Tincher & MacGregor.

* * *

■ Brother Ralph M. Immell (Ryan) is active in NRA unemployment aid in Wisconsin.

■ It is with regret that we report the untimely death of Brother Clarence C. Majeski (Webster), at the age of 47. Brother Majeski was initiated into Webster Chapter in 1922. He was a member of the Chicago Alumni Chapter and of the American Bar Association.

■ Brother Paul C. L'Amoreaux (Blackstone) died September 2, 1933, at his home in New York. He was President of the Parmelee Transportation Company and head of the holding concern, which controls both the Checker and Yellow Cab Companies. Brother L'Amoreaux was a member of the American Bar Association and the Chicago Bar Association.

DIRECTORY of ACTIVE CHAPTERS

BENSON CHAPTER—Washburn College, Topeka, Kansas.

Justice: John C. Weeks, 1273 Clay St.

Clerk: Robert Cobean, 1612 College Avenue.

BENTON CHAPTER—Kansas City School of Law, Kansas City, Mo.

Justice: Robt. L. Henry, 1200 Linwood, Kansas City, Mo.

Clerk: Geo. P. Reichel, Jr., 3415 Coleman Rd., Kansas City, Mo.

BLACKSTONE CHAPTER—Chicago-Kent College of Law, Chicago, Ill.

Justice: Loren M. Root, 231 S. La Salle.

Clerk: Richard C. Swander, 740-7 So. Dearborn.

BREWER CHAPTER—Stetson University, DeLand, Florida.

Justice: Joseph Hendrix, Pi Kappa Phi House.

Clerk: C. Robt. Burns, Hotel Putnam.

CAMPBELL CHAPTER—University of Michigan, Ann Arbor, Michigan.

Justice: Edw. K. Ellsworth, 919 Oakland.

Clerk: Donald Gordon, Law Club.

CHASE CHAPTER—University of Cincinnati, Cincinnati, Ohio.

Justice: Edwin T. Heilker, 3409 Observatory Rd.

Clerk: Randolph Turner, 308 Memorial Observatory, U. of Cin.

CLARK CHAPTER—Washington University, St. Louis, Mo.

Justice: Edw. L. Eyerman, 2924 So. Grand Blvd.

Clerk: Hugh S. Wilson, 5924 Pershing Ave.

CLAY CHAPTER—University of Kentucky, Lexington, Kentucky

Justice: Wm. J. Wigginton, c/o Eastern St. Hospital, Lexington, Ky.

COLE CHAPTER—Drake University, Des Moines, Iowa.

Justice: Kenneth Briggs, 1355 30th St.

Clerk: E. Earl Ferguson, 1330 30th Street.

CORLISS CHAPTER—University of North Dakota, Grand Forks, North Dakota.

Justice: Don Bruchman, c/o Law School.

Clerk: Teddy George, 1323-4 Ave. N.

DUNBAR CHAPTER—University of Washington, Seattle, Washington.

Justice: Carl Dahlberg, 1804 E. 50th St.

FIELD CHAPTER—University of California, Berkeley, California.

Justice: Richard Seely, 2235 Blake St.

Clerk: Joseph C. Laney, 2763 Rawson St., Oakland.

FLETCHER CHAPTER—University of Florida, Gainesville, Florida.

Justice: Geo. S. Coulter, 2631 Oak St., Jacksonville.

Clerk: V. P. Griley, 2212 W. University Ave.

FULLER CHAPTER—Northwestern University, Chicago, Illinois.

Justice: Frederich H. Stafford, 421 Melrose.

Clerk: Edgar J. Melchione, 5510 Sheridan.

GARLAND CHAPTER—University of Arkansas, Fayetteville, Arkansas.

Justice: Jay Dickey, 711 W. Dickson.

Clerk: Tom Newton, 753 W. Dickson.

GREEN CHAPTER—University of Kansas, Lawrence, Kansas.

Justice: Harold Harding, 1140 La. St.

Clerk: Freeland Penny, 326 Indiana.

GUNTER CHAPTER—University of Colorado, Boulder, Colorado.

Justice: Frank P. Lynch, 1300 Penna. St.

Clerk: Oren F. Bishop, 1840 Arapahoe St.

HAMMOND CHAPTER—University of Iowa, Iowa City, Iowa.

Justice: John R. Cronin, 308 N. Clinton.

Clerk: Jos. Gunderson, 308 N. Clinton.

