# TheREPORER

FILE

MAY . . . . . . 1937

# Directory of National Officers of Phi Alpha Delta Law Fraternity

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#### Fraternity Calendar

October 1st	Chapter audit due in Secretary's office
October 15th	Form D due in Secretary's office
October 15thOrde	r Chapter Forms and Supplies from Secretary's office
November 1st	Per Capita taxes due in Secretary's office
	Chapter audit due in Secretary's office
	Form E due in Secretary's office
April 1st	Election of all chapter officers
	Form J due in Secretary's office
Initiation fees must be pa	id immediately following initiation of any member.

#### Magazine Material

September 15th	for October	issue
November 15th	for December	issue
February 15th	for March	issue
April 15th		
No material arriving after the 20th of the above mentioned	months can be	used
in that particular issue		

# THE REPORTER

#### Official Publication of the Phi Alpha Delta Law Fraternity

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FRANK M. LUDWICK, Supreme Secretary and Editor

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#### TO ALL MEMBERS OF PHI ALPHA DELTA:

The American Bar Association has scheduled its annual meeting for Kansas City, Missouri, beginning Monday, September 27, and continuing through Friday, October 1.

On Thursday, September 30, the Alumni Chapter of Phi Alpha Delta Law Fraternity in Kansas City will give a luncheon. This will be a worth while affair and the Alumni are intent on making it the outstanding event of the American Bar Association activities. An announcement regarding the luncheon will appear in the official program of the American Bar Association and tickets will be available at its registration desk.

There are over four hundred members of the Fraternity in Kansas City, and District Seven will be well represented. Recently it was my pleasure to visit many of the chapters in this district at my own expense. They are in fine condition and I was delighted to find these chapters filled with men of excellent character, ability, and foresight. All were extremely interested in their particular law school and were taking an active part in the affairs of their respective schools.

The Supreme Executive Board of the Fraternity will be in session at Kansas City. You are invited to appear and submit any proposals you have which you think should be given consideration by the Board.

Cordially and Fraternally,
DWIGHT H. GREEN
Supreme Justice.

# Is the Law Profession Overcrowded?

By John Kirkland Clark

Reprinted from February American Bar Association Journal

Is there an overcrowding in the profession and, if so, what action should be taken? Should changes be made in the standards of legal education and admissions to the bar? Is adoption of a quota system desirable? What national or restricted surveys, if any, should be made as to conditions in and affecting the legal profession?

These questions, pregnant with intense interest not only to the profession but to the general public as well, if properly answered, will bring about results which, in and of themselves, will make this meeting of the House of Delegates an historic occasion in the life of the American bar.

In America, the bar has grown up with the country. Its development, its growth, like that of Topsy in "Uncle Tom's Cabin," has been, for the most part, entirely unguided — it has just "growed." For almost three centuries, the great majority of the lawyers of America were trained under an "apprentice system." Until half a century ago, when typewriting and stenography began to make headway, the great mass of our lawyers learned their law through "writing out" pleadings and briefs and reading Blackstone and Kent and the scanty collections available and they were scanty-of text books and of law reports.

Although law schools came into existence over a century ago, the coming to the bar of a mass of law-school-trained candidates is a phenomenon which has occurred since the great majority of us were born.

Long before that time, the distrust of

lawyers, inherited from the experiences of some of our forbears in England, had become quite general in the new country. Although Indiana, I believe, was the only state which embodied in its constitution a provision that any citizen of good character might practice law, there was a widespread resentment against lawyers as a class, a century ago. Only recently has that provision of Indiana's constitution been repealed, though, prior to its repeal, Indiana had ruled that no one could have a sufficiently good character to entitle him to admission to the bar unless he had proper legal training!

Nor are proposals to limit admission to the bar a novelty. Back in the colonial days in New York, nearly two centuries ago, the lawyers in New York united in what was, in essence, a guild—to restrict, and practically to forbid, for some years, any new admissions to the ranks of practicing attorneys.

Yet it was not until sixteen years ago—really fifteen years—that the campaign was launched to restrict admission to the bar to those properly qualified to enter the profession.

I count myself fortunate that, during that entire period, I have had the opportunity of studying and of taking some action on the problem, as a member of the New York State Board of Law Examiners, which has examined over 30,000 candidates during that time. In the last ten years, I have also been able to work through the American Bar Association as a member of its Council on Legal Education and Admissions to the Bar, and for three years as Chair-

man of the Section, in the endeavor to attain the ideals which the Association laid down as its standards in 1921, which were, in 1922, approved by a notable conference of Bar Association Delegates, in Washington, under the auspices of this Association.

The progress made in the past fifteen years has been little short of amazing—as is graphically shown in the latest edition of "Notes on Legal Education," published by our Section under the editorship of Will Shafroth, whose services to this cause in the last dozen years have been invaluable. Two-thirds of our states have adopted the basic principles laid down as to pre-legal education and three-fourths as to three years of law study.

In the dozen or so states in which missionary work remains to be done, we look to the delegates from these states and the organizations which they represent to make, speedily, the required progress toward higher standards.

Yet, with the rapid progress of the adoption of higher standards, there is a widespread feeling that we are still getting too many new lawyers-and we have, today, propounded to us these questions which we are discussing. As usual, the answer is "Yes" and "No"and, as is necessarily the case, the answer depends upon the place and the elements which enter into the problem. It depends upon facts concerning which, for the most part, we have insufficient knowledge. We do not know how many lawyers there are. In the second place, we do not know how much "law business" there is-or what elements determine the measure—and we know all too little, in the third place, of how much business there really is for the lawyers, if all the business available came to us.

In the solution of these problems, we have made a start. During the past five years there have been three notable attempts to learn these facts. Under the guidance of Dean Garrison of the Uni-

versity of Wisconsin Law School, a quite exhaustive study of the bar of that State and its economic condition has been made. That survey indicated that in Wisconsin there was apparently no marked overcrowding.

In Connecticut, in the past two years, a survey, by sampling, of the bar of Connecticut, and-what is even more interesting—a survey of the field which the bar should be covering, and is not, at least adequately, has been made under the guidance of the Yale Law This reveals the startling in-School. adequacy of the service rendered to the community by the bar-which was implied in the eloquent and significant remarks of our President, recently, in suggesting a service by the bar which shall render available to every citizen the legal service he should have-by legal clinics, if necessary.

In New York, the organization which I represent—the New York County Lawyers Association—has made an even more ambitious attempt to learn the facts in our jurisdiction—Manhattan Island—embracing a group of 15,000 or 16,000 lawyers, living or practicing, or striving to live or practice, in the business borough of our great city.

A copy of our report, which covers almost a hundred pages, has been mailed to everyone whom we have learned to be a delegate here. Those of you who have not received it may get a copy by writing to the Association in New York. As one of the half dozen on our committee of twenty on "Professional Economics," who gave hundreds of hour of devoted service in the compilation and preparation of this report, I bespeak of you a study of it.

We conclude that the bar in New York is overcrowded. We found, from thousands of replies, typical in nature, that the average lawyer in our metropolis nets less than \$3,000 a year; that about 40% make less than will decently support a family; 10% are practically in the "relief class"—yet the highest

1% took in more, net, than the lowest 50%!

The survey indicated clearly that college-trained and full-time law-school men make 50% more than their less well educated brothers. Experience, up to 20 years after admission, gains constantly better financial results. We even dabbled in the subject of "patronage"—or "judicial appointments"—and there, too, it appeared clearly that the older and more experienced lawyers profited most. The report is packed with similar interesting facts.

Out of it all, we concluded—I quote: "Rarely, if ever, have the organizations of the bar shown a realization of the power and dignity inherent in the profession—or an appreciation of its full opportunity, or responsibility for service to the community. The result has been that lawyers, as a group, have failed to exercise influence or power in community affairs at all commensurate with the obligation imposed upon the bar by the special franchise which it possesses."

This gathering has a great chance to rise to meet this situation. We can aid in improving the standards in those states which still lack proper rules—we can do more to rid the profession of the unworthy—we can aid, by the creation of a healthy public sentiment, in the work of the law schools in discouraging those who are unfit for the responsibilities involved, from becoming members of the bar. We can aid by preceptorships, voluntarily assumed, or imposed by law, as Pennsylvania is undertaking to do.

We cannot, I believe, undertake to make any arbitrary limitation on admissions. No one can tell what the requirements for legal services will be seven years from now—or even five years hence—covering the two years of college and three years of law school training which face the ambitious candidate. Who could have told in 1925

or 1928 what the situation five years later would be? Who can tell today whether the tens of thousands now preparing to be lawyers will be an adequate supply for the business which may develop five or seven years from now?

Finally, who knows what legal practice will be five or ten years hence? Or, really, what it is today? What is to be depends largely upon us, assembled here today. We ought to be learning the facts.

Other great states like Wisconsin should make comprehensive surveys of the profession within their borders. Other cities typical of great groups, may well make intensive surveys of their situation—as I urged, two years ago, to your neighbor, Cincinnati, that it should do. It may be that some great foundation may respond to an appeal from such an organization as ours to sponsor a survey of conditions in the Nation.

I earnestly advocate renewed effort to bring the remaining states up to our standards of legal education and admission to the bar. But I urge even more strongly that, now that the trail has been blazed, a comprehensive survey of the bar of the Nation, its economic condition and its opportunities for service, should be sought.

I therefore recommend the adoption of the following resolution:

"Resolved, that the President of this Association appoint a special committee of seven to consider a study of the economic condition of the bar in the United States and of the opportunities available to the bar for legal service to the community and the extent to which the lawyers of the country are fulfilling such opportunities; such committee to report to the House or to the Association its recommendations for a further study and for a general or restricted survey to ascertain the facts bearing upon the situation."

# Dean Harno Discusses Legal Education

In a Letter to the Law Alumni of the University of Illinois, He Says—

The realization has come to me during the last year, even more clearly than ever before, that we live in a world of clashing views; in a world, as Emerson has expressed it, in which "all things are double, one against another," or, as he also has said, in which "there is a crack in everything God has made." Why this should be so I do not know, but we are constantly beset with conflicts and strife; we are ever in the midst of ferment and change. We long for stability and repose, but we never find them.

It is not my purpose to discuss the world situation, nor that of our country, though some of the issues confronting us and the scent of battle makes these tempting subjects. There are issues in legal education which seem to extend into the arena of the more general conflict, and of these I wish to speak. In legal education, as elsewhere, "things are double, one against another"; there are forces and counter-forces, pressure against pressure. There are forces at work to improve the quality of the recruits who are let into the profession through the gateways of our law schools, and there are opposing forces contending that we are following undemocratic paths in the education of lawyers and that we are making a caste of the profession. So, also, there is conflict between the desire to remake the curriculum to include those subjects which, ideally, should be a part of the lawyer's training, and the practical necessity of training students, through emphasis on traditional courses, to pass the bar examinations. What is to be the content of a course in training for lawyers? How should they be educated

so that they may become not only good technical lawyers but also equipped to be useful in fields beyond what is required of them professionally in the wide areas of national affairs?

First, and in a narrower sense, we have the problem in legal education of making provision for the ever-increasing complexities in the law. The law is a growing phenomenon, but in late years it appears to have expanded into specialized fields even more rapidly than before. There are pressures to incorporate these new fields into our teaching schedule, and counter pressures not to extend the period of law training. Let us take, for example, the phenomenal growth of public law. A number of specialized fields in public law have developed so rapidly that we can no longer say nay to their inclusion in the teaching program. What is to be done about Taxation? With sales taxes being enacted almost everywhere, and the scope of estate, inheritance and income taxes being expanded, the lawyer must be trained to cope with the legal problems raised through these developments. Taxation, in fact, gives indication of becoming a major subject in the law curriculum. The growth of Administrative Law, which can be likened to the superinduction years ago of Equity, must be given a place; and the legal aspect of government regulation of business, not only with reference to public utilities, as formerly, but in relation to the broader expanses of trade regulation, adds weight to the creaking load of the schedule. And, indeed, we must not overlook the difficulties inherent today in the teaching of Constitutional Law. Here "the moving finger writes,

and having writ moves on." Constitutional Law has become a course in current events. It is no solution to our difficulties merely to add more subjects, for we already have more than a student can take during the usual span of the law course. Our problem is to build a program so that students may carry studies in these fields, not merely to expand the listing of courses in the catalog. There lies the rub.

