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MARCH 1930

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CONTENTS

	PAGE
GREETINGS FROM MILWAUKEE ALUMNI CHAPTER	5
THE UNLISTED DEALER AND THE STATUTE OF FRAUDS	8
SUPREME JUSTICE'S PAGE	15
THE SUMMER PLAYGROUND OF THE WEST	16
SUPREME VICE JUSTICE'S PAGE	18
INSTALLATION OF LAMAR CHAPTER	19
SUPREME SECRETARY'S PAGE	20
LAMAR BUTLER, DISTRICT JUSTICE	22
MILWAUKEE—YOUR CONVENTION CITY	23
CHAPTER BREVITIES	25
NEWS OF ALUMNI	27

In Memoriam

WILLIAM HOWARD TAFT

MARCH 8, 1930

Greetings From Milwaukee Alumni Chapter

By

RALPH M. HOY, *Chairman Entertainment Committee*



HE Milwaukee Alumni Chapter of Phi Alpha Delta appreciates most highly the honor of entertaining the first summer convention of the fraternity. Every effort will be made by the thirty-five members of the chapter to leave in the memory of each visiting delegate and guest a most pleasant and lasting impression of our city and its people.



Hotel Schroeder, Milwaukee

The convention is to be held on Wednesday, Thursday and Friday, August 27th to 29th—a period which, according to all past experience, will favor us with the most delightful summer weather to be found anywhere. The extreme heat of July and early August will be over—though for that matter, Milwaukeeans seldom experience discomfort on even the hottest days of the summer season, owing to the cool breezes that are always to be found on the shores of our glorious Lake Michigan.

Our headquarters are to be at the Hotel Schroeder, an eighteen story hostelry less than two years old, which is the pride of our city. Its facilities for entertaining conventions, with all the latest devices for insuring the comfort of its guests, are not to be surpassed in any city of the country.

The national officers, in planning this first summer convention, have wisely left the afternoon of each day free for entertainment and recreation, which will give us a most welcome opportunity to introduce our visitors to all the beauties and the points of interest in our prosperous city. On the first afternoon of the convention, we plan to take the delegates and other guests on a comprehensive tour of the city and its environs, including the commanding bluffs and the sandy beaches of Lake Michigan; the newly constructed Lincoln Memorial Drive along the shore of the Lake terminating in our uniquely beautiful Lake Park; the busy industrial section of the city with its world-famous factories that produce almost every article of human need; and the numerous parks and recreation spots that make Milwaukee the envy of many a traveler from the old world and the new. One point of particular interest

on this trip will be personally conducted tour through one of the most unique manufacturing plants in the world in which great masses of steel are formed into automobile frames or into long line of steel pipe or other massive objects, in a matter of a few seconds by processes which almost completely eliminate human labor.

Wednesday evening guests at the convention will be entertained

by a
wonderful
beauty and
solemnity of the

Phi Alpha Delta ritual by a model initiation which is to be conducted at the convention headquarters by the national officers of the fraternity.

The second day of the conven-

tion promises to be a red-letter day in the memory of everyone who honors us with his presence. We who know the beauties of southern Wisconsin and of our splendid capital city, Madison, would feel remiss if we let our visitors go away without experiencing those beauties for themselves. We plan on taking our guests on Thursday morning for a ninety mile motor trip through the famous Waukesha county lake region to the state capital, that city whose location on the shores of four lakes of sapphire blue inspired the poet Longfellow, more than forty years ago, to sing:

Four limpid lakes, four Naiades
Or sylvan deities are these,
In flowing robes of azure dressed;
Four lovely handmaids, that uphold
Their shining mirrors, rimmed with gold,
To the fair city in the West.

In the magnificent capitol building which the people of Wisconsin built, only a few years ago, to dominate the picturesque little capital city, we expect to hold the morning session of the convention, and then the afternoon will be devoted to recreation and sight-seeing among the lakes and hills of the capital city. When we journey back to Milwaukee in the cool of the early evening, every one of our guests, we are confident, will agree with us that the campus of the University of Wisconsin, on the shore of lovely Lake Mendota, surpasses in natural charm any other campus to be found in America.

The third day of the convention is planned to be the day of physical recreation *par excellence*. For the golfers, provisions will be made at one of the dozen or more fine country clubs that surround Milwaukee, and for those who do not golf there will be all the forms of outdoor entertainment that one would expect to find in a delightful summer resort country. That there will



Lake Park Bridge

be an abundance of swimming and sports goes with staying. Throughout the convention, special provision will be made for the entertainment of the ladies who attend. The three days of good fellowship and recreation will end on Friday evening with a royal feast at the Hotel Schroeder, at which our guests will be privileged to listen to speakers of outstanding ability whose aim will be to entertain and edify their hearers by means of their



Downtown Section of Milwaukee

changes that may be made will be in the direction of increasing the pleasure and comfort of our guests during their sojourn among us. It is our fervent hope that their number will far exceed the attendance at any previous national convention of Phi Alpha Delta, so that the first summer meeting of our beloved fraternity will stand out as a major event in the entire history of the order.

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for the glorio
final week of
August is being
written more than
six months before
the opening of the
convention, and
needless to say,
many things may
occur during the
next few months
to alter the details
of our program.
We are confident,
however, that any



The Unlabeled and the Statute of Frauds

By

LOUIS W. ARNOLD, JR.

THE debacle in the stock and securities market last Fall, and the attempt of stock brokers and over-the-counter dealers in securities to collect losses sustained by them due to the failure of certain of their customers to protect their accounts or take up and pay for stocks which they had theretofore purchased, has had the somewhat unexpected result of focusing attention on the Statute of Frauds.

As all lawyers well know, the Statute of Frauds, is generally found in the statute law of all our states and usually provides that no sale of goods, wares, merchandise, or choses in action shall be enforceable by action where the value of the goods, wares, merchandise or choses in action sold or contracted to be sold is in excess of a specified sum, usually \$50 or \$100, unless the buyer shall receive and accept the thing so sold, or contracted to be sold, either in whole or in part, or unless a payment on account thereof has been made, or unless some memorandum in writing containing the essential terms of the contract is signed and delivered by the party to be charged.

This statute is now being invoked quite frequently by lawyers who are endeavoring to shield a client who has "welshed" or reneged on his account or contract with his broker or the over-the-counter dealer from whom he had purchased securities.

