

Washington Law Review

Volume 3 | Issue 2

5-1-1928

Bench and Bar

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Recommended Citation

anon, Bench and Bar, *Bench and Bar*, 3 Wash. L. & Rev. 107 (1928).

Available at: <https://digitalcommons.law.uw.edu/wlr/vol3/iss2/7>

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BENCH AND BAR

A department devoted to the activities of the members of the Bench and Bar, and other allied groups. Communications are requested from officers and committee members of all agencies engaged in, or connected with, the administration of justice. Local bar associations are invited to report their activities through this department. Please address all communications intended for this department to R. H. NOTTELMAN, ASSOCIATE EDITOR, WASHINGTON LAW REVIEW, UNIVERSITY OF WASHINGTON, SEATTLE, WASHINGTON.

With this number the LAW REVIEW establishes a new department which will be devoted to the activities of the members of the bench and bar. This will include not only items of large importance such as the work of the State Bar Association, but also items concerning the work of other agencies composed largely of lawyers, e.g., the local bar associations, Prosecuting Attorneys Association, Superior Judges Association, Judicial Council, and similar bodies. It is proposed that there shall appear in this department from time to time legal news of general interest to the bar and comments on such new methods of practice or procedure, organization of courts, and the administration of justice generally, as may be proposed in this and other jurisdictions; and reprints or reviews of news or editorial material which may appear in other legal books or periodicals.

AMERICAN BAR ASSOCIATION MEETING IN SEATTLE JULY 25-27

The semi-centennial meeting of the American Bar Association will be held in Seattle, on Wednesday, Thursday and Friday, July 25-27. This coming summer's meeting represents the return of the American Bar Association for its annual convention after twenty years, that association having convened in Seattle August 25-28, 1908, at which time 312 persons were in attendance. It is expected that this summer's attendance will exceed two thousand, twelve to fifteen hundred of whom will come from without the state. At the meeting at Denver, Colorado, two years ago, the most recent Western meeting, 2116 persons were registered. According to the last annual report of the American Bar Association there are 465 members of that association in the State of Washington.

Members of the bar of the State of Washington, whether members or non-members of the American Bar Association, are invited to attend the convention in Seattle. Those who plan to attend the meeting in Seattle are advised that requests for reservations and information concerning hotel accommodation should be addressed to the secretary of the American Bar Association, Mr. William P. MacCracken, Jr., 209 So. LaSalle St., Chicago, Ill. This is to insure the orderly and systematic arrangement of hotel accommodations without duplication and crossing of purposes. To avoid unnecessary correspondence, members are requested to be specific in making requests for reservations, stating (1) whether double or single room is wanted and, if double, the names of the persons who will occupy it, (2) whether double or twin beds are preferred, (3) approximate rate, (4) date of arrival, including definite information as to whether such arrival will be in the morning or the evening, (5) whether upper or lower floor is preferred. Members are requested to specify *second choice* of hotel when making request for reservation.

In deference to the members of the bar coming from without the state, members of the bar of the State of Washington who plan to attend the meeting are kindly requested by the local committee in charge to make their reservations as far as possible in the lesser known and more outlying hotels, since out-of-state strangers, unfamiliar with the city of Seattle, will undoubtedly prefer a reservation at the most centrally located and best-known hotels. This courtesy by members of the bar in this state will be greatly appreciated by the committee.

The members of the local committee in charge of the arrangements for the Seattle meeting are the following: Glenn J. Fairbrook, Chairman, Loren Grinstead, Vice-Chairman, Elmer E. Todd, Chairman of Finance Committee, Charles H. Winders, Chairman of Transportation Committee, James H. Kane, Chairman of Entertainment Committee, William T. Laube, Chairman of Hotel and Convention Facilities Committee, Alfred H. Lundin, Chairman of Reception Committee, William G. Long, Chairman of Publicity Committee, Othilia G. C. Beals, Chairman of Ladies' Committee, Maurice R. McMicken, Secretary of Executive Committee, Charles T. Donworth, Treasurer of Executive Committee. Ira Bronson and Alfred Battle, Ex Officio Members of the Executive Committee.

In addition to this committee, various sub-committees have

charge of specific portions of the work. The chairmen of these committees are as follows: Banquet Committee, Grover Desmond, Sight-seeing Committee, Clyde M. Hadley; Sports, J. S. Robinson, Clubs and Courtesies, Daniel Trefethen, Committee for Entertainment of Uniform Law Commissioners, Alfred J. Schweppe; Auto Transportation Committee, Ford Q. Elvidge. The Auto Transportation Committee requests that all persons having automobiles which they are willing to offer for transportation of guests about the city write the chairman of the committee immediately to that effect in order that full information may be on file as to the available facilities.

WASHINGTON STATE BAR ASSOCIATION MEETING
IN SEATTLE
JULY 23-24

The Washington State Bar Association will hold its annual convention in Seattle on Monday and Tuesday, July 23-24, just prior to the meeting of the American Bar Association, which convenes the following morning for a three day session. The dates are so arranged that members of the bar of the State of Washington can attend both meetings in the same week. To attain this end a shorter program than usual has been arranged for the State Bar Association meeting. The present officers of the Washington State Bar Association are: President, Maurice A. Langhorne of Tacoma, Vice-Presidents, Floyd Q. Elvidge, Seattle, D. W. Locke, Everett, W. G. Henly, Tacoma, F. L. Stotler, Colfax, Floyd B. Danskin, Spokane; Secretary, W. J. Millard, Olympia. Further details concerning this year's meeting will be announced in our next issue.

KENNETH MACKINTOSH

On March 15, 1928, Kenneth Mackintosh, Chief Justice of the Supreme Court of Washington, resigned, effective April 15, 1928, after ten years of service on the Supreme Court.