Vexing as these problems are, they are slight when compared with pending issues of wider import: issues which concern content and method in legal education. After the clashes over the introduction of the case method of instruction, we thought we had settled the problems both of method and content. We thought we had stabilized legal education, and, for a time, we went into a state of repose. I must hasten to say that there is no serious thought of abandoning the case method. There is, however, a growing conviction that it alone is not sufficient, and that it tends to produce lawyers who are too narrowly trained for the heavy responsibilities which today are laid upon them. One criticism against lawyers is that they are unimaginative and ultra-conservative; that they are the "gentlemen of the backward look." The strength of the case method of instruction lies in the fact that it sharpens the intellect for close thinking and that it cultivates an ability to reason by analogy. But this, in turn, if we are to accept this point of view, exposes a weakness, in that the case method does not tend to inculcate broad conceptions or to engender in the mind of the lawyer a sense of perspective so that he may view the place and function of the law in the social structure. When trained through the case method, the lawyer is likely to work entirely within the law, and to live his two score years of professional life drawing inferences and conclusions here, making refinements there, but never working his way out to view the

contours of the law in relief. Here is the difference between the workman and the architect. The case method tends to train artisans of the law, but not architects of our institutions.

The law consists of a set of precepts and procedures. The precepts are aimed to regulate and control human conduct, and to reduce friction. The procedures are the machinery through which the precepts are brought to bear on specific conduct. But these precepts, which go to make up the law, are not sui generis; they deal with social data which are constantly in a state of ferment and change. A legal system must likewise be ever changing, albeit there is a lag, to adapt itself to the changing social scene. Thus conceived, the law is merely a form of social and economic expression "changing with the technology and processes of society and to be understood in connection with the living tissue of which it is a part." If this be a true characterization, it would seem to follow that those who fashion the law and those who administer it should have a broad understanding of and an insight into the functioning of the whole "living tissue." Is it here that we have failed in the education of lawyers? The lawyer is trained in legal precepts and procedures, but these, it would seem, are mere rigmaroles unless he has an understanding of the underlying and causative factors which gave rise to them.

The lawyer, if he is to perform as the public has a right to expect, should have a knowledge of what society is striving for, what economic and social pressures are at work; he should know the broad principles of economics and sociology. He should know a good deal about human behavior; that is, he should know the principles of psychology. He should understand the principles of government and the factors which work to give government vitality and those which hasten its decay. He should have an understanding of the ethical principles which govern not only

his profession but all human conduct. And he should be able to synthesize all of these factors into a broad philosophy of the law.

This is a panoramic view of what should be included in the lawyer's education. If it be challenged that this is too ambitious an undertaking, then legal formulas and procedures must ever be mere gibberish for the lawyer, and the rift between law and the factors which give rise to it must ever be wide. But surely this is an untenable position. Legal education is still in its infancy, and we have just begun to think about it. Ultimately, and let us hope soon, we must think our way through to a broader conception of the content of the educational program and of its significance in shaping the outlook of the lawyer and in extending his usefulness to his client and to society.



# INSPECTION REPORT

By Edgar Musgrave
District Justice of District Seven

On April 5, 1937, I was at the town of Bedford, Iowa, and there tried two cases on behalf of clients. case, the attorney on the other side of the counsel table was a Phi Alpha Delta member from Reese Chapter at Lincoln, Nebraska. The first counsel and brother was Brother Harry T. Pressly of Clarinda, Iowa, a very able lawyer and incidentally one of the best after-dinner speakers available in the State of Iowa. The second PAD across the table that day was Brother James A. Lucas of Bedford, Iowa, now practicing law in that city. Both men had received invitations to attend the annual banquet of actives and alumni of Reese Chapter at Lincoln, Nebraska, scheduled for the next day, April 6th.

From there I went to Lincoln, Nebraska, and attended an excellently arranged banquet at the Hotel Lincoln, at which there were about sixty-five to seventy members and alumni present. Brother E. D. Beech of Pierce County, Nebraska, traveled nearly 200 miles to attend the banquet and acted as toastmaster. Brother Beech is now the President of the State PAD organization, which holds its meetings at the same time and place as the annual bar convention of Nebraska attorneys. new Justice for Reese Chapter, Bob Nuquest, is a clean-cut, high-type young man. Members on the program were Brother Lawrence Vold, a member of the University of Nebraska Law School faculty, Brother Clifford L. Rein of Reese Chapter, 1915, still as humorous as ever, and Brother P. James Cosgrave, who until recently has served as an excellent and conscientious Judge in the district in and around Lincoln, Nebraska. Judge Cosgrave's address or remarks pertained largely to the ideals which a PAD member should maintain and was indeed very impressive and effective with the younger men.

George A. Lee of Lincoln, Nebraska, was the principal speaker. His talk pertained to the issues now up in the Supreme Court question.

The success of the banquet was largely due to the efforts of the active members of the chapter always aided and abetted by the Hon. Judge Edward J. Carter of the Nebraska Supreme Court and his ever-ready assistant, Brother Joseph P. O'Gara, from the class of '28.

Pertaining to Reese Chapter, which I inspected the next day, I can in brief say that the chapter appears to be on a very sound basis and is the only legal fraternity on the Nebraska campus which really carries out the functions of a collegiate national law fraternity, in that it maintains a regular program in which the alumni take an active part and by their presence and counsel inspire the members while in law school. Reese Chapter has a house adjacent to the campus that is now running on a sound financial basis and with the able assistance of the alumni should become one of the most well established and worthwhile chapters in the national organization.

Mention should be made of the fact that Brother David O. Mathews, Reese Chapter, class of '23, now practicing law in Omaha, was present at the alumni banquet.

On Thursday, April 8th, I attended the Kansas City alumni and Thomas Hart Benton Chapter banquet held in the Blue Room of the Hotel Baltimore, In the light of past experience, it appears that the banquet was far more successful than previous ones, in that it was well attended by about 100 men, actives and alumni, and the general tone of the banquet was one of a desire to advance the purposes of PAD.

Brother Fred Bellemere, President of the alumni of greater Kansas City, acted as temporary toastmaster and injected throughout the program a brand of humor which is unusual at any luncheon. Joe Franzmathes, retiring Justice of Benton Chapter, took over the toastmaster's job and continued on with the program. Brother John McEvers, Deputy District Justice covering the activities of the Kansas City Alumni and of Benton Chapter, delivered a fine talk pertaining to the program and purposes of the local members. Brother Blake Williamson, now practicing in Kansas City, Kansas, assisted materially in the program.

The real development at this banquet was the underlying seriousness with which the members went about to elect new officers to take charge of the affairs of the alumni of greater Kansas City for the coming year. The result of the votes showed the following men to be elected: Brother Ed Bodington, Green Chapter, Class of '16, of Kansas City, Kansas, elected Justice; Brother Fred Brockus of Benton Chapter, First Vice Justice; Brother Dick Jensen of Benton Chapter, Second Vice Justice: Brother Ed Tracewell, Third Vice Justice; Brother George Kerr, Clerk; Brother James Michael Scott, Treasurer; and Brother James L. Williams of Benton Chapter, Class of '29, and Sheriff of the area in which Kansas City is located, was elected to the office of Marshal. A committee was appointed consisting of certain of the newly elected officers to make a revised list of all PAD men in the greater Kansas City area and to submit a copy of the list to the National Secretary. group is becoming convention-minded, not only with reference to the next national PAD convention, but with reference to the coming American Bar Association convention scheduled to be held in Kansas City this September. It is my belief that Bro. Bodington and his associates, with the assistance of Brother McEvers will bring about a real change in the tenor and tone of the PAD situation in greater Kansas City, with the result that a great number of PAD members in active practice who have not approved of the previous activities of the alumni organization, will take renewed interest and in all probability. provide Benton Chapter with more adequate quarters.

I regretted indeed my inability to stay in Kansas City, Saturday, April 10th to confer with Brother Green, Brother McEvers and other members of the Kansas City alumni group, but a communication from our office reguired me to go into southeastern Kansas and handle an estate matter which could not possibly be delayed. work also prohibited me from seeing the brothers at Topeka and also chatting with the actives and alumni of Green Chapter at Lawrence. Incidentally, the recently elected Justice of Green Chapter attended the Kansas City banquet and stated that Green Chapter is now well re-established and on a firm footing. He made report of a banquet recently held at Hotel Eldridge in Lawrence, at which time the present Governor of Kansas was initiated as an honorary member of Green Chapter.

Notes concerning the local alumni of Phi Alpha Delta: Hon. Judge E. G. Albert, Cole Chapter, former Supreme Justice of the Supreme Court of Iowa, is resuming an active practice of the law in Jefferson, Iowa. His son, John W. Albert, Cole Chapter, Class of '27, is assistant counsel for the Des Moines City Railway Company.

Oliver P. Bennett, Hammond Chapter, is counsel in charge of litigation for the Des Moines City Railway.

Brother Philip Henry Cless, Cole Chapter of the Class of '26, formerly Deputy Insurance Commissioner for the State of Iowa, is now associated and a member of the firm of Halligan, Fountain. Stewart & Cless in the general practice of law in Des Moines. Brother Chester C. Crisman, Cole Chapter, Class of '30, is in the general practice of law at Grinnell, Iowa, and a member of the firm of Rayburn & Crisman of that Brother Owen Cunningham of Des Moines, Cole Chapter, is a member of the House of Delegates of the American Bar Association. Hon. Judge Frederick F. Faville, Hammond Chapter, former Justice of the Iowa Supreme Court, is now in the general practice of law at Sioux City, Iowa, and a member of the firm of Kindig, Faville & Mathews of that city. Frank S. Fillmore, Cole Chapter of the Class of '30, is now a member of the firm of Putnam, Putnam, Fillmore & Putnam, specializing in automobile and public liability litigation on behalf of numerous insurance companies, officing in the Des Moines Building, Des Moines, Iowa.

Brother Vernon Seeburger, Hammond Chapter, is now the acting City Solicitor for the City of Des Moines and Brothers Carroll Switzer, Cole Chapter, and Vernon Hanger, Cole Chapter, are members of the legal staff.

Brother Gibson C. Holliday, Cole Chapter, Class of '28, is now an assistant attorney general, as is also Brother Don Burington of Sioux City, Hammond Chapter. Brother Perry D. Inhofe, charter member of Cole Chapter, is now Secretary of the Travelers Mutual Casualty Company of Des Moines. Brother J. Burnell Marshall, Cole Chapter, Class of '30, has been a member of the legal department of the Federal Land Bank of Omaha for several years, and from all indications will be a permanent member of its legal staff.

We mourn the death of Brother Kenneth Peacock, Class of '26, Cole Chapter, who had developed prior to his death, a substantial practice as a member of the firm of Neiman & Leake. Brother Howard A. Steele, Cole Chapter, Class of '31, is an associate member of the firm of Bradshaw, Fowler, Proctor & Fairgrave, which firm deals in a high type of corporate practice in this city. Brother Harley H. Stipp, Jr., Cole Chapter, Class of '33, is an associate member of the firm of Stipp, Perry, Bannister & Starzinger, one of the oldest and best established firms in Des Moines. Brother William Russell Jordan, Marshall Chapter, Class of '14, is now in his second term as one of the Judges of the local District Court. Brother Jordan has always shown a great amount of interest in PAD, both at the University of Chicago and at Drake University. Brother Warren L. Huebner, formerly Assistant Secretary of State in charge of the corporation department, is now a member of the firm of Huebner & Huebner, specializing in workmen's compensation practice, representing numerous insurance compa-

Brother L. K. Taylor, Benton Chapter, Kansas City, is now located in the Insurance Exchange Building, Des Moines. Brother Stanley Lyle Avery, Cole Chapter, Class of '30, is a member of the staff of the Bank of America at Ventura, Calif. John A. Blanchard, Jr., Cole Chapter, Class of '27, is a member of the firm of Lehman, Hurlburt & Hossfeld of Des Moines and is actively engaged at all times in public service work, taking considerable interest in the affairs of Cole Chapter. Brother Reson S. Jones, Cole Chapter, and active practicing attorney, is completing this week-end his 27th consecutive year as a member of the official board of the Drake Relay Committee in charge of the greatest relays in the United States, Penn Relays at Philadelphia not excepted.