There is a marked distinction and differentiation between the relationship existing between an over-the-counter dealer or a dealer in unlisted securities and his customer and that existing between a stockbroker and his customer.

In the case of a stock broker who executes, as an agent for his customer, the orders of the customer upon a stock exchange where listed securities are actively traded in, such relationship is that of principal and agent. The compensation of the stock broker is a certain fraction of a point per share, and such compensation represents payment to the stock broker for services rendered to his customer in executing his customer's order to buy or sell securities as the case may be. The stock broker does not buy or sell for his own account and risk but merely executes orders given to him by his customer.

In such cases the Statute of Frauds is not available to a customer as a defense where the stock broker is suing the cus-

to meet for balance due after a customer's account has been closed due to the customer's failure to pay for the same. However, the majority of stock exchange houses have their own securities department and consequently the possible violation of the Statute of Frauds is often of interest to such houses in connection with the transactions had by their unlisted securities department with customers.

The relationship of an over-the-counter dealer or a dealer in unlisted securities is an entirely different one. The over-the-counter or unlisted security dealer is a principal, not an agent. He sells securities to his customers or buys securities from his customers for his own account and risk and is not an agent executing his customer's orders for a stipulated compensation. Consequently the Statute of Frauds is generally applicable to his transactions.

In the over-the-counter and unlisted securities market there are always two quotations for each security, one quotation is termed the "bid" price while the other quotation is termed the "asked" price, and the spread in price between these two quotations is usually a matter of several points per share. These quotations are made by the over-the-counter dealers and unlisted security dealers who specialize in the various stocks traded in, in such a market. An over-the-counter dealer who specializes, let us say, in bank stocks, may be interested particularly in the stock of the Irving Trust Company. He may offer to buy such stock at \$105—the "bid" price—and to sell at \$110—the "asked" price. If you are a purchaser you must pay the "asked" price. If you want to sell, the dealer will pay you only the "bid" price or perhaps a point or two in excess thereof.

Let us assume that you are interested in purchasing 10 shares of such stock. You telephone an over-the-counter dealer and his office gives you the "bid" and "asked" quotations as \$105-110. If you are willing to purchase at the asked quotation of \$110 you buy 10 shares of that stock from the dealer at that price. The dealer may have 10 shares of that stock then actually in his safe which he may have purchased a day or two before at \$103. If you take up and pay for the stock the dealer will have made 7 points, a tidy profit. On the other hand the dealer may not actually have 10 shares of the stock in his safe and it thereupon becomes incumbent upon him to purchase 10 shares of such stock in order to be in the position to make delivery to you. He can procure this stock in one of two ways. He can purchase it from an individual whom he knows has such stock, and is desirous of selling it, and in such a case he will pay that individual at the then current "bid" price of \$105 per share. On the other

...ler may d Dow of any individual who ...ous
ing of such s ... and in that case he will inquire a long
us over-the-counter and unlisted dealers until he finds
who has such stock in his possession and is willing to sell.
In such a case he will purchase the shares from such dealer, usually
paying the dealer at a figure between the "bid" price and the
"asked" price.

The majority of sales and purchases made by an over-the-counter or unlisted securities dealer are the result of a telephone conversation. In the usual course of business the dealer will prepare a memorandum of the transaction confirming the telephone trade and will mail the same to the customer. This memorandum usually contains the following sentence: "We have this day sold you" or "We have this day bought from you" as the case may be. To this confirmation is attached a duplicate memorandum which is supposed to be signed and returned to the dealer by the customer, and such duplicate usually contains the phrase: "This confirms purchase from you" or "This confirms sale to you" as the case may be.

Let us assume that a purchaser from an over-the-counter dealer has purchased as the result of a telephone conversation 10 shares of Irving Trust Company stock at \$110 per share, and has received from the dealer through whom he purchased such stock a confirmation thereof, signed by the dealer, and a duplicate thereof to be signed and returned to the dealer. The customer picks up his newspaper and looks at the quotation on Irving Trust Company and finds that the closing quotations for the day are \$95 "bid", \$100 "asked". He, not being a gentleman who is overburdened with a sense of morals or ethics, and realizing that the quotations are below the price which he has contracted to pay does not sign and return to the dealer the duplicate of confirmation sent him, but sits tight. He knows that three or four days will elapse before the salesman of the dealer who handled the transaction will begin to wonder why the duplicate confirmation has not been signed and returned. If the security recovers in the meantime and advances beyond the price at which he purchased he will, when the salesman calls him on the telephone and inquires as to why the house has not received the duplicate confirmation signed and returned, probably apologize for his "inadvertence" and take the stock up or give delivery instructions to deliver the stock to his bank against payment. With the stock in his possession or in the possession of his bank, he will then cause the same to be resold and will pocket his profit.

If on the other hand the stock does not recover but continues to remain at a price under which he has contracted to pay the

dealer and the customer will in all probability when he receives the salesman's telephone call of inquiry as to why he has not yet paid and returned the duplicate confirmation claim there was some mistake and that he never purchased the stock or tell the salesman bluntly that he does not intend to go through with the transaction.

If such is the case, the dealer, realizing that the customer is not going through with the transaction, will notify him either by telegram or registered mail that unless payment for the security is made on or before a certain date and time of day that then the same will be sold by the dealer in the open market for the account and risk of the customer and that the dealer will hold the customer liable for any resulting loss. Such a sell-out occurs and the dealer sustains a loss. The file is turned over to the attorney for the dealer and suit is instituted. In many instances the defendant will, in his defense set up the Statute of Frauds. He has neither accepted the securities or any portion thereof, nor has he made any payment on account, nor has he signed and returned the duplicate confirmation which would constitute the memorandum in writing required by the statute. If such event occurs it is usually impossible for the dealer to recoup his loss. The dealer may by harassing and annoying the defendant purchaser obtain some sort of a settlement between the time of instituting suit and the date when the case appears on the calendar for trial. Sometimes the defendant is a man engaged in a business with a credit rating and occasionally indirect pressure may, if properly applied, produce an adjustment and settlement. Such instances, however, are the exception rather than the rule.