HARLAN CHAPTER—University of Oklahoma, Norman, Oklahoma.

Justice: Wirth Peters, 213½ E. Duffy St.

Clerk: Elmer Million, 548 South Blvd.

HAY CHAPTER—Western Reserve University, Cleveland, Ohio.

Justice: Wayne R. Milburn, 2175 Cammington Rd.

Clerk: Marston R. Bergman, 2102 Adelbert Rd.

HUGHES CHAPTER—Denver University, Denver, Colorado.

Justice: Merrill A. Knight, 1161 S. High Street.

Clerk: Wm. Northway, 2018 S. Gaylord.

JAY CHAPTER—George Washington University, Washington, D. C.

Justice: Enoch E. Ellison, 1819 "G" St. N.W.

Clerk: Harold A. Swanson, 3323 "O" St., N. W.

JEFFERSON CHAPTER—University of Virginia, University, Va.

Justice: E. H. Richmond, Preston Court Apts.

Clerk: Peter H. Dillard, Preston Court Apts., 18 University.

KEENER CHAPTER—Emory University, Atlanta, Georgia.

Justice: S. V. Carmichael, Smyrna, Ga.

Clerk: J. Hugh Rogers, 1397 Fairview Rd.

KENT CHAPTER—University of Idaho, Moscow, Idaho.

Justice: Morris O'Donnell, Phi Delta Theta House.

Clerk: Paris Martin, Phi Delta Theta House

KNOX CHAPTER—University of Arizona, Tucson, Arizona.

Justice: John Anderson, 1137 E. Elm.

Clerk: Chas. Donafrio, Jr., 1539 E. Speedway.

MAGRUDER CHAPTER—University of Illinois, Champaign, Illinois.

Justice: Halbert O. Crews, c/o Law School.

Clerk: Raymond R. Stern, 4117 W. 21st Pl., Chicago.

MARSHALL CHAPTER—University of Chicago, Chicago, Illinois.

Justice: Geo. McMurray, 1035 East 60th Street.

Clerk: Chas. Washer, 9201 Loomis St.

McKINLEY CHAPTER, Ohio State University, Columbus, Ohio.

Justice: Edw. L. Snider, 1608 Summit St., Columbus, O.

MARTIN CHAPTER—Tulane University, New Orleans, Louisiana.

Justice: Rudolph McBride, 54 Neron Pl.

Clerk: Geo. A. Wilson, c/o Law School.

MITCHELL CHAPTER—University of Minnesota, Minneapolis, Minnesota.

Justice: L. S. Perkins, 2112 Carroll, St. Paul.

Clerk: Frank V. Nicholson, 1717 University Ave., Minneapolis.

MORGAN CHAPTER—University of Alabama, Tuscaloosa, Alabama.

Justice: M. R. Clements, Box 732, University.

Clerk: G. R. Oliver, 616 Capstone Ct., Tuscaloosa.

REESE CHAPTER—University of Nebraska, Lincoln, Nebraska.

Justice: J. Karr Taylor, 1527 M St.

Clerk: John Keriakedes, 1527 M St.

ROSS CHAPTER—University of Southern California, Los Angeles, California.

Justice: Jack Nutt, 327 N. Norton

Clerk: Wm. Nute, 6815 Willoughby, Hollywood.

RYAN CHAPTER—University of Wisconsin, Madison, Wisconsin.

Justice: Geo. Selsrud, 930 Clymer Pl.

Clerk: Thomas S. Stone, 606 University Avenue.

STAPLES CHAPTER—Washington & Lee University, Lexington, Virginia.

Justice: Alb. M. Fowler, Lambda Chi Alpha House.

Clerk: Geo. A. Pruner, 309 Letcher Ave.

STORY CHAPTER—DePaul University Law School, Chicago, Illinois.

Justice: Thos. A. McGloon, 1258 N. Central

Clerk: Thos. J. Brown, 1505 N. Dearborn Pkwy.

SUTHERLAND CHAPTER—University of Utah, Salt Lake City, Utah.

Clerk: Fenton L. Richardson, 110 9th St. E.

TAFT CHAPTER—Georgetown University, Washington, D. C.

Justice: Geo. G. Stout, 1737 "H" St., N. W.

Clerk: Clarence J. Malone, 1115 Mass. Ave.

TANEY CHAPTER—Southern Methodist University, Dallas, Texas.

