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President's Page

F. J. Graham

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BENCH AND BAR

PRESIDENT'S PAGE

DURING the last several years through my experience in connection with the sessions of the Senate and the House, I came to the conclusion that there should be more lawyers in the legislature. My friends in Dickey County seemed to feel the same way so they elected me as a member of the House for the 1943, 1945, 1947, and 1949 sessions. I served as floor leader for a couple of the sessions and found the facts to be that even though we are criticized many times, in the end our advice was followed a great many times; not only in the laws that were passed but also in regard to the laws that were defeated.

There are, as you all know, 49 Senate members who are elected for a term of four years, one half of them being elected every two years. There are 113 House members who are elected every two years.

During the last session there were the following attorneys serving in the Senate and House:

SENATE:

Carroll E. Day	- - - - -	Grand Forks County
W. H. Shure	- - - - -	Cass County
Clyde Duffy	- - - - -	Ramsey County

HOUSE:

Clair F. Brickner	- - - - -	Cass County
John Stormon	- - - - -	Rolette County
Roy A. Holand	- - - - -	LaMoure County
William S. Murray	- - - - -	Burleigh County
F. J. Graham	- - - - -	Dickey County

It is, of course, a well known fact that it is a personal sacrifice for everyone who serves in the Senate or in the House whether he be a layman or a member of the Bar. When North Dakota became a State in 1889 the Constitution provided for a payment of \$300.00 for each sixty day session. It has now been raised to \$900.00 which will pay your expenses for the session if you are saving.

The years between 1760 and 1789 were times of change and

strife. The attorneys in those times took a prominent part in the changes then brewing prior to and during the American Revolution. A great many of them were signers of the Declaration of Independence and also delegates to the convention for the adoption of our Constitution. In fact, of the fifty-five delegates, some thirty-four were attorneys. Of the thirty-eight signers of the Constitution, twenty-one were attorneys.

I sometimes wonder if we, as attorneys, are as willing to perform our part in the government as our ancestors were in the American Revolution and the Adoption of the Constitution. Our times are just as critical now as they were then. It behooves us to perform our duty to our state and nation.

I appeal to the younger members of the bar to become candidates for the Senate and the House and help to make any changes that may become necessary in the laws of the State of North Dakota. There should be at least sixteen lawyer members in the Senate and House in place of eight.

F. J. GRAHAM,
President

NOTICES OF BOOKS FOR SALE

A complete set of the Dakota Digest, property of the late S. D. Adams of Lisbon, N. D., has been offered for sale. It may be purchased or inspected through Mrs. Lucile Sandager at Lisbon.

The following volumes, which may be inspected at the office of Milton E. Moskau, Attorney at Law, Red River National Bank Building, Grand Forks, N. D., have been offered for sale:

South Western Reporter, Vols. 1 - 130, less Vols. 115 - 119 and Vol. 125;
North Eastern Reporter, Vols. 1 - 86, less Vol. 65 and 78;
Wisconsin Reports, Vols. 1 - 45;
Michigan Reports, Vols. 1 - 40;
Callaghan's Dakota Digest, Vols. 1 - 5;
Jones, Commentaries on Evidence, Vols. 1 - 5;

World's Best Orations, Vol. 1 - 10;
Pacific Reporter, Vols. 1 - 145;
U. S. Compiled Statutes, Vols. 1 - 12 (1916).

Volume 75, North Dakota Reports, is now ready for distribution. These reports can be secured only through the office of the Supreme Court Reporter, Bismarck, North Dakota, where all inquiries should be directed and where all checks and money should be sent. The price is \$4.25 a copy to residents of North Dakota and \$5.00 a copy to persons outside the state.

IMPORTANT NOTICE

The 1949 Cumulative Supplement to the 1943 Revised Code may now be purchased direct from the Secretary of State at Bismarck. The price is \$6.00 a copy and checks or money orders should be sent direct to the Honorable Tom Hall, Secretary of State, Bismarck, North Dakota.