The condition is an unhealthy one. The nature of the business is such that purchases and sales must be made through the medium of the telephone, and the spoken word rather than the written word of a customer must be relied upon. In the crash of last Fall many customers with whom houses had been dealing satisfactorily for years, did, for the first time, renege on their contracts and when the dealers after due notice closed their accounts by sale of the securities which they were holding for delivery and attempted to collect the loss which they had sustained found that their customers took advantage of and hid behind the provisions of the Statute.

It is of prime importance therefore to attorneys representing over-the-counter and unlisted dealers to become familiar with all the decisions relating not only to the Statute of Frauds but also as to the status of such dealers. If an over-the-counter or unlisted dealer could be considered to be not a principal, but a broker, although not a member of any stock exchange, the Statute of

Frauds could not be successfully pleaded by a customer to avoid payment of his obligation.

There are, however, comparatively few decisions which consider the relationship which exists between an over-the-counter dealer and his customer. On the contrary, the law is well settled as to the relationship which exists between a stock broker and his customer. The unlisted and over-the-counter dealer is of comparatively recent origin, and his status has not as yet been definitely decided by a court of last resort as far as the writer is able to ascertain, in any state.

A recent and unreported decision in a lower court in the State of New York, which decision, however, was not appealed, presumed to decide that an over-the-counter dealer was an agent of his customer. That the true relationship which existed between the dealer and the customer was, according to the usages and customs of the unlisted securities market, that of principal and agent and not that of buyer and seller. The court took the position that the situation which existed when a customer purchased stock from an over-the-counter dealer was that the dealer in procuring such stock for delivery to his customer rendered *services* to the customer, and that the compensation of the dealer for such *services* was whatever the dealer might make between the amount which his customer was to pay him for the stock and the amount which he, the dealer, paid therefor, and that this excess was not profit to the dealer but was a service or commission charge which the customer agreed with the dealer to pay in consideration of the dealer's rendering services in procuring the stock for and on behalf of his customer.

If the above theory can be successfully maintained then it may well be that an over-the-counter or unlisted security dealer will be considered to be a broker. The writer can conceive that in instances where the dealer does not have the stock in his possession and is forced to go out and take a position in the market and procure the same so that he can make delivery to his customer that there is some basis in fact for such a holding. However, in cases where the dealer already has the stock when the customer initiates the transaction it is difficult to see just how the relation of broker and customer may be deemed to exist. It seems also difficult to understand how, where a dealer buys securities from a customer, the relationship of broker and customer can be said to exist. It is a maxim of law that a broker cannot make a secret profit on his transactions with his principal and in cases where the dealer purchases stock from a customer it would seem to the writer if he resold that stock at an advance in price he would, if he were a broker, be accountable to the person from whom he

made the purchase for the profit made by him, less charge for his services.

There is a case in California which has been decided by one of the lower courts, which is now on appeal, wherein it was held that an unlisted dealer was a broker, but this case apparently hinges upon a well defined and long established custom among traders in the securities in the City of San Francisco.

In the State of Maryland it is held that the Statute of Frauds does not apply to sales of securities but it is to be noted that the Maryland Statute refers only to goods, wares, and merchandise, and not to choses in action, and the Maryland courts have held that securities being choses in action are not within the purview of their statute.

There is a great deal to be said in favor of placing the over-the-counter and unlisted dealer on the same plane as a stock broker as far as the Statute of Frauds is concerned. Both procure or dispose of securities for their customers but in the one case the securities traded in are listed securities whereas in the other case they are unlisted securities. In the case of listed securities the broker's compensation is a service charge and he depends for his living upon the volume of orders which he executes for his customer. In the case of the unlisted or over-the-counter dealer there is not the volume of trading that is present upon a listed securities exchange, there not being anywhere near as many issues dealt in, in an over-the-counter or unlisted market as there is upon a stock exchange. The unlisted or over-the-counter dealer could not maintain his organization and make a living on the volume of transactions which he daily has, if his compensation was to be governed at the rate of one-eighth or one-quarter of a point as is the compensation of the broker. Many of the securities traded in, in the over-the-counter market consist of high priced Bank and Insurance Company stocks where the daily volume of business therein is relatively quite small.

As long as there remain securities which are not listed upon an exchange there will continue to be a need for the over-the-counter and unlisted dealer. He has his definite niche in the great business of dealing and trading in securities. He is entitled to protection from "welshing" or reneging customers with whom he has dealt in good faith and as the great body of the law exists today he has no such protection. Perhaps the only manner in which such a dealer can be assured of adequate protection is by amendment of the Statute of Frauds. There is no good reason why transactions in securities, choses in action, should be within the purview of the Statute of Frauds and subject to the age old restrictions set forth therein. A free market for securities is a

necessity of modern business life, and it is of the utmost importance that contracts for the purchase, sale or transfer of securities shall be enforceable without distinction as to whether they be made over the telephone or by means of a written memorandum. In the case of the unlisted or over-the-counter dealer while he has an open and active market he is faced with almost insurmountable difficulties in enforcing an oral contract made by him in good faith in cases where the other party to the contract is unscrupulous and dishonest.

George Fink Is House Attorney for the Foreman Banks



THE January number of The Dictum, the breezy organ of the Chicago Alumni Chapter, mentions the appointment of past Supreme Justice George E. Fink as House Attorney for the Foreman-State National Bank and the Foreman-State Trust and Savings Bank as of the date of consolidation of the State Bank of Chicago and the Foreman Banks on December 16, 1929. These banks occupy eight complete floors and part of the ninth floor of the new Foreman-State National Bank Building at the Southeast corner of LaSalle and Washington Streets, Chicago, Illinois, the Law Department, headed by Brother Fink, occupying a corner suite on the 8th floor with entrance at 802.

Among other members of the fraternity in the Bank are T. A. Siqueland (Webster Chapter), Vice-President; Victor G. Kropf (Fuller Chapter), Assistant Secretary; Iver H. Christoffersen (Hammond Chapter), in the Trust Department; and Joseph Hayes (Story Chapter), Transfer Department.

Brother Fink associated himself with the State Bank of Chicago in May, 1901, and was Assistant House Attorney until 1910, when he became House Attorney and continued as such until the consolidation of the banks above mentioned. The capital, surplus, and undivided profits of the combined institutions is Thirty Million Dollars, with combined resources of Two Hundred Forty Million.

Brother Fink was Counsel for the Illinois State Bankers Association with a membership of 1600 Illinois banks, during the years 1921, 1922, and 1923.

