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WASHINGTON LAW REVIEW

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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 LESLIE J. AYER, ASSOCIATE EDITOR, WASHINGTON LAW REVIEW, UNIVERSITY OF WASHINGTON, SEATTLE, WASHINGTON.

PRESIDENT'S MESSAGE

The Walla Walla meeting committed the Association to a definite program for the ensuing year and passed to the trustees for action a large number of recommendations by committees.

By unanimous vote the Association voted to sponsor the enactment of the Uniform Corporation Law. The proposed act is published in this issue. Every lawyer is urged to work actively to secure its passage. It had the study and approval of an able committee. If you do not understand it, don't knock. Give the committee an opportunity to explain it to you.

The Association also indorsed constitutional amendments to eliminate the necessity of written opinions by the Supreme Court in all cases and to

increase the jurisdictional amount on appeal, and also indorsed the court commissioner plan for temporary relief. The trustees will seek enactment of these measures.

The recommendations of all other committees were referred to the trustees for action. These included recommendations that the Association attempt to secure an amendment to House Bill No. 135 of the 1927 session relating to attorneys at law the Uniform Chattel Mortgage and Criminal Extradition acts and all the recommendations of the committees on Law Enforcement.

Most of these recommendations were for legislative action. With the legislative program endorsed at Walla Walla the trustees felt it inadvisable to undertake too great a burden during the coming year, and will therefore confine the legislative program to an endeavor to secure enactment of the proposed American Law Institute Act on bail and the proposed acts on search warrants. Other recommendations of committees for further consideration of law enforcement measures were approved and the committees were authorized to continue their work.

The trustees also determined that the proposals to amend the State Constitution to permit trial judges to comment on evidence and credibility of witnesses, allow counsel to comment on the failure of a defendant to take the stand and to permit convictions except in capital cases by ten jurors be made a special order of business for the 1931 meeting.

It is the hope of your President that he will be able to visit each of the County Associations at least once during the year and advise the members in greater detail of the work which the Association is trying to do. Every member can help in the program. The place to start is by cooperating with the officers of your own County Association.

EDWARD W. ALLEN

PROCEEDINGS OPENING SESSION

THURSDAY, JUNE 19, 1930, 1:30 P. M., CAPITOL THEATRE

The convention was called to order by President Edward W. Allen.

Address of welcome delivered by E. L. Casey, president of the Walla County Bar Association.

Mr. R. E. Lowe of Spokane, Washington, delivered the response to the address of welcome.

Mr. Allen then delivered the president's address. (See page 156 of this issue.)

Announcements by W. G. Heinly, secretary, followed.

A summary of the report for the Committee on Publications was made by Mr. Glenn J. Fairbrook, recommending "that the WASHINGTON LAW REVIEW be made the official organ of the State Bar Association, and that there be budgeted in the expense of the Association sufficient funds to enable THE REVIEW to go to every member of the Association."

Mr. Carl Smith gave a report of the Committee on Constitution and Citizenship. This committee intends to center its work on Constitution Week, when lawyers will be asked to speak on the Constitution at the high schools, University, colleges and clubs.

A motion was then made by Mr. Dix Rowland that a congratulatory and encouraging letter be sent to all participants of the international oratorical contest on the Constitution, expressing the appreciation of the Association for the splendid work they have done. The motion was seconded and carried.

Mr. Heinly read the report of the Committee on Legal Education, which recommended "that the Legislative Committee of this Association actively foster and, if possible, procure the passage of a bill by the Legislature of

the State of Washington in form, or substantially in form of an Act introduced in the 1929 Legislature."

Mr. George McCush, chairman of the Committee on Incorporation of the Bar, read the report of his committee which recommended that "a committee to investigate and inquire into the advisability and feasibility of the officially created, self-governing, all inclusive State Bar Association be continued for another year and that if possible this committee work out and submit to the next convention of the Washington State Bar Association a definite plan of Bar organization for this state, together with a draft of a proposed act to be submitted to the Legislature of this State to carry into effect that plan."

The motion to accept the adoption of the above recommendations was carried.