A subscription plan for the publications of the Committee on Continuing Legal Education of the American Law Institute collaborating with the American Bar Association has been announced. The first (1949-50) series includes:

*Legal Problems in Tax Returns, by Thomas P. Glassmoyer and Sherwin T. McDowell, of the Philadelphia Bar.

*Lifetime and Testamentary Estate Planning, by Harrison Tweed and William Parsons, of the New York Bar.

*The Drafting of Partnership Agreements, by John E. Mulder of the Philadelphia Bar and Marlin M. Volz of the University of Wisconsin Law School.

**Labor Law and Labor Negotiations, by Marcus Manoff, of the Philadelphia Bar.

**Basic Accounting for Lawyers, by Marcus Manoff, of the Philadelphia Bar.

**Price and Service Discriminations Under the Robinson-Patman Act, by Cyrus Austin, of the New York Bar, and S. Chesterfield Oppenheim, of the George Washington University Law School.

*Available for immediate delivery.

**Available early in 1950.

These are available at a subscription rate of \$10 for six publications, or single copies at \$2 each. These may be obtained by writing the American Law Institute, 133 South 36th Street, Philadelphia 4, Pa. Checks should be made payable to the American Law Institute.

FEDERAL JUDGE J. F. T. O'CONNOR

J. F. T. O'Connor, Federal Jurist and resident of Los Angeles, California, died September 28, 1949 at the age of sixty-five years.

A well known resident of North Dakota and especially prominent in legal circles, his passing leaves an emptiness in the hearts of the people of this state.

Born near Lanark, Ontario, Canada, he came, as a small child, to North Dakota and settled with his family at Grand Forks, at that time a pioneer settlement.

He received his early education at St. Bernard's Academy at Grand Forks, and degrees at the University of North Dakota and Yale University, where he later became a lecturer and teacher.

He received his law degree at the University of North Dakota in 1907 and began the practice of law in Grand Forks with Attorney Scott Rex in the year 1909.

Later he formed a partnership with Svenbjorn Johnson to be succeeded by another partnership in 1921 with Attorney C. F. Peterson.

In 1914, he was elected to the State Legislature serving two terms between 1915 and 1919. He was a candidate for Governor of this State in 1920. Always a Democrat, he had the support of the Conservative Republican faction in that election, but was defeated by Lynn J. Frazier, then a nominee of the Non-Partisan League. He ran for United States Senator in 1922 against Lynn J. Frazier, again meeting defeat.

In 1925, he left Grand Forks to become associated with William Gibbs McAdoo, who was then practicing law at Los Angeles and who formerly was Secretary of the Treasury under President Woodrow Wilson.

While a resident of California, he directed the pre-convention Roosevelt campaign in that State and assisted in secur-

ing the Democratic nomination for Franklin Delano Roosevelt.

In 1933, he was appointed by President Roosevelt as Comptroller of the Currency and played a very prominent part in steering the banks through the bank holiday period and in helping to reorganize them upon a sound financial basis.

As Comptroller, he counseled and assisted in the passage of the Federal Deposit Insurance Corporation Act and later became the author of a book called "Banks Under Roosevelt."

With a constant interest in the welfare of Grand Forks, he assisted in securing a loan of eight hundred thousand dollars from the government and which played a big part in the re-opening of the First National Bank in that city.

When he resigned as Comptroller of Currency, President Roosevelt thanked him warmly for "having guided the United States currency through a period of stress and strain."

He resigned his federal position in 1938 and became a candidate for United States Senator from the State of California. In this quest for high official office, he was defeated.

He was appointed by President Roosevelt as United States District Judge in the Los Angeles area, and as such, presided over the Court with great fairness and learning.

One of the most important cases to come before him was that of the notorious gambling ship, Lux, which operated off the California Coast. As Judge, he presided over several actions involving the motion picture star, Charlie Chaplin.

J. F. T. O'Connor, affectionately called "Jefty", was widely known as an orator, debator, and lawyer of high ability. His life and conduct has always been, and will continue to be, an inspiration to those who knew him. His pleasing personality and very human qualities are something we all remember. The people of the State of North Dakota and this nation will long remember his achievements and have profited from his example and life.