# National Alumni Fee

The most important action of the convention was the enactment of a new section in the By-Laws providing for a National Alumni fee. For many years we have sought some means whereby a portion of the financial expense of the fraternity could be borne by the alumni instead of requiring our collegiate chapters to carry all of the burden. The new section provides for an annual fee payable to the Supreme Secretary in the amount of \$3.00 per year, unless the alumnos shall be a life subscriber to the official magazine, in which event the per capita tax shall be \$2.00. The payment of the per capita tax provided for in this section shall entitle the member to a subscription to the official magazine, to all issues of the Directory with black face type indicating that the alumnos is a supporting member, to bulletins and other services which the fraternity may from time to time render.

No attempt was made to provide means for the enforcement of the collection of this fee, nor were any penalties provided for the non-payment, the delegates feeling that a majority of the members of the fraternity would willingly and voluntarily pay this amount each year toward the support of the organization. Send in the coupon appearing on this page of the Reporter with your remittance and the address which you desire to appear in the next directory.

In addition to receiving four issues of a splendid magazine, current directories as they are published and maintaining an active connection with and interest in your fraternity, you will be aiding materially in its continued progress. Do this right now.

COUPON
Date
To Frank M. Ludwick,
Supreme Secretary and Editor,
333 Roosevelt Bldg.,
Los Angeles, Calif.
I remit herewith \$for National Alumni fee which includes
annual subscription to The Reporter.
Address

NOTE: National Alumni fee is \$3.00, except for life subscribers \$2.00.

# Humble on Evidence

Harry W. Humble, who was Supreme Editor of the fraternity from 1919 to 1924, has recently had published a valuable law book known as Humble on Evidence.

In a recent communication with the Supreme Secretary's office Brother Humble sent us this interesting outline of himself and his newly published volume.

"Let me outline my career briefly, then get down to brass tacks," his letter begins.

"Received my LL.B. at the University of Cincinnati, 1904; then practiced law in Cincinnati about two years; then back to the College at Cincinnati, where I picked up an A.B. in 1907; then taught a year at Cornell University, where I picked up an A.M. while no one was looking in 1908; then taught at the University of Kansas from 1908 to 1921; J.D., University of Chicago, 1915; became Editor of the Phi Alpha Delta Quarterly 1919 to 1924; moved to New York City in 1921; taught at Brooklyn Law School of St. Lawrence University from 1921 to 1932; have been teaching at St. John's University, Borough Hall Division, since 1932 and am still there.

"Books published: Cases on Conflict of Laws, now in its second edition and still selling well. In 1933, I ground out a text book, Principles of Evidence. Both of these books are published by Callaghan and Company of Chicago.

"I am not ashamed of the fact that I published a book of poetry last year. I guess I can let any Brother in PAD have a copy for the price of one dollar, but, really, I haven't many copies left.



Recently I received a good sized order from Brazil. I still wonder why. I don't know.

"Now, as to Humble on Evidence, of which I am justly proud. (But, before I forget it, may I interrupt myself by mentioning the fact that I have in typewritten form and as yet unpublished an elementary treatise on the law of Contracts. Will gladly lend it to

any undergraduate brother who will write to me for it and will promise to take good care of it.) The book on Evidence is designed exclusively for students. It gives in the clearest and simplest manner, a statement of the fundamental rules of the law of Evidence and the reasons or lack of reasons for the rules. Whoever saw a law book that was too clear for the law student or practicing attorney? But how many have we seen that were as clear as mud and as inconsistent as it is possible for inconsistency to be? tempt is made in this treatise to give exhaustive lists of authorities or all conceivable if's, and's, and but's. The author believes it to be the easiest to master of any treatise on the subject, consistent with thoroughness and accuracy. He feels that there is need for such a treatise in practically every branch of the law. Of course, there is need for case-books, reference books, and statute books. But there will always be need for elementary textbooks on every branch of the law taught in law schools. How many treatises like this do we have? Let the undergraduate answer for himself.

"I expected great things from the 'Restatement of the Law,' but how many law students find the restatements of assistance in mastering the fundamentals? The restatements seem to assume that the reader is highly learned. But is he? How many practicing attorneys grasp readily the principles laid down in the restatements which have now appeared? Let us put it even a little How many men devoting stronger. their lives to teaching law and writing books find difficulty in grasping the restatements? I am not asking this question rhetorically. I invite correspondence. Drop me a line at my residence appended to this article, if you can throw any light on this subject. I, for one, realize the value to the law student of the La Salle Extension Encyclopedia and the Blackstone Institute volumes. (I ought to. I wrote part of the latter

just twenty-four years ago.) But these volumes are of uneven value, and many are now quite out of date.

"I should be delighted to write other treatises, for example, on Bills and Notes and Suretyship, if the demand for such volumes would justify the expenditure of the necessary time and effort, but I fear that it would not.

"At all events, Brother Undergraduates, look over the little book on Evidence. I shall then be delighted to receive your criticisms, particularly those of an adverse nature, especially if you are now wrestling with the exceptions to the hearsay evidence rule and dying declarations, to say nothing of death bed repentances at the eleventh hour before the examination in Evidence, a subject which, you may be interested in knowing, plays but an insignificant part in the Continental law schools."

Harry W. Humble 1430 West Fourth Street Brooklyn, New York

# Phi Alpha Delta Membership Valued

May 37

Here is an excerpt from a letter received by the Supreme Secretary:

"With graduation—I hope—fast approaching, I am devoting no small portion of my time in attempting to get located with some law firm or some one of the legal staffs of the various government departments. In this connection, if you ever hear any members of PAD voice a doubt that PAD's do not or will not give a brother a boost, refer them to me. My experience in the past several weeks would make any such 'Doubting Thomas' draw in his ears.

"Actually, I've been in to see three of our more prominent brothers in an attempt to obtain their endorsement of an application which I have filed with the General Counsel's office of Internal Revenue, and in each instance the magic words 'Phi Alpha Delta' have proven to be an open sesame. Each of the gentlemen very readily granted my request and gave me a letter of endorsement the tenor of which has had my head in a whirl. I can only hope that they have a like effect upon the esteemed General Counsel."

# Los Angeles Alumni Chapter Recommends Change in Appellate Practice

The following resolution was adopted at a recent meeting:

#### RESOLUTION

Addressed to the Board of Governors of the State Bar by Los Angeles Alumni Chapter of Phi Alpha Delta Law Fraternity.

WHEREAS, under the system now in vogue in the District Courts of Appeal and the Supreme Court of this state, oral arguments upon appeals before those courts are held long in advance of the time fixed by those courts for the consideration and determination of such appeals, and

WHEREAS, it is the practice of the Honorable Justices not to familiarize themselves with the briefs theretofore filed in support or opposition of said appeals before the time of argument, and

WHEREAS, because of the failure to have read the said briefs the Honorable Justices cannot satisfactorily follow and consider the points raised upon oral argument, and

WHEREAS, because of the lapse of time between oral argument and the consideration and determination of the appeals, it is humanly impossible for the Honorable Justices to clearly remember all the points raised by counsel on argument and their line of reasoning, and

WHEREAS, it is the opinion of Los Angeles Alumni Chapter of Phi Alpha Delta Law Fraternity that oral argument is an important element in the proper determination of cases on appeal, and

WHEREAS, it is the opinion of this law fraternity, from a considerable investigation made, that a large number of practising attorneys believe that oral argument is of great assistance in presenting their questions on appeal but as now conducted is practically of no value, and

WHEREAS, this legal fraternity believes that the State Bar of California is the proper body through which the situation can be remedied either byrules of court by rules of the Judicial Council of this state,

NOW, THEREFORE, BE IT RE-SOLVED that Los Angeles Alumni Chapter of Phi Alpha Delta Law Fraternity requests the State Bar to correct the existing defect in regard to oral argument in the practice in the District Courts of Appeal and the Supreme Court by recommending that the rules of said courts or the rules of the Judicial Council of this state be amended to accomplish such purpose.

BE IT FURTHER RESOLVED that this fraternity suggests that each District Court of Appeal devote one day each two weeks for the purpose of oral argument; that only cases be set down for argument that said court expects to be able to consider and determine within two weeks immediately subsequent to said argument day; that at a time sufficiently in advance of said argument day each case to be heard at that time be assigned to one of said Justices whose duty it shall be to study the briefs on file and to prepare an abstract of said case, and that a copy of said abstract to be delivered to each of his Associate Justices the day before said argument day, so that each Justice will have said abstract before him and be sufficiently familiar with said case to intelligently understand the points in question and the reasoning developed by counsel.

# The Federal Prosecution of Crime

The following address was given at the meeting of the Chicago Alumni Chapter of Phi Alpha Delta, held at the Hamilton Club at Chicago, Illinois, at eight o'clock p.m., Tuesday, April 20, 1937:

By Mr. Austin Hall Assistant United States Attorney

MR. HALL: Brother Justice and Members of Phi Alpha Delta: I feel deeply honored that I have been asked to come here this evening to talk at some length before the members of my own fraternity. That feeling of honor is increased when I look around and see men like Bro. Gilbert and Bro. Fink who were old men in the fraternity when I was just starting, (Applause) and more than that, who were well established in the practice of law before I was out of a law school. I also see here members whom I knew very well while I was in the law school at the University of Chicago,-Brothers Richmond, Dodge, Dorbery and, of course, "Pete" Green. That adds to the feeling of honor that I have this evening. And when I beheld Professor Puttkammer walking into this roomthe Professor who taught me the first that I knew about criminal law. at the University of Chicago Law School,—it raised in me a deep sense of humility; and it is with that sense that I undertake this evening to make a few comments on what I have learned in the District Attorney's office in connection with the federal prosecution of crimes.

It also gives me a feeling of great honor to see Brother Ed Hess. He has been the friendly adviser to assistant district attorneys since they first started to talk about giving the district attorney a new office, and that has been quite some time.

First of all, in speaking about the federal prosecution of crimes, I might

undertake to explain if you do not already know, how the federal branch goes into play in connection with an alleged crime. Of course, the Constitution of the United States and the Fifth Amendment provide that a person shall not be prosecuted for an infamous crime or capital offense except by presentment of a grand jury. Now, that includes all crimes above the classification of misdemeanor. And for that reason, in connection with the prosecution of every crime by the government which is a felony, it must be by a grand jury. I mention that because there has been much talk in the last ten or fifteen years about abolishing grand juries and there has been much talk in the State of Illinois in that respect today. Of course, they cannot be abolished on the part of the federal government unless the Constitution is amended.

When the federal constitution was adopted and the federal government established, it did not take over any common law. The federal system of statutory crime stands alone, unsupported by common law, so far as the offenses themselves are concerned, by common law precedent. There is an anomaly in the federal system in that respect and that is, that although the common law was not adopted by the federal branch of criminal prosecutions. yet in the trial of cases, whenever a question arises as to procedure, none of the courts hesitate to fall back upon the common law to find a precedent if there is none in the federal decisions.

That has always more or less intrigued me. I have not understood how the courts can do that and yet write opinion after opinion, saying the common law was not adopted by the federal government.

Now, as to the nature of the statutes upon which prosecutions of the federal government are based, those statutes, in a large measure, involve the use of the mails which, of course, are conducted under powers granted by the Constitution, or the movement of persons or articles in interstate commerce, which, of course, also have been granted by the Constitution; or in connection with the bankruptcy laws. There is another one, —the national banks. But, as I recall now, the national banks have been engrossed since the adoption of the Con-The others are all in connection with powers expressly granted to the federal government by the Constitution.