Justice: David B. Love, 5730 Belasco St.

Clerk: Hamlett Harrison, 5627 Swiss Ave.

TEMPLE CHAPTER—Hastings College of Law, San Francisco, California.

Justice: Paul Huber, 2052 High St., Oakland.

Clerk: Paul W. Murray, 220 Golden Gate Ave.

WATSON CHAPTER—University of Pittsburgh, Pittsburgh, Pennsylvania.

Justice: Donald C. Knapp, 1536 Cooper N. S.

Clerk: Edw. J. Lesko, 128 E. 18th Ave., Homestead Pa.

WILLEY CHAPTER—University of West Virginia, Morgantown, West Virginia

Justice: Hale Watkins, 225 Belmar.

Clerk: Stanley E. Dadisman.

WILSON CHAPTER—Cornell University, Ithaca, New York.

Justice: Ernest G. Gazda, 502 Dryden Rd.

Clerk: Norman MacDonald, Myron Taylor Hall.

WEBSTER CHAPTER—Chicago Law School, Chicago, Illinois.

Justice: O. S. Olin, 2219 Rosemont A.

Clerk: Egill Anderson, 6605 S. Mozart St.

ALUMNI CHAPTER DIRECTORY

ATLANTA ALUMNI—

HOWARD P. WRIGHT, *Justice*
P. O. Building
D. E. McCLATCHEY, *Clerk*
701 Hurt Building

BIRMINGHAM ALUMNI—

YELVERTON COWHERD, *Justice*
1st National Bank Building
CARL MOEBES, *Clerk*
Massey Bldg.

CHICAGO ALUMNI—

WM. M. O'SHEA, *Justice*
175 W. Jackson Blvd.
EDWIN A. ROBSON, *Clerk*
160 N. LaSalle St.

CLEVELAND ALUMNI—

CLAUDE J. PARKER, *Justice*
309 Union Building
JAMES L. BROES
4142 E. 138th St.

CINCINNATI ALUMNI—

WM. C. KELLY, *Justice*
900 Traction Bldg.
ALBERT BAUER, *Clerk*
American Building

DALLAS ALUMNI—

HUGO SWAN, *Justice*
Santa Fe Bldg.
HARRY L. COOPER, *Clerk*

DETROIT ALUMNI—

WALDO K. GREINER, *Justice*
Union Guardian Bldg.
WILLIAM N. GALL, *Clerk*
Union Guardian Bldg.

KANSAS CITY ALUMNI—

GEO. K. BRASHER, *Justice*
Dierks Bldg.
LEROY K. TAYLOR, *Clerk*
515 Commerce Bldg.

LOS ANGELES ALUMNI—

KIMPTON ELLIS, *Justice*
649 S. Olive Street
A. A. McDOWELL, *Clerk*
121 North Broadway

MADISON ALUMNI—

LEON E. ISAACSON, *Justice*
Gay Building
JOHN S. CAVANAUGH, *Clerk*
Gay Building

MILWAUKEE ALUMNI—

LAWRENCE WHEELER, *Justice*
161 W. Wisconsin Ave.
NORMAN J. BAKER, *Clerk*
529 Wells Bldg.

NEW ORLEANS ALUMNI—

A. M. SUTHON, *Justice*
Canal Bank Building
JAS. CONDON, *Clerk*
Union Title Guaranty Building

NEW YORK ALUMNI—

EMMETT POINDEXTER, *Justice*
25 Broad Street
WILLIAM P. MCCOOL, *Clerk*
49 Wall St.

OKLAHOMA CITY ALUMNI—

SCOTT P. SQUYRES, *Justice*
Ramsey Tower Building

PITTSBURGH ALUMNI—

DALE T. LIAS, *Justice*
619 Oliver Bldg.
JOS. E. DICKINSON, *Clerk*
1706 1st Nat. Bk. Bldg.

SALT LAKE CITY ALUMNI—

JUNIUS ROMNEY, *Justice*
First National Bank Bldg.
RICHARD S. JOHNSON, *Clerk*
McCormick Bldg.

SAN FRANCISCO ALUMNI—

GEORGE L. STEWART, *Justice*
625 Market Street

SEATTLE ALUMNI—

HAROLD S. MORFORD, *Justice*
1125 Smith Bldg.
GEO. S. WOODWORTH, *Clerk*
Alaska Bldg.