Members of the fraternity are always welcome at Brother Fink's office.

SUPREME JUSTICE'S PAGE



OUR efforts should now be directed toward making the Milwaukee Convention the greatest in our history. Chapters should, therefore, take immediate steps to bring about satisfactory conditions. The choice of delegates should be carefully made and consideration given to subjects that will be presented to the convention.

We desire a large attendance from our alumni body and urge alumni chapters to prepare at once to organize their groups to that end.

No one can truly appreciate Phi Alpha Delta until he has attended a convention of the fraternity. Will you not set aside a few days this summer and enjoy the splendid fellowship of this occasion?

The unusual activity, interest and co-operation evidenced by our chapters and members of the fraternity, generally, is most gratifying to us.

JOHN J. NANGLE.

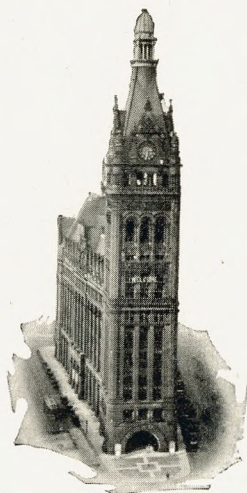
The Summer Playground of the Middle West

By

BROTHER WALDEMAR C. WEHE, *Past Supreme Justice*



HE delegates and visitors of Phi Alpha Delta Law Fraternity, who will attend the convention to be held in Milwaukee August 27, 28 and 29, should arrange to spend their vacations in Wisconsin, where there are seven thousand lakes in the region which is rightly called the "Land O' Lakes."



*City Hall
Milwaukee*

From Milwaukee one may take a long drive on concrete roads along the shore of Lake Michigan into the northern peninsula of Michigan. There are wonderful summer resorts of all kinds along the shores of Lake Michigan and Green Bay, where boating, bathing, golfing and horseback riding will occupy one's time, and long walks in virgin forests will be most entrancing. After spending a few days in the peninsula the visitor may tour back to Green Bay and up the shore of the bay into the region of the old copper mines of prehistoric times. In summer weather the shores of Lake Superior are cool and inviting and the northern pines extend a royal welcome.

If one enjoys muskellonge fishing, he may return to the Land O' Lakes in northern Wisconsin, which is one of the fishing grounds visited by people from all parts of the United States. Muskellonge weighing from twenty to fifty pounds are caught here regularly. At most of these summer resorts one can secure native Indian guides who will take him to the best fishing grounds on the various lakes and along long trails in the most picturesque parts of the state.

Those who desire to take a vacation tour should not forget to stop at the Niagara of Wisconsin, known as the Copper Falls, located near Mellen in the northern part of the State. These are among the most picturesque falls in the United States. They take their name from the color of the water. The falls are more than a hundred feet high and the water runs through and along deep wooded ravines near the old mining town of Mellen. Traveling north after leaving Mellen, one reaches the shores of Lake Superior at Ashland, Wisconsin; from Ashland one may motor within sight of Lake Superior to Superior, Wisconsin, and thence across the state line to Duluth, Minnesota, from which city he may continue along the north shore of Lake Superior two hundred miles to Port Arthur, where the largest grain elevators in the world are located. Along this trip the tourist will find beautiful water-falls on the numerous rivers flowing into Lake Superior, and the entire summer could be spent in exploring this wonderful country.

Returning from Port Arthur by way of Duluth, one may continue tour to the Twin Cities of Minneapolis and St. Paul, and then travel along the highways of the Mississippi to La Crosse and thence down through Wisconsin to Kilbourn, the site of the world-renowned Dells of the Wisconsin River. Along the Dells at Kilbourn will be found one of the original tribes of Indians who have their camps there, where they furnish the visitor with entertainment consisting of the original Indian dances and music. In the Dells one will also find many examples of Nature's most wonderful handiwork.

There are deep crevices and gulches where the guide will take you for long walks. Kilbourn is also known for its wonderful hotels, where several days may be spent in real comfort.

From Kilbourn the traveler may return to Milwaukee, near which city are any number of summer resorts where he may enjoy the autumn on the shores of beautiful lakes. Truly, Nature has lavished bountiful gifts upon Wisconsin, whose title of "The Summer Playground of the Middle West" is justly earned and proudly borne.



View of Wisconsin Avenue
West of the Milwaukee River

Duplicate Copies of the Quarterly

Brother George L. Stewart, 1 Montgomery Street, San Francisco, California, advises that he has the following back issues in duplicate which he will be pleased to forward to any of the brothers who would like a complete set of the QUARTERLY.

- VOLUME IV No. 3—May, 1911
- VOLUME V No. 4—May, 1912
- VOLUME VII No. 3—June, 1914
- VOLUME VII No. 1—January, 1915
- VOLUME VIII No. 2—November, 1915

(Five copies of the foregoing, which contains the Official Report of the Sixteenth National Convention at San Francisco)

- VOLUME VIII No. 3—January, 1916
- VOLUME IX No. 1—May, 1916
- VOLUME IX No. 3—January, 1917

(Two copies of the foregoing)

- VOLUME IX No. 4—March, 1917
- VOLUME X No. 1—May, 1917
- VOLUME XI No. 1—November, 1918—January, 1919
- VOLUME XII No. 1—March, 1920
- VOLUME XII No. 4—March, 1921
- VOLUME XII No. 6—November, 1921

SUPREME VICE-JUSTICE'S PAGE



NEWS from Buffalo indicates that the Supreme Vice Justice will not send in a page this issue for the reason that he is not stopping long enough in any one place to take the time to write it. He has been gone upon business trips continuously in the recent past, but from time to time the Quarterly has gotten word of his activities.

A campaign for the establishment of many more Alumni Chapters than we now have has been steadily under way. This campaign calls for the mailing of about 700 promotional letters to all parts of the United States. About half this amount have gone out already and the response is indicated at about 10%. This is an exceptionally heavy response and seems to promise the establishment of quite a number of Alumni Chapters where there are now merely scattered brethren.

The Supreme Vice Justice appreciates very fully the fact that the assistance of active and flourishing Alumni Chapters throughout the United States is one of the most essential conditions of the future life and prosperity of the Fraternity. It is not merely his province in the National Organization to care for and supervise the Alumni Chapters, but it is also a work in which he is engaged more so because no one appreciates better than he does its tremendous importance to the Fraternity.