The statutes that cover those, of course penalize the mailing of improper matter in the mails; and that improper matter may have different characteris-It may be extortion letters; it may be obscene matter; it may be letters designed to defraud. But in every instance they are in connection with the use of the mails. There you can see the reason for and the use of the federal statutes creating crimes in connection with the use of the mails. There are also the statutes penalizing the improper concealment of assets, when a person has gone into bankruptcy or is in contemplation of taking bankruptcy.

Again, there are statutes in connection with making and passing counterfeit money. More recent than these statutes are those in connection with the moving of stolen automobiles and stolen parts of automobiles in interstate commerce and the movement of women in interstate commerce for purposes of prostitution.

That, in a general way, is the character of the federal statutes which come into play where federal prosecution of crimes is involved.

Now, what is the work of the prosecutor to enforce these laws, and from what angle does he approach a given set of facts which may be covered by these statutes? As I said a while ago, the common law was not adopted by the federal government; and, therefore, to determine whether or not a federal statute covers a given set of facts, the only duty of a prosecutor is to determine whether, in his judgment, a certain statute was fairly intended by Congress to cover those acts. Those statutes are not strictly construed as the state statutes are. But if the courts have held that a certain statute is fairly intended to cover that set of facts-it may not say so in express terms-then there probably has been a violation of the law.

In determining whether or not a given set of facts are covered by a statute, the federal prosecutor, in my judgment, should approach them in an unbiased state of mind. He should remove, as far as possible, any feeling or ambition that usually is incident to the work of an attorney in civil practice.

All of these things may seem common place to some of the men here. But that is a mighty important thing in the life of a federal prosecutor. He must make up his mind that the facts come within a certain statute. Even though the words of the statute seem to cover fairly, and more than fairly, he must make up his mind that the facts themselves, in each case, come within the statute or his poor judgment will be shown up in court.

I can best illustrate that by the practice of the judges of the federal courts, in directing verdicts, where the facts seem to come clearly within a certain statute, yet a federal judge will not hesitate to direct a verdict because he

does not think the seriousness is there, or he does not think that the circumstances, including the character and habits of a defendant, are such as to warrant a prosecution. That, of course, is a cause of embarrassment on the part of the prosecutor.

After a prosecutor has made up his mind that a certain case should be prosecuted, then of course it is a question of presenting the evidence to the grand jury for indictment.

The work of a prosecutor in that respect is like the work of any lawyer in civil practice. First, he must start right at the beginning and ascertain for himself, from his own knowledge, whether or not the grand jury is a legal grand jury. Now, that is another rule or principle that may seem commonplace; but I have had good reason to brush upon that in the very recent past.

Over in the Federal Building they had followed the practice of extending grand juries beyond their terms, to continue their investigations, for one or perhaps two terms, but no longer than three terms, for the purpose of indictment. In 1931 a statute was amended which used the term, "senior judge," in connection with the entering of an order extending the life of a grand jury. Prior to that the statute had said that the court,-using the general term "court",-should call a grand jury and convene it for such time as it saw fit. But it was amended in 1931 and the use of the term "senior judge" was used. I had a case where the indictment had been returned by a grand jury which had been extended by a judge other than the senior judge. One federal judge, prior to my case, had knocked out a federal indictment in an important case, and we submitted our briefs in the case I have in mind to the senior judge. Judge Wilkerson held that any judge could extend that grand jury; and in holding that, he again followed the rule that if the statute fairly intended that the court should have power which had been granted in that statute, then the power should not be limited to any particular judge. That has not gone to the Circuit Court of Appeals yet; but I have every confidence that that opinion will be upheld.

Of course, after the indictment, there is just a question of plea. After the plea, then there is the question of proof and the issues in the case.

In the federal court, practically every case is a question of fact exclusively. In very few cases that are tried is there a question of law that has not been settled by many decisions of the Circuit Court of Appeals and the Supreme Court. Every question is a question of fact and every case you see tried over there is tried almost entirely on issues of fact. Of course, that makes the trial of the case, so far as evidence is concerned, much closer than if there was considerable room in there for the interpretation of law questions.

In the questions of fact, the intent in almost all federal statutes is the important thing. In only a few cases do federal statutes make it a crime to commit certain acts without criminal intent. In proving criminal intent, you must either depend upon the act itself being so atrocious or repugnant as to itself prove the intent; or you must foreclose every avenue that a reasonable man would have followed if he had had an honest intent in that particular case.

In the proof of the facts in the prosecution of federal crimes, if you prove the guilt of a person clearly by the facts, then on appeal in the Circuit Court of Appeals you need not worry about any errors of law.

If you go to the Circuit Court of Appeals with your record full of perhaps minor errors in rulings of the court, or even in some that you might ordinarily

think were material errors, if your proof of the guilt of the defendant in the court below is clear, they will not consider those questions of law; and by "not considering", I mean they won't listen to your argument.

There are several interesting angles on federal jurisdiction, in addition to the statutes which I have outlined. One of those is that there are several statutes, giving the federal government the right to prosecute ordinary and very serious crimes which, for the most part, are confined to the State, such as murder, robbery, etc., on the property of the federal government or where they are committed in places where the federal and state governments have concurrent jurisdiction.

An example of that is this. always considered the limits of the State of Illinois to border Lake Michi-If a person should be on a ship or vessel of any kind in Lake Michigan, this side of the center of it, and commit any kind of crime in the way of murder, or anything like that, that crime would be committed on the high seas, of course. The federal government has jurisdiction of crimes committed on the high seas. But so far as the state is concerned, the State of Illinois likewise would have jurisdiction because, so far as the prosecution of crimes is concerned, the borders or limits of the State of Illinois run right down the middle of Lake Michigan. I did not know that until a couple of years ago. It was an interesting thing when I found it out. On the other side, the State of Michigan has the same concurrent jurisdiction. I think that is fairly clear; but it is not well established. I found that out for the first time, and I think it was not commonly known before that among the district attorneys prosecuting federal crimes.

Before you undertake to establish your case, to establish the commission

of an offense in a federal court, to my mind the most important thing is the selection of a jury. That likewise, I am sure, sounds commonplace. But that is the prayer I have on my lips every time I go into the prosecution of a case,-to get a jury of responsible men, and having been fortunate enough to secure such a jury, then every effort must be given to impress upon these twelve men their responsibility in the trial of the case, and that can be done by reference to the jury in connection with the questioning of witnesses. Every question that you ask, of any importance, let the jury know that they have an important part there and it is their duty to accomplish justice. I have seen federal juries feel that responsibility so keenly that, when a judge ordered them to return a verdict discharging certain defendants, they debated in their jury room as to whether they would do it or not. They did it to avoid a scene. But that jury I am telling you about actually debated in their jury room whether or not they would return the verdict as instructed.

Having gotten a jury to feel their sense of responsibility in the trial of the case, their conception of evidence, and their deliberations, it removes a great burden from the prosecutor. He then can sit back and, as I said before, he can proceed with the introduction of the evidence from the angle of an unbiased citizen. And that I think is the proper role of any prosecutor. I am sure it is the proper role, so far as the federal prosecutors are concerned, to sit back and introduce the evidence and leave it to the jury to decide whether or not the defendants should be convicted. If they are convicted, or even if they are acquitted, having put forth every effort possible to make the jury feel that responsibility, a prosecutor can very well feel that he has done all that his government could ask him to do.

That in a general way takes you through the system of federal prosecution. I do not intend to keep you here a long time. I intended to come here and tell you in a general way what I had learned about federal prosecution. I see that the notice said that I would tell you humorous incidents which occurred in the trial of criminal cases. Well, in the first place, so far as I am concerned, any case I ever tried I have never found much humor in it. It has been a business. After the case was over, there will come to me certain instances of humorous acts or expression of feelings that are noted and could well be told.

I once tried a counterfeit case. The defendant's name was Burtan. He was a Russian by birth. I tried it during Bro. Green's tenure in the District Attorney's office, and that case involved the passing of counterfeit bills in Chicago, and the bills that were passed aggregated the sum of \$100,000. They were \$100 bills, old style, of a large size, and those bills were so perfect, having been made in Germany or in Russia and with paper that was superior to the paper used by the United States government in the making of its currency, that \$25,500 worth of them were passed in Chicago, in four of the largest loop banks, in two days. They started out, passing first, I think, a thousand dollars and before they passed them they went into the banks and tendered a bill to a teller and asked him if it was good, and the teller, of course, would tell him he wished he had a million dollars worth of them. started out, passing them a thousand dollars at a time and \$2,000 and \$5,000, and when they were caught they were passing \$10,000 in a bunch and would have continued to pass them probably had it not been for the acumen of a girl over in the First National Bank who suspected that perhaps those bills

were counterfeit. She mentioned it to her superiors and they took it up with the Federal Reserve Bank. The Federal Reserve Bank had received them as fast as the banks turned them in and they had some fifteen or twenty thousand dollars of them when they received word that perhaps the bills were counterfeit. They notified the secret service and the secret service received a description of the bills and they, of course, knew they were counterfeit and told the Federal Reserve they were and to hold them there. said, "No, we are sending them in for redemption." Captain Callahan prevailed upon them to hold them, and I have two of them here (indicating). Perhaps you will be interested in seeing them. You can easily see the silk threads in them. As I said, they are made on better paper than the government used.

The defects are two. You notice the sprig held in the hand of the woman there in the back of the bill. The discrepancy there is that the thumb barely touches the end of that bill; and in a genuine bill there is a full grasp. The other discrepancy is this: on the prong of the icon, on the right side of the middle prong, the inside line making the prong goes up to the center stem and stops. In a genuine bill it goes across. Those are the only two discrepancies.

Now, that constitutes largely what I had in mind in making what talk I could on the work of the federal prosecution of crimes.

Again, I say that I certainly feel honored to have been invited here this evening to make this talk. I want to thank the brother Justice and all of you for the excellent dinner which we have had here this evening, and I look forward with great pleasure to meeting you again in our daily work. I thank you. (Great applause.)

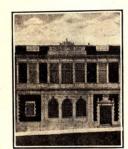
## **ACTIVE CHAPTER NEWS**

#### BENTON

Kansas City School of Law

■ The high spot of social life at Benton Chapter was reached last month when Dwight Green, Supreme Justice

of PAD, attended a luncheon at the Baltimore Hotel. Twenty men from the chapter attended the affair which proved to be a huge success.



Sixty-five alumni and fif-

teen active members joined organizations recently to stage an alumni reunion banquet in the Blue Room of the Baltimore. Attending the affair were Justice Butler of Green Chapter, District Justice Musgrave, and Deputy District Justice McEvers. All the alumni members in and around Kansas City are showing considerable interest in the forthcoming American Bar Association meetings to be held in Kansas City during September.

Homer Swenson, '37, is battling for class honors on the scholastic roll and is watching the other serious contenders for the honor, fighting for every tenth of a point.

Standord Miller, '38, has left Kansas City and gone to the big city of Chicago to become affiliated with Marshall Chapter. He will continue his law studies at the University of Chicago.

Climaxing the year's activities, chapter members are looking to the future with their eyes on June 4th, when they will meet at Hillcrest Country Club for a dinner dance.

#### BLACKSTONE

Chicago-Kent College of Law

■ March 6th marked another joint initiation by active chapters of the Chicago area as sponsored by the Chicago

Alumni Chapter. Blackstone Chapter admitted Earl P. Carpenter, Robert L. Marrs and J. Powers McGuire. The initiation was followed by a testimonial dinner in honor of Supreme Justice Dwight L. Green. The list of judges in attendance



would constitute a geographical list of PAD membership. All credit is due Brother Ray Stern, Clerk of Chicago Alumni Chapter.

Blackstone also had members in attendance at the Annual Joint Chapter Dance at the Drake Hotel on April 3rd. This was the twelfth formal annual dance of the six Chicago Chapters. You can't describe these, you've got to attend.