Mr. Allen called for the report of Mr. Schweppe, executive secretary, and he reported that the executive secretary on behalf of the State Bar had undertaken specifically the following things:

1. A complete card index system of the entire bar of the state.
2. A compilation of all of the rules of court, to wit: Supreme Court rules, general Superior Court rules, and local Superior Court rules, together with date concerning filing fees, jury terms, motion days and the like in the judicial districts of the state.
3. An increase in membership in the State Association. Over 140 members have been added to the Seattle Bar Association, carrying with it, of course, membership in the State Association, since January 1 by an intensive canvass.

Mr. Paul Ashley, chairman of the committee of "Protection Against Unauthorized Practice of Law," then gave his report which was deemed important enough for circulation throughout the United States and appeared in the American Bar Association Journal for September.

Mr. Allen next introduced Dr. Stephen B. L. Penrose, president of Whitman College, who delivered his address, "A Modern Titan" (See page 145).

FRIDAY, JUNE 20, 1930, 9:00 A. M.

The Friday morning session was opened with a series of helpful talks on selected subjects which were of special value to the "Young Lawyer."

1. How to Run Your Office—By Donald G. Eggerman of Seattle.
2. Clients and Fees—By Ralph Williamson of Yakima.
3. Title Mistakes to Avoid—By Hogo E. Oswald of Seattle.
4. Ethics and Success—By Ben Kizer of Spokane.
5. Response for the Young Lawyers—By Frank Weaver of Spokane.

A motion was carried that Mr. Rummen's resolution allowing for the appointment of a commission of three members by the Chief Justice for the purpose of certifying evidence introduced in complaints filed by the State Board of Law Examiners, be laid upon the table.

Mr. John B. Van Dyke, chairman of the Obituary Committee, then read his report.

There followed an address by Hon. Alfred Henry Clarke, Justice of the Court of Appeals of Alberta, Canada, entitled the "Judicial System of Canada."

Friday afternoon was given over to Round Table discussions which were reported on in the Saturday morning session.

SATURDAY, JUNE 21, 1930, 9:00 A. M.

President Allen opened the Saturday morning session by calling for the remainder of the committee reports.

The recommendation of the Committee on Legal Admission to the Bar, to endorse the law recommended by the American Bar Association was adopted.

Next, the members stood in tribute to the departed members of the pro-

fession whose names were read by the secretary from the report of the Obituary Committee.

The secretary then read telegrams from Aberdeen, Bellingham and Olympia inviting the Bar to hold its next conclave in those respective cities.

There followed a motion which was carried, that a committee be appointed to attempt to put in effect suggestions made in Mr. Ashley's report on "Protection Against Unauthorized Attempts to Practice Law."

Mr. Leslie J. Ayer gave a report on the round table discussion of Corporation Law. A motion to adopt this Corporation Act was carried. (See page 170.)

A recommendation to endorse an increase in judges' salaries was unanimously adopted.

An endorsement of a judges' retirement law followed.

Mr. Charles H. Paul read his report on "Relief of the Supreme Court." All three recommendations contained in the report—namely, 1. authorization of not less than two nor more than four commissioners; 2. the doing away with written opinions in all cases; and 3. the proposition dealing with the power of the Legislature to raise the jurisdictional amount for an appeal, were duly adopted.

It was decided to have a copy of the report of the Law Enforcement Committee and the Committee on Uniform State Laws sent to the local Bar Associations of the various counties with requests that they report back to the Executive Committee what their actions were.

Hon. Jess Hawley, president of the Idaho State Bar Association, delivered his address, a part of which may be found on page 162 of this issue.

A resolution presented by Mr. Casey was referred to the Executive Committee.

The Committee on Nominations made its report as follows:

For president—Glen J. Fairbrook of Seattle.

For secretary-treasurer—W. G. Heinly of Tacoma.

For delegates to the American Bar Association Convention—Edward W. Allen of Seattle, Ray Venables of Spokane, Glen Madison of Bellingham.

The adoption of the above report was unanimously carried.

President-elect Fairbrook received the gavel from Mr. Allen, recognized Mr. Brown, who presented a resolution extending thanks to the Walla Walla Bar Association for their kind hospitality, and declared the session adjourned.

REPORT OF OBITUARY COMMITTEE OF STATE BAR
ASSOCIATION OF WASHINGTON, JUNE 18, 1930

To the President and Members of the State Bar Association of Washington:

Your committee submits its annual report. It is intended to include in the report all members of the Bar of the State who have passed away during the period covered by the report, whether or not they were members of this Association.