Installation of Lamar Chapter at University of Mississippi



ON a beautiful campus, filled with traditions and studded with giant oaks that have looked down upon students for almost a hundred years, the Lamar Chapter of Phi Alpha Delta was installed on June 1, 1929.

An unusual degree of solemnity, beauty, and inspiration was connected with the initiation and installation, through the presence and participation of Bro. Lawrence R. Lytel, Supreme Marshal of the Fraternity. Bro. Lytel was assisted in the initiation by members of Morgan Chapter of the University of Alabama. Throughout the ceremony the ancient and impressive details of the initiation proceeded without flaw or interruption, culminating in the closing rite of all Phi Alpha Delta initiations.

Following the initiation and after the installation of officers, Bro. Lytel explained the regular order of Phi Alpha Delta meetings. He discussed the problems with which a chapter is confronted, and gave the new chapter wonderful suggestions on how to face these problems. It was a splendid talk, and the new chapter will always remember it as an inspiration toward the achievement of Phi Alpha Delta ideals.

The initiation banquet was held at the Tea Hound, a popular retreat for "Ole Miss" students—particularly law students—since the hostess is a daughter of the late Dean of the "Ole Miss" Law School. Bro. Ernest Shelton, first Justice of Lamar Chapter, presided as toastmaster and his sparkling wit kept everyone in a constant state of good humor. Short talks were made by Bros. Hill and Osborne of Morgan Chapter in which they welcomed Lamar Chapter into the Brotherhood of Phi Alpha Delta and pledged the support of Morgan Chapter in any way possible. Bro. Will E. Ward, an alumnus of Staples Chapter and a member of the Mississippi Bar told of the long felt need of a Phi Alpha Delta chapter at the University of Mississippi, and of the service it could be to the legal profession of the state. Bro. Joe P. McCain made the address in behalf of Lamar Chapter and in his usual eloquent manner expressed the gratitude of the group in being admitted to so great a legal fraternity. The main address of the evening was delivered by Bro. Lytel and was one which inspired the members of the new Lamar Chapter to press forward to the heights in their efforts to show themselves a worthy chapter of Phi Alpha Delta. Throughout the entire cycle of ceremonies there ran that undercurrent of brotherliness, of determination to reach the ideals of Phi Alpha Delta.

This brief sketch of the installation of Lamar Chapter would not be complete without acknowledging our thanks to Bro. W. R. Newman and Will E. Ward. They were the advisors of the Lamar Club while it was preparing itself for Phi Alpha Delta life. To those of Lamar Chapter they are all that Brothers should be and they are just a trifle closer to us than any other P. A. D's. Our gratitude to them will never be diminished.

The following men were initiated:

- | | |
|--|---------------------------------------|
| JOE P. MCCAIN '29, Water Valley, Miss. | JOHN R. EDWARDS '31, Laurel, Miss. |
| KENNETH D. HORTON '29, Oxford, Miss. | HENRY A. COLEMAN '31, Paragould, Ark. |
| JESSE H. GRAHAM '31, Meridian, Miss. | W. C. THOMAS '29, Leakesville, Miss. |
| L. M. SIMMONS '31, Hazelhurst, Miss. | BRAMLETTE ROBERTS '30, Oxford, Miss. |
| BUFORD ROWLAND '31, Charleston, Miss. | HOLT MONTGOMERY '31, Laurel, Miss. |
| CLAUDE F. CLAYTON '31, Tupelo, Miss. | RALPH CRISS '31, Coffeeville, Miss. |
| GEO. P. COSSAR '31, Charleston, Miss. | HUGH N. CLAYTON '31, Ripley, Miss. |
| DAVID COTTRELL, JR. '31, West Point, Miss. | CAREY STOVALL '31, Corinth, Miss. |
| HENRY HILBUN, JR. '30, Laurel, Miss. | S. L. FORTENBERRY '31, Oakvale, Miss. |
| ROBERTSON HORTON '31, Grenada, Miss. | |

SUPREME SECRETARY'S PAGE



URING this period of the year probably the greatest number of initiations occur. We feel that the future of the individual chapters and of the entire fraternity in a large measure depends upon the instructions which these new initiates receive during their pledgship and immediately following their initiation. The man well grounded in the early history of our fraternity, its traditions, accomplishments, and ambitions, will certainly develop much greater enthusiasm for and reap larger benefits from the fraternity than the brother who fails to receive such instruction.

Chapter officers can do no greater service for their chapter than the installation of a comprehensive knowledge of our fraternity extending through our chapter activities to the activities of the National Chapter. In the commercial age in which we are living our society and profession stand in greater need of the principles and ideals on which Phi Alpha Delta is founded than ever before.

FRANK M. LUDWICK.





J. LAMAR BUTLER
District Justice of the Western District

J. LAMAR BUTLER



FEW men have contributed as much, and none more, to the success of Phi Alpha Delta in California, as J. Lamar Butler. As a student in the University of Southern California College of Law, and a member of Ross Chapter he gave to both his best effort and with untiring energy raised the chapter to higher standards. The writer met this dynamic personality in the spring of 1925, the year Lamar graduated from law. To him Phi Alpha Delta was more than a social club, a meeting place to smoke and tell stories—it was a living organization counting in its membership the picked men of college who were laying a foundation for real service in life. No meeting, no dinner, no banquet of Ross Chapter, during these five years, can omit the name of Lamar and tell the story of its success. Each banquet has grown in attendance and in quality. The last one, held at the Jonathan Club on December 13, 1929, at which Justice Richards of the Supreme Court, California, and Hon. Ora E. Monnette, Vice-President of the Bank of Italy were the principal speakers, presided over by Judge Joseph W. Vickers, was an evening now rich in memories, and glorious in the dazzling heights it reached. No one was more responsible for this crowning success than J. Lamar Butler.

The last gracious act of the year 1902 was to give Brother Butler to the world. He was born at Arrowhead Hot Springs, San Bernardino County, California, December 31, 1902, and three years later gave evidence of the initiative which has characterized his life by moving to Pasadena. He graduated from the Pasadena High School, the University of California, and the University of Southern California, College of Law. The championship basketball team in 1922 includes his name, as well as the championship Los Angeles Athletic Club team for three years. His law class honored him with the presidency, while the members of Ross Chapter gave him in succession each office. He has carried into his work as secretary-treasurer of the Alumni Chapter of Los Angeles the same interest and enthusiasm. His work as official delegate of the Biennial Convention of Phi Alpha Delta in 1927 at Cincinnati won for him the appointment of District Justice for the Western District in 1927 by the Supreme Executive Board.