ST LOUIS ALUMNI—

ALBERT L. SCHWEITZER, *Justice*
517 Title Guaranty Bldg.
PHILIP S. ALEXANDER, *Clerk*

TOPEKA ALUMNI—

EARL H. HATCHER, *Justice*
920 Kansas Ave., Topeka.
ALEX HOTCHKISS, *Clerk*
Dept. of Regis., State House, Topeka

TWIN CITY ALUMNI

GRANT L. MARTIN, *Justice*
205 Pence Bldg., Minneapolis

WASHINGTON, D. C. ALUMNI—

ROBERT E. FREER, *Justice*
922 Hurley-Wright Building
J. EDGAR SNIDER, *Clerk*
601 Interstate Commerce Commission

PROFESSIONAL DIRECTORY

ALABAMA

Birmingham (Ruffin)
 Law Offices
 PAUL G. PARSONS
 Massey Bldg.

CALIFORNIA

Los Angeles (Ross)
 FRED ABERLE
 ELLIOT & ABERLE
 935 Van Nuys Building

Los Angeles
 ELLIS & VICKERS
 649 South Olive Street
 Kimpton Ellis, (Calhoun '11)
 Joseph W. Vickers, (Holmes '12)
 Towson T. MacLaren, (Field '25)

Los Angeles (Ross)
 CLARENCE E. FLEMING
 1125 Stock Exchange Building

Los Angeles (Capen)
 WALKER R. FLINT
 Suite 815 Financial Center Bldg.
 7th and Spring Streets

Los Angeles (Ross)
 WARD D. FOSTER
 471 Chamber of Commerce Building

Los Angeles (Ross)
 EDWARD D. GARRATT
 511 Title Insurance Building

Los Angeles
 HARDY & LUDWICK
 Suite 535 Van Nuys Building
 Rex Hardy, (Story '08) (Ross '11)
 Supreme Justice '25-'27
 Frank M. Ludwick, (Benton '14)
 Supreme Secretary

Los Angeles
 JAY JACOBS
 315 W. Ninth Street

Los Angeles (Ross)
 CHARLES W. LYON
 639 S. Spring Street
 Telephone TRinity 4161

Los Angeles (Webster)
 W. D. McALISTER
 750 Subway Terminal Building

Los Angeles (Corliss)
 J. F. T. O'CONNOR
 433 South Spring Street

Los Angeles (Ross)
 CLYDE C. TRIPPLETT
 609 California State Building

Oakland
 ERROL C. GILKEY
 Central Bank Bldg.
 (Field) (Temple) '20

Ontario (Lawson)
 LELAND S. DAVIDSON
 Attorney-at-Law
 Euclid Finance Bldg.

San Francisco (Story)
 GEO. L. STEWART
 Attorney-at-Law
 625 Market Street

CONNECTICUT

Hartford (Rapallo '12)
 THOMAS J. CONROY
 805 Main Street

Hartford
 Law Offices
 STONER & BURKE
 125 Pearl Street

DISTRICT OF COLUMBIA

Washington, D. C. (Taft)
 ELMER T. BELL
 General and Departmental Practice
 Shoreham Building

Washington, D. C. (Taft)
 JOSEPH A. CAREY
 Colorado Bldg.

Washington, D. C. (Taft)
 BERNARD F. GARVEY
 Patent and Trade Mark Lawyer
 The Denrike Building
 1010 Vermont Avenue, N. W.

Washington (Taft)
 RAYMOND J. MAWHINNEY
 Patent and Trade Mark Causes
 Suite 444 Munsey Bldg.

IDAHO

Challis (Dunbar)
 HAROLD HOLDEN

ILLINOIS

Chicago (Taft)
 V. RUSSELL DONAGHY
 Attorney and Counsellor at Law
 180 West Washington Street

Chicago (Campbell-Story)
FINK & MEIER
 33 North La Salle Street
 George E. Fink (Story-Campbell)
 Paul C. Meier (Story)

Chicago (Webster '21)
GEORGE F. FITZGERALD
 Attorney-at-Law
 160 North La Salle Street

Chicago (Webster)
BLAINE BROOKS GERSON
 111 West Washington Street

Chicago (Blackstone '16)
ALLAN T. GILBERT
 Attorney and Counsellor at Law
 231 South La Salle Street

Chicago Law Offices
HAROLD. QUILICI, MILLER,
CLEMENTI & MURPHY
 Suite 1609-33 North La Salle Street
 James P. Harrold George L. Quilici
 (Webster) (Story)