On April 16th Blackstone held a fine chapter meeting at the LaSalle hotel. Entertainment consisted of a motion picture travelogue "Seeing the World in Ninety Minutes," by Willis Helfrich, a fellow law student at Chicago-Kent. Summer vacation planning is now in full swing.

May 1st was the date for parades of "reds" around the County Building in Chicago. Blackstone Chapter, in true consideration of the date, sponsored a May Spring Dance at Story Chapter

House on North Dearborn Street. Brother Reum was in charge of all arrangements.

At a previous meeting Alumni Brother Seyke, Blackstone's recent graduate, gave a report of his first case. We attribute his willingness to the fact that it was simultaneously his first victory. Trust we have many similar reports.

#### **BREWER**

John B. Stetson University

■ The alumni of John B. Stetson University Law School have started a drive to secure funds for the erection of a new law school building. Francis Whitehair (Brewer) and Dr. J. J. Kindred (Brewer) were the first to respond to the campaign. Each sent checks of \$1,000.00. Brother Whitehair is one of the most outstanding attorneys in the state and takes a keen interest in the affairs of Brewer chapter. Brother Kindred, who for ten years represented New York State in the United States Congress, is considered as one of the leading authorities on mental diseases in the country. Each winter Brother Kindred offers a course on medicaljurisprudence here at the University. He also finds time to take an active part in the doings of PAD.

Brothers Edward Nelson and Sidney Taylor were recent winners of prizes offered by Congressman Joe Hendricks (Brewer) to the two students of the Stetson law school writing the best papers on a subject dealing with congressional representation in Florida.

Brothers Robert Powe and Paul Wongrey were selected to the honor positions of sheriff and clerk, respectively, of the Stetson Moot Court for the present year. Each year these two positions go to the two juniors who have established the highest scholastic averages since entering law school.

Brother Harry Black was recently elected to membership in Mystic Krewe, campus honorary leadership society. Brothers Wongrey, Faircloth, McCalla and Pizzo are also members of the Krewe.

Recent initiates of Brewer chapter are: Phillip "Chisel" Wright, Hubert Smith, and John Sherman.

Paul Wongrey, Okeechobee, Fla., is the newly elected justice of Brewer chapter. He succeeds Sidney Taylor of DeLand, Fla. Others elected to serve during the coming year are: Hubert Smith of Kissimmee, vice-justice; Robert Powe, DeLand, clerk; John Sherman, DeLand, treasurer; Neal Faircloth, Quincy, marshal.

Dean Lewis H. Tribble (Brewer) attended the Florida State Bar Association convention held in Miami recently. His students in Contracts were eager for his return from the convention.

#### CHASE

University of Cincinnati

Having as the principal speaker for their last initiation banquet, Brother George Myers, (Hay) Class of '07,

members of Chase Chapter took five new members into active membership. The new initiates were John A. Cardon, Robert F. Dreidame, Lawrence J. Flynn, John A. Brink, and John D. Cloud.



Brother Myers is the newly elected member of the Ohio Supreme Court. The talk given proved very interesting and beneficial to the members.

New officers for the chapter were chosen at the last meeting and immediately following their election they were inducted into office. The new cabinet is formed by John H. Druffel, justice; Joseph H. Kerr, vice-justice; Albert H. Kessler, clerk; John D. Cloud, treasurer; and Herbert S. Miller, marshal.

#### CLAY

University of Kentucky

■ The name of another distinguished Kentuckian was added to the roll of the honorary members of PAD on December 15, 1936, when Henry Clay Chapter at the University of Kentucky law school initiated the Hon. Alben W. Barkley, senior United States senator from that state.

Senator Barkley's key was presented to him by E. S. Campbell, Jr., then Justice of Clay Chapter, at the impressive initiation ceremony held at the Lafayette Hotel in Lexington, Ky. Following the initiation, Senator Barkley addressed the chapter and its guests at a banquet which was attended by Dean Evans of the law school, former Congressman John Y. Brown, an alumnus of Clay Chapter, and other prominent members of the local bar.

Twice the keynote speaker at Democratic national conventions, Senator Barkley is recognized as one of the administration's staunchest legislative supporters. He has been prominently mentioned for a cabinet office and for the vice-presidency, and is regarded as a possible contender for the Democratic presidential nomination in 1940.

Born in Graves county in western Kentucky, Senator Barkley studied at Emory College and at the University of Virginia law school. He was admitted to the Kentucky bar in 1901. In 1905 he was elected county attorney of Mc-Cracken county, and became judge of the McCracken county court in 1909, a position which he held until his election to Congress as Representative from the first congressional district. served as a member of the 63rd to 69th Congresses, inclusive, and in 1926 was elected to the United States Senate. In 1932 he was re-elected, the first Kentucky Senator in many years to be chosen by the voters to succeed himself. At a recent meeting the following were elected as officers of Henry Clay Chapter:

Henry Oscar Whitlow......Justice
B. T. Moynahan.....Vice Justice
Courtney C. Wells.....Clerk
Joseph Stephen Freeland....Treasurer
Roger Clay Womack.....Marshal

#### FIELD

University of California

■ At the last luncheon meeting of Field Chapter election of officers was held. The following men were selected: Jus-

tice, Nicholas Dubsick; Vice-Justice, Arlo Rickett; Clerk, Chester Caldecott; Treasurer, Thomas Martin; Marshal, William Jones.



All are looking forward to a pleasant and

prosperous year under the new heads.

#### **GUNTER**

University of Colorado

■ Congratulations of the entire membership of Gunter Chapter were extended recently to Brothers Oval Phipps and Henry P. Hays who were recognized for their scholastic achievements by being listed on the All-University scholastic Honor Roll for the winter quarter.

The scholastic average of the entire chapter for the fall quarter was higher than that of the only competing law fraternity at the University of Colorado Law School.

The annual election of officers was held on April 20th, and the following men were elected to guide the destiny of the Chapter during the coming year: Justice, Cecil S. Haynie; Vice Justice, H. P. Hays; Clerk, Frank Stinemeyer; Treasurer, Rolando Matteucci; and Marshal, Eugene Tepley.

At the same meeting a definite Chapter budget was adopted that created a sound financial foundation for Chapter activities during the coming season.

A banquet was held on April 30th in the main dining room of the Boulderado Hotel. The occasion for the dinner was to honor District Justice Charles E. Lane who at that time was visiting some of the PAD Chapters in this district.

#### KNOX.

University of Arizona

■ Knox Chapter concludes a busy and energetic year of activity with a Faculty and Alumni Dinner to be held early this month. This annual affair has for its purpose, the betterment of relations between the faculty of the school, the graduate members, and the present members now in school.

A few weeks ago the annual speech contest sponsored by the chapter was held in the Practice Court Room of the Law Building. There was an unusually fine turnout and the coveted prize was won by Kenneth Scoville, after a fine performance, which just shaded a brilliant field. Mr. Scoville's name now is engraved on the cup dedicated by PAD for that purpose and which rests in the Law Library at all times. PAD had a number of entries in the contest and Pledge Brother J. Edward Beauchamp tied for second place.

Following initiation of seven new members on March 7th, a fine banquet was held in the Florentine Room of the Hotel Pioneer. There were several constructive and amusing talks given by the new initiates, and later Professor J. B. McCormick of the Arizona University Law Faculty, a staunch PAD, gave us his ideas on the Supreme Court arguments. The meeting was concluded with an interesting discussion by Brother Ernesto De La Ossa, consulgeneral to the United States from the Republic of Panama, of the inner work-

ings and problems of the Consular Service of the average modern country.

With a new group of promising pledges, Knox Chapter of PAD looks forward to 1937-38 with eager anticipation, and are confirmed in the belief that it will be a banner year both for Knox chapter and PAD.

#### **FLETCHER**

University of Florida

■ Opening the second semester of the 1936-1937 term, Fletcher Chapter, at Gainesville, Florida, pledged nine members of the law college of the University of Florida. These men were: Edward DuBoise and Harry Dyer, seniors; Russell McCaughan, Ben Krentzman, and Stanley West, juniors; Guy Race, Robert Barton, George Allen, and Ed Fletcher, freshmen. Fletcher chapter believes that in the hands of these capable men the purpose of Phi Alpha Delta will be furthered in the law school and among the legal profession of Florida.

An informal banquet was held the latter part of February in honor of the pledges. Colonel Baxter, attorney at law in Gainesville, spoke to the active members and to the pledges. The Colonel has always been one of the most loyal supporters of Fletcher Chapter.

Pledge Brothers DuBois, Dyer, Krentzman, Woolfolk, McGee, Mc-Caughan, Allen, and Race were initiated into Phi Alpha Delta during the first week in March.

At a banquet in the middle of March, Fletcher Chapter was highly honored by the presence of Augustus V. Long, Judge of the Northern District of Florida, and an honorary member of Fletcher Chapter. In addition to Judge Long, the chapter had as guests about twenty members of the college of law. After the banquet the Judge spoke of his experience before the bench and bar and some of his experiences in criminal law.

Fletcher Chapter congratulates Brothers Hamilton of Jacksonville, and Sherill of West Palm Beach. Both of these men, graduating seniors, have become members of Phi Kappa Phi.

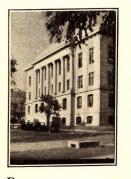
In the latter part of March the brothers journeyed up to Tallahassee, Florida, to attend the hearings before the Florida Supreme Court. The argument presented was of great interest to law students and members of the bar, as it concerned the requirements for admission to the bar. In keeping with the annual custom of the chapter, a banquet was held in the Dutch Kitchen, in honor of the justices of the court. Each of the justices spoke to the members, the principal speaker being Justice Fred H. Davis, honorary member of Fletcher. The entire trip was a most enjoyable occasion, and very beneficial.

#### HAMMOND

University of Iowa

Members of the chapter have won distinction on the Iowa campus during the last few months. Brothers Richard

Hahn and Benjamin Galer were elected to the Order of Coif while Joseph Donahue was selected as one of four students to represent the law school in argument before the Supreme Court



on Supreme Court Day.

The annual PAD picnic was held on April 28th and declared an outstanding success.

At the election of officers the following brothers were voted into office: Donald J. Boddicky, justice; N. Ridgeway Genning, vice-justice; Robert A. Petersen, treasurer; Theodore I. Wallace, clerk; Robert Renand, marshal.

Hammond Chapter was pleased to welcome Brother Stanford Miller of Benton Chapter, who transferred to Iowa from the University of Chicago for the remainder of his law studies.

#### HAY

Western Reserve University

Under the chairmanship of Brother Benjamin DiMarco, the chapter has held weekly luncheons at restaurants

near the University campus, at each of which a speaker from the memberbership has spoken on some legal problem on which



he has been doing special research or on some other problem of current interest. On Wednesday, April 21st, Brother David J. Miller, member of the firm of Knight and Miller, spoke on and answered questions concerning Trial Practice.

Under the leadership of Justice Lloyd R. Townsend, the chapter has held a series of smokers for Alumni classes, to each of which a large group of alumni have been invited. The series will continue during the rest of the year.

Clerk Hudson Hyatt, who is also chairman of the Western Reserve Debate Squad, recently won second prize in the president's prize contest in oratory at Adelbert College, with an oration on "Orphans by Divorce."

Seven members of the pledge class will be initiated as Actives this Spring The initiation will be held in conjunction with the annual Spring party of the Cleveland Alumni Chapter.

#### HOLMES

Stanford University

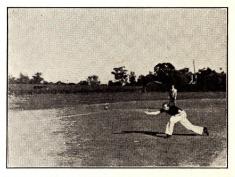
■ The activities of Holmes Chapter during the last quarter have been in a large measure athletic. February 27th a baseball game was held on the Stanford campus with Temple Chapter of Hast-

ings College of the Law. The opposing team warmed up for the game at a cocktail party given at Brother Justice Peterson's rooms. The tactical wisdom of this move was evident during the first three innings of the game, when Holmes Chapter piled up an impressive number of runs. However, the fine stamina of our opponents soon became evident, enabling them to close up the gap. The recovery was so complete that Temple emerged the victor, 16-11.