Committee on Memorials:

E. T. CONMY

J. H. NEWTON

RAY R. FREIDERICH

E. J. MCILRAITH; *Chairman*

HELEN M. HAMILTON

Helen M. Hamilton of Grand Forks lived to the age of seventy five years. She was the daughter of a pioneer lawyer of Grand Forks, Major John G. Hamilton. During her lifetime she had the unusual distinction of being the first woman attorney in the United States to be admitted to the American Bar Association and the first woman to be graduated by the law school of the University of this State.

Miss Hamilton began the practice of law in Grand Forks in 1905 being connected with the various firms of Bangs, Netcher, and Hamilton; Bangs, Cooley, and Hamilton; Bangs, Hamilton, and Bangs. She retired from the practice a short time ago.

Born in Lexington, Kentucky, upon January 3, 1874, she moved with her parents, two years later, to the Indian Reservation at Sisseton, South Dakota. From there she came to Grand Forks. Her early education was in the public schools at Grand Forks, and her advanced studies at the University where in 1905, she graduated from the Law Department. The added distinction came to her of being Deputy Clerk of the United States District Court at Grand Forks for about fifty three years.

Active in veterans and social groups all of her adult life, she spread her energy and optimism where it did the most good. She was a charter member of the Auxiliary of the United Spanish War Veterans and the Grand Forks chapter of that organization was named for her brother, Harry H. Hamilton. She served two terms as President of the State Auxiliary of that organization in the years 1936 and 1937. She was a member of the American Legion Auxiliary and the Veterans of Foreign Wars Auxiliary.

A charter member of the business and professional Women's Club at Grand Forks, she served as State head of that organization. She was also Secretary of the Memorial Park Cemetery Association, and as such, was a member of the American Cemetery Association.

A modest, humble, and self-effacing woman, she did her legal work well, and at times, brilliantly, and took her place and played her part in the community where she lived. She made a profound impression upon the members of the Grand Forks Bar and those with whom she came in contact during

her lifetime. She was a real credit to the legal profession of this State.

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E. J. McILRAITH, *Chairman*

MARTIN O. THOMPSON

MARTIN O. Thompson was born at Paynesville, Minnesota, on March 5, 1882. In the year 1884, his parents came to Fort Ransom, where they homesteaded. He attended the University of Minnesota, Fargo College, North Dakota Agricultural College and the School of Law at the University of North Dakota. He practiced law in La Moure, North Dakota, and in Fort Ransom, North Dakota, and in 1914, began his practice in Lisbon, North Dakota, where he practiced until 1922 when he was elected County Judge, an office he held until his death, June 3, 1948.

On May 15, 1915, he was united in marriage to Nettie B. Martin, who survives him, and he is also survived by two sons, Robert, who is with the Department of Labor, and Alfred, who is a member of the School of Law at the State University in Grand Forks.

During his twenty seven years of service on the county bench at Lisbon, he neglected no opportunity to expand his eternal horizon and to serve his fellow man. He was for a greater part of the time a member of the Lisbon Park Board and in the development of the park, he took a keen delight. A student of nature, his home in the park district of Lisbon became a beauty spot to which Lisbon people delighted to take their friends. An artist in realization as well as conception, visitors were surprised to find in the trees and about the orchard and garden faithfully lifelike representations of the tanager, the king bird, the red headed black bird, the warbler, and many others of his feathered friends.

Upon his 66th birthday, he wrote to his son and closed the letter with the following language: "It has been only a short time since I started on the road with all the world be-

fore me, with immeasurable time ahead for the journey I was to take, and now, the pilgrimage is almost over and the day is nearly done. How endless the unexplored road seemed to be, and how short the footworn trail seems now."

In his passing, we lost more than a member of the Bar, more than an able jurist. There was taken from us the epitome of the philosophy of kindness, of the solemnity of the duties of citizenship, and of responsibility to one's fellow man.

Memorials Committee:

E. T. CONMY

J. H. NEWTON

RAY R. FRIEDERICH

E. J. MCILRAITH, *Chairman*