Chicago (Blackstone '20)
DAVID J. A. HAYES
 Lawyer
 1 La Salle Street

Chicago (Magruder)
MORAN, NELTNOR & SCOLNIK
 105 W. Adams Street
 Harry C. Moran, (Magruder)
 Shelley B. Neltnor, (Story)
 Avern B. Scolnik, (Story)

Chicago (Webster '11)
WALTER E. MOSS
 Lawyer
 12th Floor Putman Bldg.
 10 North Clark Street

Chicago (Blackstone '21)
DONALD H. SWEET
 Patents, Trademarks, Copyrights
 Milwaukee, Wisconsin
 Freeman and Albrecht
 Cleveland, Ohio
 Freeman and Weidman

Chicago (Marshall '20)
JAMES H. TURNER
 111 W. Washington

INDIANA

Indianapolis (Jay)
ROBERT D. ARMSTRONG
 Noel, Hickam, Boyd & Armstrong
 General Practice and Commerce Counsel
 1021 Meyer-Kiser Bldg.

IOWA

Iowa City (Hammond '10)
MESSER & NOLAN
 Johnson Co. Bank Bldg.

Des Moines (Cole '21)
 (Calhoun '22)
TOLBERT C. MOORE
 405 Capital Theatre Bldg.

KANSAS

Topeka
CRANE, MESSICK & CRANE
 Attorneys-at-Law
 New England Building
 A. Harry Crane, (Benson '25)

Topeka
HEINZ & MEYERS
 Attorneys
 National Bank of Topeka Building
 Allen Meyers, (Benson '27)

Wichita
WETMORE & ASHFORD
 Attorneys-at-Law
 303 Schweiter Bldg.
 George M. Ashford (Benson 21)

LOUISIANA

Shreveport (Martin)
IRION & SWITZER
 730 Giddens-Lane Building
 Val Irion

MARYLAND

Baltimore (Kent '13)
HERBERT C. FOOKS
 General Practice
 723 Munsey Bldg.

MASSACHUSETTS

Boston (Hamlin '14)
MAURICE S. GERRISH
 No. 10 State St.

MICHIGAN

Grand Rapids
DILLEY & DILLEY
 Michigan Trust Bldg.
 Rom Dilley, (Campbell '12)
 Abner Dilley, (Campbell '13)
 Ann Arbor (Campbell)

JOSEPH C. HOOPER
 Attorney-at-Law
 Tenth Floor First Nat'l Bldg.

Lansing (Campbell)
SPENCER D. KELLEY
 Law Offices
 1006-1007 Branch Building

Muskegon (Garland)
ALEXIS J. ROGOSKI
 410 Hackley Union Bank Bldg.

MISSOURI

Kansas City (Benton '10)
GEORGE K. BRASHER
 Dierks Bldg.

Houston (Clark '25)
MAURICE W. COVERT
 ●
 St. Louis (Benton '14)
JOHN J. NANGLE
 Chamber of Commerce Bldg.

●
 St. Louis (Campbell '14)
THOMAS F. McDONALD
 1010 Pine Street

NEVADA

Reno (Temple '25)
WILLIAM J. FORMAN
 Attorney-at-Law
 United Nevada Bank Bldg.

NEW JERSEY

Newark (Rapallo '10)
H. EDWARD WOLF
 266 Mulberry St.

NEW YORK

New York (Calhoun)
CHARLES W. DARLING
 Counsellor-at-Law
 116 John Street

●
 Brooklyn (Rapallo)
EDWARD E. FAY
 Counsellor-at-Law
 215 Montague St.
UNITED STATES COMMISSIONER,
EASTERN DISTRICT, NEW YORK

●
 New York (Rapallo)
GEORGE E. PALMER
 195 Broadway
 Building & Loan Practice Exclusively

●
 New York (Rapallo)
NEIL J. TOOMEY
 Attorney
 280 Broadway

●
 New York
PARSONS & CONSTABLE
 Lawyers
 60 Wall Street
 Thomas Constable, (Rapallo '09)

●
 New York
WAGNER & DONOVAN
 Attorneys and Counsellors at Law
 270 Broadway
 Joseph M. Donovan (Taft)

●
 Brooklyn (Calhoun)
F. R. SERRI
 Attorney-at-Law
 66 Court Street

●
 White Plains (Calhoun)
ALBERT A. VERRILLI
 North Court Building
 175 Main Street

OHIO

Cleveland (Hay '07)
GEORGE S. MYERS
 1208 B. of L. E. Building

●
 Cincinnati (Chase '15)
AUGUST A. RENDIGS, JR.
 Attorney-at-Law
 1607-08 Union Central Bldg.