Following the game the brethren of both chapters gathered at the nearby home of Brother and Mrs. Folsom for a steak picnic. Cooking was done both inside and out by Peterson and Folsom following divergent culinary theories, with the able assistance of the ladies of the party.

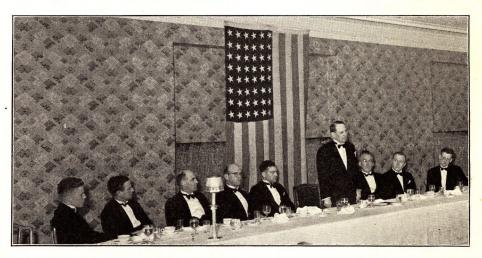
On March 6th Holmes Chapter participated with Hastings Chapter in a semi-formal dance at the Fairmont Hotel in San Francisco.

The second "league ball game" was played with the local chapter of Delta Theta Phi law fraternity on April 10th. This signaled the renewal of activities



"Slide Rule" Folsom pitching with Toothaker playing third.

interrupted by the quarter finals and Spring vacation. Holmes Chapter suffered an initial set-back when Brother Toothaker, our indispensible third baseman, gouged himself in the leg during what was styled an innocent game of mumbledy-peg. After an emergency call at the hospital he returned to the field as fresh as ever to support his team with three runs. The pitching of Brother "Sliderule" Folsom, the adroit catches of Brother Burford in the outfield, and Brother Moran's performance on first were the outstanding features



Brother Douglas L. Edmunds, Justice of the Supreme Court of California, addressing members of Temple, Field and Holmes Chapters at dinner held after a joint initiation in the new court house, Oakland, California

The names of the persons present at the speakers' table are as follows: (left to right) Burdette Boileau (Field), Dean William M. Simmons of Hastings Law School, Professor Evan Haynes of Boalt Hall, Frank Ludwick, Wright Morton, Mr. Justice Edmunds, Dean Edwin P. Dickinson of Boalt Hall, Bill Peterson (Holmes) and Morrow Steadman (Temple).

of the game. After gaining the nickname of "Hitless Hosmer", Brother Peterson climaxed his performance by a dramatic slide to the home plate.



"Hitless Hosmer" Peterson comes home.

The hard-fought game was won by our opponents with the score of 13-12.

Following the game the attractive home of the Folsoms in the foothills above the campus was again the scene of a supper and beer party for both fraternities.

April 13th members of the chapter were the guests of Brother Justice Douglas L. Edmunds of the California Supreme Court at the hearing before that Court in the matter of Thomas Mooney. Following this extremely interesting experience a dinner was given by the Chapter for Brother Justice and Mrs. Edmunds in honor of his appointment as representative of the California Supreme Court at the proceedings of the American Law Institute in Washington, D. C.

The scholastic reports for the first two quarters have revealed Brother Toothaker as number one man in the first year class, while Pledge Di Maria with an A minus average, but slightly ahead of Brother Wilbur, leads the second year delegation.

#### MAGRUDER

University of Illinois

On April 4th Magruder Chapter initiated twenty-one embryo lawyers. A number of Magruder alumni were

present and took part in the initiation. Among them were Brother "Tubby" Stearns, secretary of the Chicago Alumni Chapter, Brother Owen, Deputy District Justice, and Brother Don Reno, District Justice.



This year's class

of initiates includes the cream of the student body in the university law school. Two of them, Brother Ekhardt of DeKalb, Illinois. and Brother Olin Browder of Urbana, Illinois, are members of Coif. The chapter membership includes four of the eight Coif members elected this year, the other two PAD Coif members being Brother Lindsay Jeanblanc of Lee Center, Illinois, and Brother Wayne Bettner of Lee, Illinois. Of the twenty members of the Board of Student Editors of the Illinois Bar Association Journal six are members of Phi Alpha Delta. Brother Jeanblanc is Editor-inchief. Brothers Browder and Ekhardt are the case editors. Other PAD editors are Brother Bettner, Brother Bruce Jones of Streator, Illinois, Brother Roger Fruin of El Paso, Illinois, and Brother Edward Kenehan of Carlinville, Illinois. Brother Kenehan is Editor-inchief elect of the Board and will succeed Brother Jeanblanc in that honor.

Two of the chapter's four Coif men have thus far been further recognized for their scholarly attainments. Brother Bill Ekhardt having been awarded the coveted Sterling Fellowship in Law at Yale University for next year and Brother Lindsay Jeanblanc having been awarded a scholarship for graduate study at Columbia University.

The chapter is deeply indebted to its retiring officers for their fine work dur-



#### MAGRUDER CHAPTER

ing the past year. The standard they have set will be difficult to excel.

They are succeeded in office by the following officers who were elected on April 7: Brother Bruce Jones, Justice; Brother Gene Weiseger, of Urbana, Illinois, Vice-Justice; Brother F. C. Arthur, of Streator, Illinois, Clerk; Brother Albert Krusemark, of Frankfort, Illinois, Treasurer; and Brother Roger Fruin, Marshal.

The chapter will lose nine outstanding men when the senior class graduates in June. However, under the guidance of the newly elected officers and with the full cooperation of the remaining brothers the chapter can have but one future—and that future is one of promise and success.

#### MARSHALL

University of Chicago

Marshall Chapter has been very active since appearing last in these columns. The events herein chronicled will give a notion of the varied activities beyond the serious business of the Law.

On February 20th, the active members were hosts at an informal party given for the pledges. The party was a great success and it was deemed to call for another, to be given early in the Spring.

The chapter was indeed proud to learn of the election of one of its former active members, Dwight Green, as Supreme Justice. Brother Green has always manifested a deep interest in the fraternity. The fraternity will take great strides forward under his able administration.

Five new members from the first year class were welcomed into the fraternity. They are Brothers Gallagher, Hall, Mc-Broom, Parker, and Sutter. They were initiated on February 27th.

Brother Donald Morgan has been honored with a coveted position on the Law Review staff. His election as Notes and Recent Cases Editor is a tribute to the same ability and leadership that has been long known in chapter affairs. Brother Robert Haythorne has also distinguished himself by his election as one of the Associate Editors of the Law Review. Brother Haythorne has frequently contributed Case Notes to the Review during the last year.

The chapter regretfully bids farewell to Brothers Robert Morgan and Howard Voss who were graduated in March. Both Brothers Morgan and Voss were very active in chapter affairs and it will be difficult to fill their places and maintain their high standard of performance. Both have recently been admitted to the Illinois Bar and are

extended best wishes for a successful career.

A large representation from the chapter attended the 12th Annual Formal Joint Chapter Dance of the Chicago chapters. This event was one of the highlights of the chapter year.

#### **MORGAN**

University of Alabama

Morgan Chapter has recently held its annual election of officers for the coming year. The following are a list of

those newlyelected officers: Justice,
Jim Darden,
University,
Alabama;
Vice-Justice,
Raymond



Hepner, University, Alabama; Treasurer, Maurice Bishop, University, Alabama; Clerk, Wattros Garrett, University, Alabama; Marshal, Richard Hunt, University, Alabama.

#### RAPALLO

New York University

■ On April 1st, Rapallo Chapter held a meeting for the election of officers. At this time Pledge Harold Hanson was duly initiated.

The following officers were elected:
Justice, John Leal;
Vice-Justice, Joseph
A. Fitzpatrick; Clerk,
Robert A. Lindsay;
Treasurer, Harold
Hanson; Marshal,
Deltleff Hansen.



On April 15th all members attended the Alumni Chapter's annual dinner. Justice Salvatore Catillo, of the New York Supreme Court was the guest of honor.

Justice Catillo's address to the gathering was on Domestic Relations, and was woven around the theme: "More humaneism and less commercialism in

dealing with American family life." He stressed the American family as the backbone of our nation and urged that less speed be used in dealing with our family troubles. "This speed," he said, "is urged upon us by the editorial writers and judicial reformers to get rid of our over-crowded calendars."

Other speakers were Brother Savarese, New York City Magistrate, Brother Fay, U. S. Commissioner, Justice Kusicky of the Special Sessions Court, and Municipal Court Justice Sullivan.

Brother McCool, District Justice of PAD, was the toastmaster.

#### REESE

University of Nebraska

Reese Chapter reports a very successful past few weeks as well as a very successful season. The chapter has been

increased by the initiation of Robert Nuquest of Osceola, Nebraska; Henry Haeley of Sabetha, Kansas; Graden Rathbun of Lin-



coln; Willard Wilson of Holdredge, Nebraska; Raymond Plummer of Trumbell, Nebraska; William Griffin of Hyannis, Nebraska. All of these men stood high in their classes this year, are fine fellows and are fast becoming true members of Phi Alpha Delta.

The initiation ceremony was most impressive and well handled by Brother McMillan and Brother Eagleton. It was held in the Supreme Court Room at the Capitol building.

Another honor of which the chapter is most proud is the outstanding success of Brother Landis in having been elected Ivy Day orator. A few days before his election to this position Brother Landis and Brother Willensick gave a creditable representation of the chapter by winning the interfraternity debates. Brother Willensick

has not been so successful in his other athletic endeavors, as he and Brother Chase were eliminated from the horse-shoe pitching tournament which is a part of the interfraternity competitions. Considerable interest has been suddenly aroused in this pastime and the brothers can often be found in the yard pitching the shoes.

On March 7th the members of Reese Chapter and the alumni met at a banquet at one of the downtown hotels. A great deal of interest was aroused among all of the alumni and the brothers and it is expected that gatherings of this sort will be held annually. It is hoped that closer contact with the alumni can be maintained in this manner.

Toastmaster E. D. Beech called upon J. Vernon Clemens, the retiring justice of the chapter; Robert Nuquest, newly elected justice; Lawrence Vold of the Law School faculty; Clifford Rein, Robert Armstrong of the Nebraska Senate; Judge P. James Cosgrove and District Justice Musgrave for short talks, and called upon George A. Lee for the principal address of the evening. His topic was a discussion of the Supreme Court.

Other alumni present were Justice Ed. F. Carter and Justice Bayard Payne of the Nebraska Supreme Court, John Comstock of the Nebraska Senate and all of the members of the Law School faculty. In all, there were about 75 members and alumni present and the whole affair was a complete success.

During the past school year, under the leadership of Justice Ed. F. Carter of the Nebraska Supreme Court, there has been an entertainment and dinner twice each month at which the alumni chapter holds its meeting and supplies interesting speakers for the brothers.

A great deal of interest has been created in this activity and it is very valuable in creating a close bond of friendship between the active chapter and the alumni chapter, which is becoming very active. Justice Carter has been a great leader and help toward the

betterment of Reese Chapter in the past two years, which the brothers of Reese Chapter greatly appreciate. Justice Carter is the Justice of Alumni Chapter and is aided by Joseph P. Ogara and John Keriakades.

At the recent election of officers for the coming year the brothers elected Robert Nuquest, justice; William Griffin, steward and treasurer; Robert Roscow, clerk, and Willard Wilson, marshal. It is hoped that these officers can carry the chapter next year to the success it has had in the past.

The chapter has been located in a new chapter house during this year and arrangements have been made to continue in this location for the next two years and if possible longer.

#### RYAN

University of Wisconsin

■ At a recent meeting the following officers were elected: Justice, Ray Norman; Vice-Justice, William H. Symmes, Jr.; Clerk, Rudi H. Kroetz.

At this time the chapter is in the midst of an intensive rushing campaign. Turnouts at the weekly dinner meetings have been favorable, pledging at least one man at each meeting. One of the reasons for the large turnout of prospective pledges is the fact that the chapter has been fortunate in securing good speakers at its dinners. Some of these included Professors Hall, Rice, and Gausegitz of the Law School; Professors Perlman and Thayer of the college, the city attorney of Madison, and Judge Hoppman of the circuit court of Dane County. The aforementioned are only a few of a large number of speakers.