Brother Butler also takes an active part in the affairs of the Los Angeles Junior Chamber of Commerce. He was their official delegate at Flint, Michigan, in June, 1929, and was appointed national Councilor of United States Junior Chamber of Commerce in January, 1930, and was the officer delegate to the Mid-Winter Conference at Phoenix, Arizona, in January, 1930. As chairman of the Commission on revision of By-Laws and Constitution he has rendered valuable service to the National Chamber.

Brother Butler is president of the Bruin Club, and a member of the Pasadena Lodge F. & A. M. Until 1926 he was in the law office of O'Melveny, Millikin, Tuller and Macneil, when he formed a partnership with Leslie L. Heap, with offices in the Pacific National Building, 315 W. 9th Street, Los Angeles.

Milwaukee -- Your Convention City

By

BROTHER HOWARD T. FOULKES



HE 1930 Phi Alpha Delta convention will be held in Milwaukee, and Milwaukee extends all members a most sincere and hearty welcome. Since you are to spend some time in the city we will tell you some of its history.

It was in 1818 that the present city of Milwaukee dates its



Milwaukee Public Museum and Library

beginning. In that year, Solomon Juneau, a young Frenchman, purchased a small trading post owned by his father-in-law, Jacques Vieau, in the then Indian village that bore the name of Mahnau-wau-kie. Prior to that time, many missionaries and fur traders had visited the Indian

village at the confluence of three rivers—the Milwaukee, the Kinnickinnic and the Menomonee—but none of them stayed permanently.

The pioneers who banded together under the leadership of Juneau, early capitalized the wonderful natural advantages of the village's situation for development of industry and commerce. The close of the Black Hawk war in 1832 and the discovery of lead in Western Wisconsin resulted in a steady influx of white settlers to Milwaukee. Before 1842 there were two tanneries, an iron foundry, and other industries located in the city. Industry commerce, social life and population kept pace with the progress of the times. The population of Milwaukee at the time of its incorporation in 1846 was 500.

From that small beginning less than 85 years ago, the city has grown steadily until today there are more than 600,000 persons living in the area known as Greater Milwaukee. The city has a property value of \$1,075,000,000 and covers about 36 square miles. It is the home of many of the better known nationally advertised products. Leather goods, soap, candy, machinery, electrical equipment, and textiles, including silk hosiery, are among the leading products of the city.

While the city has gained fame as an industrial center, its educational advantages and beautiful parks likewise have brought Milwaukee renown. The city has a vocational school that has won the praise of world-famous educators. Milwaukee is the home of Marquette University, Milwaukee Downer College and Seminary, and the Milwaukee State Teachers College. There are private schools and colleges such as St. Mary's and Mount Mary's College. Excellent high schools and grade schools also are found in Milwaukee.

The park system of Milwaukee includes more than 1,000 acres. In addition to fourteen major or larger parks, there are many smaller ones scattered throughout the city. At these parks one may find many recreational features that are attractive to visitors. In Washington Park is the zoo, which is the most extensive municipally-owned animal exhibit in America, and one of the biggest educational assets of the city's entire park system. Lake and Juneau Parks are located on the bluffs of Lake Michigan shore, the latter close to the heart of the downtown district, and among its adornments are heroic-size statues in bronze of Solomon Juneau, the founder of the city, and of Leif Erickson, the Norse explorer. Lake Park boasts magnificent drives—one of them through natural ravines of surpassing beauty—a wonderful outlook over the waters of Lake Michigan. Several of the parks have bathing beaches.

The city's public library and museum, located within walking distance from the majority of the large hotels of the city, is the mecca of all visitors to Milwaukee. The library and museum are housed in a magnificent stone building that covers an entire city block. Guides are furnished to escort visitors through the large display rooms of the museum. The library has more than 600,000 volumes in circulation.

The Milwaukee Public Museum is not an ordinary place at all. It fairly groans with many interesting and educational exhibits. It is among the largest of the museums in the United States and



View of Milwaukee

is devoted to all branches of history and anthropology. It is one of the largest of the municipally owned museums, deriving all of its revenue from taxation. It is a museum of and for the people and an important branch of the educational organization of the city. Its halls contain many life size groups as well as miniature groups built to scale.

There are a few cities in the country that have as low a mortality rate as Milwaukee, which speaks well for the healthful conditions of the community. Crimes in the city are rare, and court records show that Milwaukee is one of the best-governed cities in the country.

Milwaukee, a city of comfortable home-owners, extends her hand—and bids you welcome!

CHAPTER BREVITIES



THE Chicago Alumni Chapter fancies itself no little on the "Dictum" which under the guidance of Brother Horace Dawson has now expanded to eight pages. It has cause to do so. The Dictum is something to be proud of. This being the middle of winter and the chapter being Chicago we expected to receive about now an invitation to their summer outing. This time, however, that well worn quip failed us. All we got was an invitation to the Annual Joint Chapter Dance (dress formal). We couldn't go (on account of the distance; we had the formal dress), which we know in advance would be just our hard luck.

Talking of summer, "spring is came" in Washington, D. C., for on March 4, they ate beefsteaks out at Washington Golf & Country Club, messed up the bunkers, elected officers and generally attended to such business as came before the meeting. That much travelled P. A. D. Brother Culbertson was back in their midst recently. Hence another good luncheon for the brothers in those parts. Brother Culbertson always has something interesting to tell. This time he flew 1,800 miles over the uncharted Andes between Chile and Peru.

On February 28 the New York Alumni Chapter had its Annual Banquet at the Interfraternity Club in New York. The occasion was remarkable for the great number and extreme brevity of the speeches. The opening remarks of each speaker were received with such applause that he perceived the superfluousness of further oratory. Thus everyone had a chance to speak and no damage was done. The meeting did however hear a most interesting talk from Judge Russell of the City Court and Brother George Palmar provided some suitable divertisement with his small size motion pictures.