●
 Toledo (Chase '21)
GEORGE P. SMITH
 Smith, Baker, Effler & Eastman
 Attorneys-at-Law
 906-919 Home Bank Bldg.

●
 Columbus (McKinley '25)
WALTER R. SNIDER
MILLER, MILLER & SNIDER
 Attorneys-at-Law
 150 E. Broad Street

PENNSYLVANIA

Pittsburgh (Watson)
JAMES DUNLAP GRAY
 1406 Law and Finance Bldg.

●
 Philadelphia (Calhoun)
PAUL W. KNOX
 1421 Chestnut Street

RHODE ISLAND

Newport (Rapallo)
CORNELIUS C. MOORE
 Attorney and Counsellor at Law
 179 Thames Street

UTAH

Salt Lake City (Marshall)
HENRY D. MOYLE
 610 Newhouse Bldg.

WEST VIRGINIA

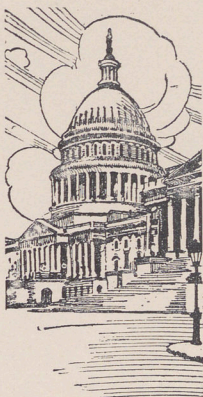
Wheeling
McCAMIC & CLARKE
 Attorneys-at-Law
 National Bank of West Virginia Bldg.
 Jay T. McCamic (Calhoun)
 Charles McCamic (Wiley)
 W. R. Tinter, Jr. (Willey)

WISCONSIN

Oshkosh (Ryan)
EDWARD J. DEMPSEY
 Bouck, Hilton, Kluwin & Dempsey
 New American Bank Bldg.

●
 Milwaukee (Ryan '05)
FRANK L. FAWCETT
 Cawker Building

The Nation Looks to Washington



The concentration of power in the hands of the Federal government brings up new questions and problems, in the solution of which the Supreme Court of the United States is destined to play an important rôle.

Thus it behooves every lawyer to keep in close touch with these decisions so that he may give his clients the best possible service.

For the modest sum of \$7.50 we will deliver to your desk all the decisions of the U. S. Supreme Court bi-weekly while it is in session and at the end of the year a permanent bound volume containing all the exclusive L. ed. features which have made this the most widely used edition of U. S. Reports.

Enter your subscription today so that you will be sure to get all issues promptly

The Lawyers Co-operative Publishing Co.

*Rochester,
New York*



*225 Broadway,
New York City*

THE BALFOUR BLUE BOOK



LET FRATERNITY JEWELRY
PLAY ITS PART
TO MAKE YOUR PARTY A SUCCESS

It is not so much the elaborateness of your party, but the clever touches you give—a smart dance program and an unusual favor—that will make your party one long to be remembered.

Favor Suggestions	Blue Book
Cat Door Stop.....	Page 29
Paddle Charm.....	Page 17
Wooden Bracelet.....	Page 27
Sword Tie Clip.....	Page 23
Cig-vanette.....	Page 26
Scotty Pencil Stand.....	Page 28
Timeter Electric Clock.....	Page 29
Vanity Fair Suede Bag.....	Page 43

L. G. BALFOUR COMPANY

ATTLEBORO

MASSACHUSETTS

THE JOY OF FRATERNITY LIFE WELL LIVED

FRATERNITY JEWELRY ADDS
AN INDISPENSABLE TOUCH
OF GLAMOUR

*By Appointment
Sole Official Jeweler
to
Phi Alpha Delta*

TO THE INITIATE

You may now enjoy the right of wearing your official fraternity insignia: A BALFOUR BADGE.

Your Balfour Badge will be made of the finest of materials by skilled craftsmen and represents the true symbol of your Fraternity.

Write today for your
BADGE PRICE LIST!



FOR YOUR
COMPLIMENTARY COPY
OF THE
**BALFOUR
BLUE BOOK**

MAIL SLIP BELOW

L. G. BALFOUR CO.
Attleboro, Mass.
Gentlemen:

Kindly send copy of
Balfour Blue Book to:

Name

Street

City & State.....

Fraternity