A new innovation among the four law fraternities at the University of Wisconsin has been started this spring in the form of a round-robin baseball tournament. All the fraternities heartily indorsed the tournament, and at present a committee, selected from members of each organization, is working on a schedule. On April 10th, the PADs of Ryan Chapter had a dinner dance in the Park Hotel in Madison, and it turned out to be a huge success, not only for the members but also for their guests and a small, spirited alumni group. Later, a picnic is planned, a thing which has not been done for the past few years, but which at one time was an annual feature of Ryan Chapter.

#### SUTHERLAND

University of Utah

The chapter as a whole stands far above the general average of the Law School. Brother Dee Ronald Bramwell, a freshman student, has with the exception of 10 hours of 'B', maintained 'A's' for the first two quarters of the year. Lathrop Calahan, and several other of the brothers also have high averages.

An initiation banquet in honor of new members was held March 6th in the Ambassador Hotel, in conjunction with the Alumni. Special guests and speakers were Justices Moffatt and Hansen of the Utah Supreme Court.

The chapter is leading a drive to obtain better facilities for the Law School. Intermural athletics and debating also are part of the chapter's program.

Eleven men were initiated into the chapter on March 6, 1937, in the Supreme Court chambers. They are Louis F. Duquette, Lorenzo Anderson, Arch M. Benson, Walt I. Marchel, James Carter, James Calahan, Dee Bramwell, Francis R. Gasser, Mike Stamatakis, George D. O'Conner and Ray Willie.

New officers were elected in a very spirited contest. O'Conner, Marchel, Benson, Gasser and Bramwell are the new justice, vice-justice, clerk, treasurer, and marshal respectively.

A big party is planned in May to be given in honor of the retiring officers and the brothers who are soon to venture forth into the big wide world to bring new honor and glory to themselves and the fraternity.

#### TAFT

Georgetown University

■ Taft Chapter is highly enthusiastic about the present semeter and is looking forward to a year of great activity and progress. During a recent meeting new officers were elected. They are Robert J. Mawhinney, justice; John M. Coleman, vice-justice; Ernest H. Miller, clerk; William H. Beck, treasurer; John J. Byrnes, marshal.

The new officers and the active members are determined to make the current school year the most successful in Phi Alpha Delta history at Georgetown University.

#### WILLEY

University of West Virginia

■ Many activities are reported by Willey Chapter with several banquets leading the list. Paul Summers of Morgan-

town was principal speaker at a recent meeting which was very successful.



This year a number of pledges were initiated at a banquet held in their honor. Charles McCamic and W. R. Tinker, Jr., both of Willey Chapter, were guest speakers. The newly elected brothers are Ralph W. Haines, Walter Bambrick, Arlan Berry, Albert Good, Harold C. Given, Walter H. Hazlett, Samuel G. McEldowney, Robert C. Pifer, William C. Pyle, James P. Robinson, Roy S. Samms, Jr., Harry Scherr, Jr., George H. Seibert, Jr., William B. Spillers, Ernest C. Swiger, Kenley Thorn, Harold P. Tomkins, Jr., Robert Ushman, and William Price.

On April 11th the pledges gave the active chapter a banquet and provided a program of fun by holding a mock class session with take-offs of the professors.

#### NEWS OF ALUMNI

#### AKRON, OHIO

■ The Supreme Executive Board announces the granting of an alumni charter to be known as the Akron, Ohio, Alumni Chapter of the fraternity, with the following charter members:

George B. Hay, Fred E. Renkert, W. B. Bixler, Frank H. Howey, J. Fred Smith.

We are pleased to welcome this new chapter into our ranks and wish them great success and prosperity.

#### DALLAS

■ There are more than fifty members in the Dallas Alumni Chapter. A series of monthly luncheons have been inaugurated. At the first of these luncheons the local delegate to the last National Convention, Brother Brown Walker, gave an interesting account of convention activities in Washington.

Plans are being discussed regarding the feasibility of the Alumni Chapter co-operating with the Roger Brooke Taney Chapter at Southern Methodist University to bring to Dallas annually, a speaker of note on some legal topic. Considerable interest in the monthly meeting is being evidenced by the Alumni.

#### DAYTONA BEACH

■ On Thursday evening, March 18th, at 8 o'clock, the Daytona Beach - New Smyrna Alumni Chapter of Phi Alpha Delta fraternity met in the law offices of R. L. Selden for the purpose of electing officers and consummating the organization of the fraternity pursuant to its charter. At the organization meeting there were present the following members: William Blaisdell Bell,

Curtis H. Gardiner, W. Cecil Grant, Hugh MacMillan, Floyd Stewart and Charles W. Luther.

From the floor the following officers were nominated and duly elected: Justice, William Blaisdell Bell; Vice Justice, Glynn Owen Rasco; Clerk, Charles W. Luther; Treasurer, W. Cecil Grant; Marshal, Howard B. Hodgden.

The Justice and the Clerk were empowered to prepare a constitution and a set of by-laws and to submit the same to the fraternity at its next regular meeting.

It was decided by the members present that the fraternity should meet once a month, on the second Saturday in each month, and that the next regular meeting would be held on April 10th.

The Justice and Clerk were authorized to select a suitable place for the fraternity to hold its regular meetings.

#### KANSAS CITY

The annual banquet on April 8th at the Hotel Baltimore, was attended by about 75 members. It was a joint banquet of the Active and Alumni Chapters. Fred Bellemere, past president of the alumni, worked in the preparation of this banquet with John Gulley, present Justice of the Active Chapter.

The ordinary procedure of dinners was abandoned. There was no music or entertainment whatever. The tickets were \$1.25 apiece and the entire amount went for food. Everybody that attended the banquet enjoyed this type of dinner very much and found that they could visit with each other all during the meal and after the dinner was over. The speeches (most of which were im-

promptu) were not interrupted by the ordinary entertainers that are usually available for this type of function.

The District Justice, Brother Edgar Musgrave, was there from Des Moines and addressed the banquet. The duties of toastmaster were turned over to Joe Franzmathes, who was Justice of the Active Chapter last year.

The election of officers of the Alumni Chapter resulted as follows: Justice, Ed Boddington; first Vice Justice, Frank Brockus; second Vice Justice, R. C. Jensen; third Vice Justice, Ed Tracewell; Clerk, George Hare; Treasurer, James Scott; Marshal, James L. Williams.

#### LOS ANGELES

Angeles Alumni Chapter elected the following officers:

Justice, Harry B. Ellison, Title Insurance Building; Vice-Justice, T. Paul Moody, Fidelity Building; Treasurer, Towson MacLaren, Transamerica Building; Secretary, A. A. McDowell, 121 North Broadway; Marshal, Henry C. Huntington, Quinby Building.

Brother Douglas Edmunds was appointed Associate Justice of the California Supreme Court, and subsequently elected, without opposition, for the 12-year term.

Brothers Harry R. Archbald and Joseph W. Vickers were both re-elected to the Los Angeles County Superior Court Bench by overwhelming majorities.

Brothers Charles W. Lyon and Kent H. Redwine were re-elected without opposition to their seats in the State Assembly.

Brother Paul Vallee was elected as the Los Angeles representative member of the Board of Governors of the State Bar of California.

The Los Angeles County Unlawful Practice Conference is headed by Brother Marion P. Betty as chairman of the executive committee of the conference, and Brother August J. O'Connor as representative and PAD delegate.

#### **NEW YORK**

On April 15, 1937, the New York Alumni Chapter once again demonstrated its strength and loyalty at a most successful annual meeting, at the Interfraternity Club. Not only was the attendance of over seventy almost a record, but it was particularly satisfactory because it included many old-time members who had taken little part in the affairs of the Chapter for many years, but who expressed their intention of becoming more active in the future. Supreme Alumni Advisor Rutledge, home from his long sojourn in Buffalo, received a warm welcome. Members of Rapallo Chapter enlivened the proceedings with the songs of Phi Supreme Vice Justice Alpha Delta. Palmer presided at the annual meeting, at which the following officers were placed in nomination by Brother Moriarity and unanimously elected:

Justice — George E. Palmer (Rapallo), 20 Vesey Street, New York.

First Vice Justice—Frank R. Serri (Calhoun), 32 Court Street, Brooklyn. Second Vice Justice—Charles H. Buckley (Livingston), 17 John Street, New York.

Treasurer — Freeland Penny (Wilson), 20 Exchange Place, New York.

Clerk—G. Carlton Walters (Staples), 1 Liberty Street, New York.

Marshal—Floyd Hogan (Marshall), 195 Broadway, New York.

At the conclusion of the formal meeting, the proceedings were delivered into the charge of the District Justice, William P. McCool, as toastmaster, who welcomed the distinguished members of the judiciary who had accepted his invitation to attend.

The guest of the evening was Hon. Salvatore A. Cotillo, Justice of the Supreme Court, who delivered an

quent and instructive address on domestic relations. This address, of wide public interest, is to be published in the New York Law Journal. Hon. Ernest E. L. Hammer, honorary member, and Hon. Thomas F. Noonan, both Justices of the Supreme Court, had also accepted invitations. Addresses by Special Sessions Justice Bernard Kozicke, Municipal Court Justice Daniel V. Sullivan, and by our own City Magistrate Savarese, and Federal Commissioner Fay were well received by the Chapter.

It was the unanimous opinion of all present that the evening was an outstanding success, and demonstrated the definite position of Phi Alpha Delta at the New York bar.

On March 19, 1937, the District Justice, William P. McCool, made an inspection of Rapallo Chapter, at the Interfraternity Club, 38th Street and Madison Avenue, New York City.

New York Alumni Chapter manifested their interest in Rapallo by appointing a committee to accompany the District Justice. This committee included such stalwarts as Brothers Constable, Poindexter, Darling, Rebori, Penny and several others.

The Supreme Vice Justice introduced the District Justice, who addressed the Chapter briefly.

Rapallo Chapter appears to be in excellent condition, and under the able leadership of Justice Russell is worthily upholding the traditions of Phi Alpha Delta at New York University.

#### PORTLAND, ORE.

■ Portland Alumni held their annual banquet, Saturday, March 27th, at the University Club and had as guests the active chapter from the University of Oregon Law School at Eugene. This chapter has made great strides since its founding last year.

In the future the chapter will have

a monthly luncheon. It is sponsoring a \$50.00 cash award each year for the student making the best grades in the law school at the University.

The Alumni is keeping in close touch with the active chapter. Judges and prominent attorneys are invited to be guest speakers.

#### SHENANDOAH VALLEY

■ The Supreme Executive Board announces the granting of an alumni charter to be known as the Shenandoah Valley Alumni Chapter of Phi Alpha Delta, in the Shenandoah Valley of Virginia. Charter members are Thomas E. Didlake, C. Franklin Williamson, Charles Pickett, J. Lynn Lucas, Paul A. Hostein, William S. Moffett, Jr., Samuel P. Conrad, W. Terrell Sheehan and William H. Logan.

The following members of the Phi Alpha Delta Law Fraternity met at the Mimslyn Hotel in Lexington on Friday evening, March 19th, at 7 o'clock for the purpose of organizing a Shenandoah Valley Alumni Chapter of the Phi Alpha Delta Law Fraternity: Honorable Walter T. McCarthy, Judge of the Circuit Court comprising Arlington, Fairfax and Prince William Counties and Alexandria City; Honorable Joseph Carey, formerly special assistant to the Secretary of the Navy and Past Vice Supreme Justice of the Phi Alpha Delta, of Washington; Judge W. Hill Brown, Trial Justice of Prince William County; Judge W. Terrell Sheehan, Trial Justice of Augusta County; Honorable Frank S. Tavener, Jr., assistant United States District Attorney; William H. Logan, Commonwealth's Attorney of Shenandoah County; W. W. Wharton, City Attorney for Harrisonburg; Jerry Holstein, of the Lexington Bar; William Moffett and Frank Williamson of the Staunton Bar; Samuel Conrad of the Clifton Forge and Harrisonburg Bars; Thomas E. Didlake, of the Manassas Bar; Charles Pickett, of the Fairfax Bar, and J. Lynn Lucas, of the Luray Bar, Deputy District Justice of the Phi Alpha Delta, who called the meeting and presided until the election of officers.