Benton Chapter breaks a long silence with the news that it has reorganized itself, acquired a new house and is throwing dances, banquets, smokers and what-have-you. This sounds all the better in that they report a splendid group of pledgees to carry on the good work.

The Fish Chapter correspondent begins thus "If you will pardon me, the spots or points of Fish Chapter's doings are HIGH." The claim seems justified. The President of the Law Club is a P. A. D. Out of ten men comprising the "Legal Clinic" in their law school, six belong to Fish Chapter, and two of these are Editor and Secretary respectively. They had the first, third and fourth places in the whole law school scholastically; the

second, third and seventh places in the senior class; in the junior class only four men made the Honor Roll and they were all P. A. D.'s, and of the six freshmen who made the Honor Roll, five belong to Fish Chapter. Lastly, they have a special room for their use in the new law school building just opened.

Hammond Chapter in writing mentions various activities at the Chapter House just to show they are up and coming. What really pleases them is the good news they hear from their alumni who are out in the cold hard world endeavoring to separate clients from fees. No space here to run down the list they report, but it is enough to give satisfaction to any chapter.

Marshall Chapter writes considerable about Brother Dahlberg's trip (see News of the Alumni). It appears as if most of the Chapter would like to go with him. Why not?

Ross Chapter's correspondent begins his letter with a terrific blast on the subject of the beauties of southern Californian climate, jeers at them as has to put up with a little bracing cold at times (which is good for them), and then hides behind anonymity. Well, well, well. They report what must have been a very good time at a recent initiation and subsequent conviviality and also that out of seven law students elected to the honorary fraternity of Skull and Scales four were members of their chapter.

Temple Chapter reviews the past year and concludes it has been highly satisfactory and that they are right on top of the world. For sixteen out of the past seventeen years the Presidency of Student Body in the law school has been held by a P. A. D. One holds it now, and another is Secretary. Yet another is President of the First Year Class.

Word from Webster Chapter includes news of a dinner to Leslie Kimmel as Justice of the Northern District on the occasion of his leaving for California. Kimmel would be touched if he could read of the regard in which they hold him.

A very encouraging letter from Wilson Chapter. It shows a happy and contented chapter standing well upon the campus, with good grades in school and well ordered activities. We can't quote from it at length; but all certainly seems right with the world at Ithaca.

Last minute news from California includes a joint initiation by Holmes, Temple and Field Chapters at which Professor Turrentine and Prof. Snodgrass were initiated as honorary members and fifteen men initiated as active members. Also the Los Angeles Alumni Chapter having had an election of officers are planning dances and golf tournaments for April and March.

NEWS of ALUMNI

By

JOHN R. SNIVELY

BROTHER Silas H. Strawn (Campbell) of Chicago, Illinois, who was President of the American Bar Association (1927-28), is Chairman of the Committee on arrangements for the entertainment of the visiting members of the English, Scotch, Irish and French bars this summer. The committee held its first meeting at Chicago on February 14. The annual meeting of the American Bar Association will be held in Chicago in August. It is expected that it will begin on the 20th. This is the week prior to our summer convention.



BROTHER Isaac M. Stewart (Jay) is Secretary to Honorable Reed Smoot, the senior United States Senator from Utah. Senator Smoot is the oldest Republican in the United States Senate in point of service. In addition Brother Stewart is clerk of the Committee on Finance of the United States Senate.



BROTHER Walter F. Dodd (Magruder), who is a Professor of Law at Yale University, is a member of a committee that is making a study of compensation for automobile accidents. Funds have been provided by the Rockefeller Foundation and the work is being conducted under the auspices of the Council for Research in the Social Sciences of Columbia University, with the aid of the School of Law of Yale University. It is an effort to determine whether an unsatisfactory legal situation can be met by new methods. Prior to going to Yale University, Brother Dodd was the senior member of the law firm of Dodd, Matheny & Edmunds of Chicago.

BROTHER Robert M. Davis (Kent), who was Dean of the College of Law of the University of Idaho at Moscow from 1923 to 1929, is now Dean of the School of Law of the University of Kansas at Lawrence. He succeeded Mr. Philip Mechem. Brother Frank Strong (Green) and Brother Thomas E. Atkinson (Campbell) are also members of the faculty of the School of Law of the University of Kansas.



BROTHER Ferre C. Watkins (Capen) of Chicago, Illinois, is Chairman of the National Legislative Committee of the American Legion for 1920. Brother Watkins, who is a former State Commander of the Department of Illinois, was appointed by National Commander O. L. Bodenhamer. He is the senior member of the law firm of Watkins, Ten-Hoor & Gilbert.



BROTHER Ulysses G. Ward (Magruder) of Shelbyville, Illinois, has been appointed Assistant Director of the Department of Finance of the State of Illinois by Governor Louis L. Emmerson and is now located at Springfield. Brother Ward has been the senior member of the law firm of Ward & Pugh.



BROTHER Roger W. Cooley (Corliss) of Grand Forks, North Dakota, is now Dean of the School of Law of the University of North Dakota. He has been a member of faculty for many years and was acting Dean, 1927-29. He continues to teach the Public Law subjects.

BROTHER Harry A. Blum (Marshall) of Chicago, Illinois, is Dean of the University of Chicago Law School. He succeeded the late James P. Hall. Brother Bigelow has been a member of the faculty of the University of Chicago since 1903. He is an authority on the Law of Property and is the reporter on this subject for the American Law Institute.



BROTHER Charles G. Howard (Magruder) of Eugene, Oregon, is Editor of the Oregon Law Review in addition to his work as Professor in the University of Oregon Law School.



BROTHER Marcus Kavanagh (Blackstone) of Chicago, Illinois, who has been a Judge of the Superior Court of Cook County for 32 years, has been invited to go to London to appear before a committee of the House of Commons at a hearing on Capital punishment. The question of the abolition of capital punishment is being investigated by the committee. Brother Kavanagh has written much upon the subject of the administration of our criminal laws and is well known throughout the United States.



BROTHER Paul W. Brosman (Magruder) is now a Professor in the College of Law of Tulane University at New Orleans, Louisiana, where he is teaching Evidence and the procedure subjects. From 1926-28 he was a member of the law faculty of Mercer University and during 1928-29 was a Sterling Fellow at Yale University where he received the J.S.D. degree.