Strive as we do to avoid omission of those who have passed on, it is probable that this report is not complete in that respect, much as we have desired it to be. Inability of the committee to learn of the demise of such deceased members not included in this list, if any there be, is the reason for such omission.

During the period covered by this report, the mortality list is large. Among those included in the list are men of the highest standing at the Bar, each distinguished for ability and sterling worth, and who outside and beyond the duties of service to clients, has rendered his best endeavor in civic affairs in the community in which his closing years were spent in active life. Such communities have lost a useful, estimable and public-spirited citizen and neighbor, and the Bench and Bar have lost a friend and man whose learning in the law and equity has helped to establish our jurisprudence on a more enduring basis, working for the welfare of the commonwealth. Personal mention of each deceased brother would unduly lengthen this report. Fulsome eulogy may not add to or take away from the record made by the departed, while living, hence the report attempts to record briefly the simple facts.

Respectfully submitted,

JOHN B. VAN DYKE, *Chairman.*

AVERY, A. G., born 1860, died in Spokane, Dec. 19, 1929. Began service on the Superior Court Bench in Spokane, in 1926.

BARROWS, O. P., born 1878, died at Wenatchee, Dec. 3, 1929.

BUTLER, MARION A., born 1866, died at Seattle, 1930.

CAMPBELL, J. D., born 1867, died at Spokane, January 4, 1930.

DENNEY, JOHN C., born 1852, died at Everett, 1930. Served as Superior Court judge in Snohomish and Kitsap counties for many years. Later, Director of Public Works of the State of Washington.

FORNEY, C. H., born 1860, died at Centralia Jan. 19, 1930.,

GREENE, ROGER, born Dec. 14, 1840, died at Seattle, Feb. 17, 1930. Served as Associate Justice and Chief Justice on the Supreme Court Bench of Washington Territory from 1870 to 1877.

HASTINGS, H. A. A., born Dec. 18, 1862, died at Seattle in 1930.

HOWE, JAMES B., born 1861, died at Seattle, March 4, 1930.

MACKEL, ALEX, died at Centralia, Nov. 27, 1929.

MILLS, EDWARD, born 1855, died at Everett in 1930.

McDONALD, J. S., died at Cheney, Oct. 4, 1929.

PARKS, W J., died at Spokane, Sept. 11, 1929.

REAGAN, FRANK C., born in 1882, died at Seattle, Feb. 15, 1930.

PETERS, W A., born 1858, died in Seattle, Oct. 26, 1929.

POWELL, JOHN H., born 1866, died at Seattle, 1930.

SMITH, EDMUND, born 1860, died at Seattle, 1930.

TRUAX, JOHN, born 1880, died May 14, 1930. Was Superior Court Judge, serving his third term on that bench in Adams, Franklin and Benton counties at the time of his decease.

NEAL, CHARLES H., born in 1862, died at Okanogan, January, 1930. He

was Superior Court Judge in Okanogan and Ferry counties at the time of his decease. Began his service as Superior Court Judge in January, 1897, in Lincoln County, later resigned and practiced law for about four years, and was again returned to the Superior Court Bench, which place he occupied at the time of his decease.

BRONSON IRA, born in 1868, died at Long Beach, California, where he was temporarily sojourning to regain his health, on the 16th day of June, 1930. Practiced law in Seattle for more than thirty-five years.

Since the report of your committee was made at the last meeting of this Association in August, 1929, your committee has received information relative to the passing of the following list of members of the Bar, who had passed away prior to the meeting of our Association last year:

BALDWIN, HARRIS, born —, died at Spokane, Jan. 3, 1928.

BLAKE, JOHN F., born Aug. 10, 1855, died at Spokane, Oct. 28, 1927.

DOMER S. P., born Feb. 16, 1862, died at Spokane, Dec. 8, 1927.

GIRAND, FRANCIS W., born April 1, 1866, died at Spokane, Feb. 28, 1928.

GRANT, CHARLES, born Sept. 2, 1865, died at Spokane, Oct. 27 1927.

PATTISON, JOHN, born Jan. 13, 1859, died at Spokane, March 28, 1928.

STOOLFIRE, H., born Dec. 21, 1872, died at Spokane, Jan. 13, 1928.

GRIFFIN, ARTHUR R.