Judge Mackintosh was born in Seattle on October 25, 1875. There he received his early education and, in 1893, attended the University of Washington. He was graduated from Stanford University with his A. B. degree in 1895, and later studied law at Columbia University. Upon receiving his LL. B. degree there in 1900, he returned to Seattle and entered the practice of law. From 1905 to 1909 he served as prosecuting attorney of King County, and from 1912 to 1918 as judge of the Superior Court for King

County In 1918 he became associate justice of the State Supreme Court, and in 1927 its chief justice. His opinions are set forth in Volumes 102-147 Washington, and number 613. Of these 557 were majority opinions, 48 dissenting opinions and 8 separately concurring opinions.

At the time of his resignation Judge Mackintosh announced himself as a Republican candidate for the Senate of the United States.

WALTER B. BEALS

Upon the resignation of Chief Justice Mackintosh, Superior Judge Walter B. Beals of Seattle was appointed by Governor Hartley to be justice of the supreme court to fill the vacancy created, and Associate Justice Mark A. Fullerton was elected by his associates to be Chief Justice. The following brief sketch of the important events in the life of the new appointee will be of interest to the members of the bar of the state.

Born in St. Paul, Minnesota, on July 21, 1876, Judge Beals came West as a youth, working for a time in sawmills at Bellingham. Later, he conceived the ambition to study law, and when the law school was opened at the University of Washington by Dean John T. Condon in 1899, Judge Beals became a member of its first class, graduating with that class in 1901, a class of which Mrs. Beals (nee Othilia Gertrude Carroll) was also a member. During the years 1901-1923 Judge Beals was engaged in the private practice of law in Seattle. From 1923-6 he was first assistant corporation counsel of the city of Seattle. In the latter years he became judge of the superior court of King County, the position which he held at the time of his recent appointment to the supreme court.

From 1909-17 Judge Beals was a member of the Washington National Guard, attaining the rank of major. At the commencement of the World War in 1917 he became judge advocate, 81st Div., U. S. A., and was honorably discharged in 1919 with rank of lieutenant colonel, after 15 months service in France.

Judge Beals formally assumed his new duties on the supreme court on April 15, following an appropriate ceremony.

ADAM BEELER

To fill the place on the Superior Court for King County vacated by Judge Walter B. Beals, Governor Hartley appointed Adam Beeler of Seattle. Judge Beeler was born in Wells County, Indiana, on October 11, 1882. He was graduated from Washing-

ton, D. C., College with LL. B. in 1906, and came to Seattle in 1908, where he has since practiced law. He represented the Queen Anne Hill District of Seattle in the State Legislature for three sessions. He sponsored the well-known Beeler Anti-Narcotic Act, which became a law in 1923. Judge Beeeler assumed his judicial position on April 15, 1928, after an appropriate ceremony in which the twelve other judges of the Superior Court for King County and several hundred members of the Seattle bar participated.

QUARTERLY MEETING OF SEATTLE BAR ASSOCIATION March 14, 1928

On March 14 the Seattle Bar Association held its quarterly dinner meeting at the Rainier Club at 6:30 p. m., Judge Chester R. Hovey, vice-president, presiding in the absence of President Ira Bronson. About 150 members were in attendance. After the dinner the principal address was delivered by Judge Emmett N. Parker of the state supreme court, who outlined the objectives and achievements of the American Law Institute, of which Judge Parker is a life member and also a member of its council since its organization. Short talks were also given by Chief Justice Kenneth Mackintosh of the state supreme court, who sang his judicial swan-song; by Mrs. Olive G. Ricker, of Chicago, executive secretary of the American Bar Association, who was then in Seattle assisting in arrangements for the meeting in July, and by Alfred J. Schweppe, Dean of the University of Washington Law School, who spoke briefly on "Harmonizing the Law." The evening was concluded with a serio-comical address by William G. Long of Seattle, who expatiated upon the topic "When Is a Fish a Fish," being the tragic story of the modern network of legal entanglements surrounding fish and fishermen.

JUDICIAL COUNCIL

The scope of the work of the Judicial Council of the State of Washington is unique. In common with the councils of other states, it has the duty of studying the operation of the judicial department of the state, and making recommendations for its improvement. However, at the same session which created the council our legislature gave to the supreme court power to make rules of procedure for the courts. Therefore, as the most direct method of securing the improvement for which it was created, the council immediately upon its organization began work upon the

preparation of rules of procedure covering a limited number of subjects, with a view to presenting them to the supreme court with a recommendation for their adoption. The rules as first drafted were submitted to various leading members of the bench and bar of the state, and to law organizations, for their consideration. Certain changes were made in view of the criticisms received and the draft of rules was then submitted to the supreme court. They were adopted as submitted and are now in force. It is believed they have met with the general approval of the bar. A case attacking the validity of one of these rules, which case, when decided, should determine the constitutionality of the rule-making power in this state, was recently argued before the supreme court.

The council, feeling that these rules should remain in force for a time before recommending further rules, in order to give opportunity for study of their operation, then turned its attention to other matters.

Under authority of a resolution sponsored by the writer and adopted by the last legislature, a very thorough survey has been made of the present arrangement of the judicial districts of the superior court, including the volume of business transacted by these courts in the various counties, with a view to making recommendations as to the rearrangement of the judicial districts to the end that justice may be administered more economically and conveniently. This is the first time in the history of the state that such a survey has been made, and the results have been very interesting and instructive.

The council has also prepared a number of constitutional amendments designed particularly to relieve congestion in the supreme court. These were thoroughly discussed at the last meeting of the State Bar Association, but in view of the fact that another meeting of that body would intervene before these amendments could be submitted to the people, no formal action was taken on them, and they were left for further consideration at the 1928 meeting of the Association.

JUDSON F FALKNOR, *Secretary.*