BROTHER Salentine Egan Irion (Val Irion) of Lake Charles, Louisiana, married Laura Winston Overton on February 7, 1928. Mrs. Irion is the daughter of Mr. Justice and Mrs. Winston Overton.

BROTHER Henry W. Humble (Green), who has been a Professor for some years in the Brooklyn Law School, attended the World Conference on Adult Education at Cambridge, England, last summer. He also visited the Universities of Oxford, Edinburgh, Dublin, Belfast, Leipzig and Berlin. Brother Humble is a former Editor of the Phi Alpha Delta Quarterly.



BROTHER Lawrence P. Simpson (Magruder) is now a Professor in the School of Law of New York University in New York City. He is a graduate of the College of Law of the University of Illinois, and for the past few years has been teaching Business Law in the College of Commerce of the University of Illinois. He is co-author of Simpson & Dillavou's Law for Architects and Engineers. He is teaching Property and Corporations.



BROTHER Ernest H. Burt (Cahoon) has been advanced to the rank of Major in the Judge Advocate General's Department of the United States Army and is now stationed in Washington, D. C. Prior to this he has been a Captain and was assigned as an Assistant Professor of law at the United States Military Academy at West Point, New York, for several years.



BROTHERS Dahlberg, late of Marshall Chapter, and Millard Pryor of Keane, Higby & Co. of Detroit are leaving on a world tour for a year as the representatives of American business interests. They are going to the Orient and South America certainly; maybe elsewhere. Once you start on that kind of a trip, you never know where you are going to fetch up. Brother Dahlberg would particularly like to get in touch with any P. A. D.'s who may be in the countries he plans to visit. Any mail addressed to 1009 East 57th Street, Chicago, will be forwarded. He will probably get to Shanghai early in the trip and be there for some time.

BROTHER Montgomery S. Win-
ning (Marshall) of Springfield,
Illinois, who is Special Assistant Attor-
ney General of Illinois, accompanied
a delegation of prominent Illinois
lawyers who visited the courts of
Mississippi, Louisiana, Alabama,
Georgia and Tennessee during the
week of the 9th of March. He was
designated by the Attorney General to
accompany the delegation as his repre-
sentative.



BROTHER Peter O. Knight, ac-
cording to the newspapers,
declined a recommendation to the
Supreme Court of the United States.
Brother Knight admitted he preferred
to live in Florida. California papers
please copy.

BROTHER Stanley H. Guyer
(Magruder), who was formerly
located at Sullivan, Illinois, is now
engaged in the general practice of law
at Rockford, Illinois. He has offices
with Brother John H. Page, (Camp-
bell) who is Assistant United States
Attorney for the Western Division of
the Northern District of Illinois.



BROTHER William L. Roberts
(Clay) of Lexington, Ken-
tucky, is a Research Fellow at Har-
vard Law School for 1929-30. For the
past nine years he has been a profes-
sor in the College of Law of the Uni-
versity of Kentucky and since 1922
was Editor of the Kentucky Law
Journal.



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110 So. Dearborn St.
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Luncheons—Daily, at Chicago Bar As-
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rant every Tuesday at 12:30.

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922 Hurley-Wright Bldg.,
Washington, D. C.
J. Edgar Saunders, *Clerk*
839 Interstate Commerce Commission

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Clerk: Arthur E. Pennekamp, Boalt Hall, Univ. of Calif., Berkeley, Calif.

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 Justice: Newell Banks, 1000 10th Ave., North, Seattle, Wash.
 Clerk: Merritt J. Jorgins, 400 Brooklyn Ave., N.E., Seattle, Wash.

ISH CHAPTER—Mercer University, Macon, Ga.

Justice: O. H. Middlebrooks, Mercer Univ., Macon, Ga.

Clerk: T. Julian Webb, Mercer Univ., Macon, Ga.

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Clerk: C. R. Hall, Jr., Box 739, Gainesville, Fla.

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Clerk: H. O. Hale, N. U. Law School, 357 E. Chicago Ave., Chicago, Ill.

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Clerk: Leonard O. Carson, 433 Van Deventer St., Fayetteville, Ark.

GREEN CHAPTER—University of Kansas, Lawrence, Kans.

Justice: Manfold C. Holly, 1140 Louisiana St., Lawrence, Kans.

Clerk: Morgan H. Cole, 1140 Louisiana St., Lawrence, Kans.

GUNTER CHAPTER—University of Colorado, Boulder, Colo.

Justice: M. C. Garwood, 1300 Penn Ave., Boulder, Colo.

Clerk: Paul S. Fries, 904 14th St., Boulder, Colo.

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

Justice:

Clerk: Harold F. McLeran, 4 E. Market St., Iowa City, Ia.

HARLAN CHAPTER—University of Oklahoma, Norman, Okla.

Justice: Clyde Robinson, 708 Asp Ave., Norman, Okla.

Clerk: Fred B. Cornels, 752 DeBarr, Norman, Okla.

HAY CHAPTER—Western Reserve University, Cleveland, Ohio.

Justice: Howard D. Barnes, 2217 Cummington Road, Cleveland, Ohio.

Clerk: James L. Broz, 4142 E. 138th St., Cleveland, Ohio

HOLMES CHAPTER—Leland Stanford University, Palo Alto, Calif.

Justice: Arthur C. Miler, Standard University, Calif.

Justice: Frederick E. Hines, Box 3498, Stanford University, Calif.

Clerk: Therace Stahle, Stanford University, Calif.

HUGHES CHAPTER—Denver University, Denver, Colo.

Justice:

Clerk:

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

Justice: Angelo M. Pisarra, 3723 Veazey St., Washington, D. C.

Clerk: Harold C. Nystrom, 2410 20th St., N.W., Washington, D. C.

EFFERSON CHAPTER—University of Virginia, University, Va.
Justice: F. B. McDonald, Jr., 1000 University, Va.
Clerk: F. B. Gouldman, 135 Chancellor St., University, Va.

KEENER CHAPTER—Emory University, Atlanta, Ga.
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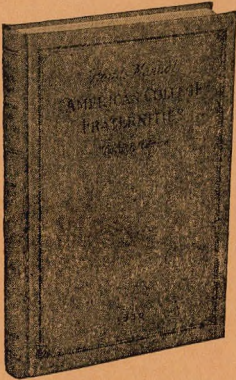
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