Justice Lucas received letters from the following distinguished members of the fraternity expressing regrets because of their inability to be present and wishing the meeting much success and looking forward to being present at some future meetings: the Honorable Homer Cummings, Attorney General of the United States; the Honorable Brien McMahon, Assistant Attorney General of the United States in charge of Criminal Prosecution; the Honorable Millard E. Tydings, United States Senator from Maryland; Honorable F. Ryan Duffy, United States Senator from Wisconsin; the Honorable William Prentiss, Jr., Deputy Comptroller of the Currency, Washington, D.C.; Honorable Irvine L. Lenroot, Judge of the United States Court of Customs and Patent Appeals; Honorable Jesse C. Atkins, Judge of the District Court of the United States for the District of Columbia: Honorable Richmond B. Keech, Vice Chairman Public Utilities Commission of the District of Columbia; Honorable R. E. Freer, Commis-Trade Commission, Federal Washington, and Honorable William O. Douglas, Commissioner Securities and Exchange Commission, Washington.

The following officers of the new chapter of the organization were elected: Charles Pickett, Justice; Jerry Holstein, Vice Justice; William H. Logan, Secretary, and W. W. Wharton, Treasurer. Justice Pickett appointed the following as a Steering Committee: Judge Sheeham; Judge Brown and C. Franklin Williamson.

After two very interesting talks by Judge McCarthy and Joseph Carey, the group was delightfully entertained by a floor show given by Miss Norma

Smith, dancing instructress, and Benny Long with aesthetic and tap dancing accompanied by Mrs. Laura Tate, pianist, and at a later hour they were entertained by the local colored quartet.

Justice Lucas stated that he will next organize an alumni chapter of the fraternity in Richmond.

#### ST. LOUIS

■ St. Louis Alumni Chapter held its annual meeting for the election of officers. The officers elected are as follows: Justice, Robert A. Hamilton; Vice Justice, Marshall Mitchell; Clerk, G. Woodruff Marsalek; Treasurer, Lester W. Spilker; Marshal, Otto Erker.

In connection with this election the retiring Justice, Brother Albert L. Schweitzer, appointed an Advisory Board whose duty it will be to consult with the officers in regard to PAD policies for the coming year. The following men were named as members of this Advisory Board: Harry J. McNerney, Albert L. Schweitzer, George E. Mix, Thomas F. McDonald, R. Forder Buckley, Maurice L. Stewart.

The annual spring banquet of PAD Alumni Chapter is planned for the middle part of May.

Supreme Marshal, Bill O'Shea, recently visited St. Louis and made an inspection of Clark Chapter.

Brother Ernest F. Oakley was recently appointed to the Circuit Bench in St. Louis by Governor Stark of Missouri.

Brother Samuel H. Lieberman is the present President of the St. Louis Bar Association. Brother Lieberman is the third successive PAD president of the Association, succeeding Brothers Kenneth Teasdale and Thomas F. McDonald, who served in the order named. Brother Teasdale is now President of the Missouri State Bar Association.

Brother John J. Nangle was recently appointed a member of the Police Board of St. Louis by Governor Stark.

Brother William H. Woodward was recently appointed Chairman of the Board of Election Commissioners of St. Louis by Governor Stark.

■ Some PADs listed in 1936-1937 WHO'S WHO IN AMERICA.

Dwight Herbert Green, Supreme Justice, Chicago.

Wiley Blount Rutledge, Dean, College of Law, University of Iowa, Iowa City, Iowa.

Lyman Perl Wilson, (Professor of Law, University of Oklahoma), but now Professor of Law, Cornell University, Ithaca, N.Y.

William Smith Culbertson, Colorado Building, Washington, D.C.

David Sholtz, Governor, Jacksonville, Florida.

James Francis Thaddeus O'Conner, Comptroller of Currency, Washington, D.C.

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Irving Luther Lenroot, U. S. Court of Customs and Patent Appeals, Washington, D.C.

Jesse C. Adkins, Judge, United States District Court, District of Columbia, Washington, D. C.

Charles Jasper Bell, Congressman, Kansas City, Mo.

William Orville Douglas, Member U. S. Securities and Exchange Commission, Washington, D.C.

Francis Charles Canny, United States Attorney, Ohio, Cincinnati, Ohio.

Oscar Littleton Chapman, Assistant Secretary of the Interior, Denver, Colo.

Scott Wike Lucas, Congressman, Illinois, Havana, Ill.

Fletcher Settle Riley, Chief Justice, Oklahoma City, Okla.

Bolon Bailey Turner, member U. S. Board of Tax Appeals, Washington, D.C.

Raymond Nelson Beebe, Lawyer, Washington, D.C.



■ Jo. Baily Brown (Taft 1912), was recently elected President of the American Patent Law Association, and Chairman of the National Council of Patent Law Associations.

Brother Brown has been active for many years in the work of the American Bar Association, having been Chairman of its Patent Trademark and Copyright Section for the years 1932-34. He has thus held the two highest elective offices in the two national associations of lawyers in his branch of the legal profession.

■ McGraw-Hill Book, Inc., New York publishers, recently announced the publication of a book written by Past Supreme Justice William S. Culbertson. The volume is titled Reciprocity and is an illuminating, non-partisan analysis of the reciprocal trade program.

Brother Culbertson has long been recognized as one of the nation's leading economic thinkers. He writes from

a broad background of experience in dealing with national and international economic problems, first as special counsel and member of the Board of Review of the Federal Trade Commission, later as a member of the United States Tariff Commission and, more recently, as an American diplomat.



THE Six Chicago Chapters of Phi Alpha Delta held their twelfth formal Annual Joint Chapter Dance at the Drake Hotel on Saturday evening, April 3rd.

As usual, with Bill O'Shea as chairman of arrangements, the dance was an outstanding success. Two orchestras were used which made dancing continuous. The floor show was one of the best ever seen at a PAD party in Chicago.

Supreme Justice Dwight H. Green was Honorary Chairman of the event with the Justice of each active chapter acting as Co-chairmen. Robert E. Owens, District Justice, assisted Bill O'Shea. Twenty committees, naming nearly every prominent PAD in the Chicago area, assured the success of the Joint Dance.

PAD is represented on the Florida Supreme Court bench by Chief Justice Ellis (Brewer) and Associate Justice Davis (Fletcher).

- Announcement is made of the organization of the firm Messer & Cahill, Lawyers, with offices in the Iowa State Bank and Trust Co. (formerly Johnson County Bank Building), Iowa City, Iowa. Frank F. Messer (Hammond) has been engaged in the practice in these same offices for over twenty-five years. Mr. Cahill has been associated with him for over five years. The practice will be general, with special attention to probate and all court work.
- Brother John Duss (Brewer) is on the secretarial staff of United States Senator Pepper. Brother Duss was justice of Brewer Chapter in 1935.
- Richard K. Gandy (Hughes) announces removal of his offices to Suite 200-204 Lincoln Office Building, 726 Santa Monica Boulevard, Santa Monica, California.

■ Who was the first man to be initiated into this fraternity? De Goy B. Wallis offers his recollections as follows: "My

recollection regarding the first initiation in the Lambda Epsilon, from which Phi Alpha Delta originated, was as follows: Arthur C. Fort, who was a student at



either Kent College of Law or Illinois College of Law, worked out the entire ritual and got a few of us boys together in a room at the old Sherman Hotel, and it was then decided by the small group of five or six that I should be initiated, and I was accordingly initiated. I cannot tell whether at this time I was a student at Illinois or Kent, but I think this occurred in 1898. My recollection is that John A. Brown (who now has offices on LaSalle Street) was one of this group, but I am not

sure, and I think this was the first regularly organized Chapter of the Lambda Epsilon, that I had heard of, though I believe that J. M. Kirkwood, Morris W. Loel, D. M. Howe, W. A. White, Robert Shaw, Arthur C. Fort and Bert C. Nelson, and possible some others, had held a preliminary meeting, but I am sure that I was told at the time of my initiation that I was the first person ever to be initiated."

- ALLAN T. GILBERT, Past Supreme Justice and present Chairman of the Board of Trustees of the Endowment Fund, was recently admitted into partnership with the law firm of Schuyler & Hennessy.
- THE REPORTER wishes to correct an omission in the March issue. In the convention story, mention was made of Past Supreme Officers of the fraternity who were unable to attend the convention but sent messages to the gathering.

This list should have included the name of Colonel John Doyle Carmody.

George L. Quilici (Story) has concluded the work to which he has given part of his time during the past two years as Special Prosecutor of election fraud cases. During this time he handled a substantial number of lengthy and involved prosecutions. Virtually all cases were appealed to the Appellate and Supreme Courts, and there were very few reversals.

He is now devoting his entire time to his personal clients and will continue in the general practice of law with offices at the same address, Suite 1616 Burnham Building, 160 N. La Salle Street, Chicago, Illinois.

Hugh D. McNew (Staples) is affiliated with the American Automobile Insurance Company in St. Louis. He recently petitioned the St. Louis Alumni Chapter for membership.

## California Legislators' Breakfast

On Tuesday, May 18th, an informal PAD Breakfast was held in the Senator Hotel opposite the State Capitol. In attendance were most of the local brothers, members of the state assembly and of the so-called third house. Gathered around the breakfast table, forgetting for the time being political problems and affairs of state, reviving old friendships and discussing the affairs of the fraternity, were the following brothers from eight different chapters:

Richard Seely (Field), Attorney, Sacramento, Calif.

Webb Shadle (Marshall), Att'y, Dept. Finance, State Capitol, Sacramento, Calif. Kenwood B. Rohrer (Field), Attorney, Los Angeles, Calif.

Pierce B. Leverich (Taft), Corporation Executive, Los Angeles, Calif.

Kenneth McGilvray (Temple), Attorney, Sacramento, Calif.

Paul J. McClarrinon (Temple), Law Clerk, San Francisco, Calif. J. Allen Davis (Holmes), Attorney, Los Angeles, Calif.

Chauncey H. Dunn (Holmes), Attorney, Sacramento, Calif.

Dixwell L. Pierce (Temple), Sec. State Bd. of Equalization, Sacramento, Calif.

Robert E. Reed (Kent), Attorney, Sacramento, Calif.

Walter B. Henretty (Taft), Attorney, Sacramento, Calif.

Chas. W. Lyon (Ross), Attorney, Los Angeles, Calif.

E. G. Funke (Reese), Attorney, Sacramento, Calif.

Homer W. Buckley (Field), Ass't City Attorney, Oakland, Calif.

Thomas F. Keating (Temple), Attorney, San Rafael, Calif. Fred Wood (Holmes), Legislative Counsel, Sacramento, Calif.

Fred Wood (Holmes), Legislative Counsel, Sacramento, Calif. U. S. Webb (Temple), Attorney General, San Francisco, Calif.

Kent Redwine (Ross), State Assemblyman, Sacramento, Calif.

Frank M. Ludwick (Benton), Attorney, Los Angeles, Calif.

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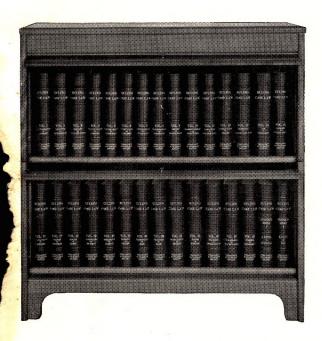
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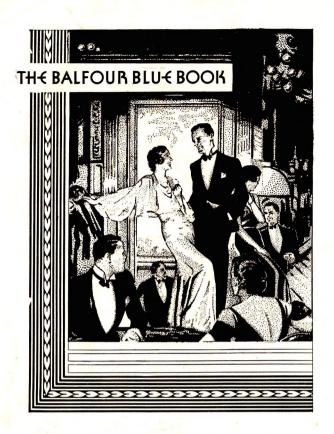


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